

LOOK BENEATH THE SURFACE

Identifying and Helping
Victims of Human Trafficking

PRESENTATION OVERVIEW

- Understanding human trafficking
- Identifying crime of human trafficking
- Communicating with victims of human trafficking
- Role of local law enforcement
- Evidence of success / failure

HUMAN TRAFFICKING: WHAT IS IT?

- Human trafficking is a form of modern-day slavery
- Victims of trafficking exploited for commercial sex or labor purposes
- Traffickers use force, fraud or coercion to achieve exploitation

After drug dealing, human trafficking is tied with the illegal arms trade as the second largest criminal industry in the world, and it is the fastest growing.

HUMAN TRAFFICKING: WHAT IS IT?

Sex Trafficking: Commercial sex act induced by force, fraud or coercion, or in which person performing the act is under age 18.

- *Victims can be found working in massage parlors, brothels, strip clubs, escort services*

Labor Trafficking: Using force, fraud or coercion to recruit, harbor, transport, obtain or employ a person for labor or services in **involuntary servitude, debt bondage or slavery**

- *Victims can be found in domestic situations as nannies or maids, sweatshop factories, janitorial jobs, construction sites, farm work, restaurants*

***Crime of trafficking occurs with the exploitation of the victim.
The TVPA protects both U.S. citizens and non-citizens.***

WHO ARE VICTIMS OF HUMAN TRAFFICKING?

- Approximately 800,000 to 900,000 victims annually trafficked across international borders worldwide; between 18,000 and 20,000 victims trafficked into United States annually.
- More than half of victims trafficked into United States are children; victims are probably about equally women and men.
- Victims can be trafficked into the U.S. from anywhere in the world. Victims have come from, among other places, Africa, Asia, India, Latin America, Eastern Europe, Russia and Canada.
- Many victims in the U.S. do not speak English and are unable to communicate with service providers, police, or others who might be able to help them.
- Within the U.S., both citizens and non-citizens fall prey to traffickers.

MINDSET OF TRAFFICKING VICTIMS

Frequently victims:

- Do not speak English and are unfamiliar with U.S. culture
- Distrust outsiders, especially law enforcement – fear of deportation
- Do not self-identify as victims; often blame themselves
- Although many victims have been beaten and/or raped, current situation may still be better than where they came from
- May be unaware of rights or may have been intentionally misinformed about rights in this country
- Fear for safety of families in their home countries, who are often threatened by traffickers

HOW ARE VICTIMS TRAFFICKED?

Force, fraud and coercion are methods used by traffickers to press victims into lives of servitude, abuse

- **Force:** Rape, beatings, confinement
- **Fraud:** Includes false and deceptive offers of employment, marriage, better life
- **Coercion:** Threats of serious harm to, or physical restraint of, any person; any scheme, plan or pattern intended to cause victims to believe that failure to perform an act would result in restraint against them; or the abuse or threatened abuse of the legal process.

MYTHS ASSOCIATED WITH HUMAN TRAFFICKING

Myth #1:

**All Prostitutes
Are Willing Participants**

MYTHS ASSOCIATED WITH HUMAN TRAFFICKING

Myth #2:

**All Immigrants Smuggled into the
United States Enter Willingly**

MYTHS ASSOCIATED WITH HUMAN TRAFFICKING

Myth #3:

**Human Trafficking Is Crime
Prosecuted Only at Federal Level**

MYTHS ASSOCIATED WITH HUMAN TRAFFICKING

Myth #4:

**All Participants Involved in
Human Trafficking Are Criminals**

TRAFFICKING VICTIMS PROTECTION ACT (TVPA)

- Signed into law October 2000
- Prior to 2000, no comprehensive law to protect victims of trafficking or to prosecute traffickers
- Made human trafficking Federal crime
- Goals of law:
 - *Prevent human trafficking overseas*
 - *Increase prosecution of human traffickers in United States*
 - *Protect victims, provide Federal and state assistance to victims*

TRAFFICKING VICTIMS PROTECTION ACT

Law addresses three key areas:

- **Prevention**

- *Public awareness and education*

- **Protection**

- *T visa, certification, benefits and services to help victims rebuild their lives*

- **Prosecution**

- *New law enforcement tools and efforts*

HOW TVPA AFFECTS WHAT YOU DO

- Creates new laws that criminalize trafficking regarding slavery, involuntary servitude, peonage or forced labor
- Permits prosecution where non-violent coercion used to force victims to work in belief they would be subject to serious harm
- Permits prosecution where victim's service compelled by confiscation of documents such as passports or birth certificates
- Increases prison terms for all slavery violations from 10 years to 20 years; adds life imprisonment where violation involves death, kidnapping, or sexual abuse of victim
- Requires courts to order restitution, forfeiture of assets upon conviction
- Enables victims to seek witness protection, other types of assistance
- Gives prosecutors and agents new tools to get legal immigration status for victims of trafficking during investigation, prosecution

TVPA REAUTHORIZED IN 2003

- Federal government authorized more than \$200 million to continue domestic fight against human trafficking
- New law strengthens legal elements of TVPA
 - *Sex and labor trafficking now considered offenses under RICO statute*
 - *Encourages nation's 21,000 law enforcement agencies to investigate cases of trafficking*

IDENTIFYING CRIME OF HUMAN TRAFFICKING

- Immediate concerns for service providers :
 - *Identify when crimes of trafficking taking place*
 - *Identify and distinguish between victims and perpetrators*
 - *Stop crimes of trafficking in progress*
 - *Manage victims of trafficking as witnesses*
 - *Secure evidence of trafficking for prosecutions and trials*

IDENTIFYING CRIME OF HUMAN TRAFFICKING

- Non-verbal crime scene clues to link to human trafficking:
 - *Living conditions of potential victims*
 - *Physical abuse*
 - *Working conditions*
 - *Restriction of movement indicators*
 - *Behavior indicators of severe dependency*
 - *Possession of other's legal documentation*
 - *Possession of false or fraudulent documentation*
 - *Insistence on providing information to officer*

IDENTIFYING CRIME OF HUMAN TRAFFICKING

- Look beneath surface of other crimes and scenarios to expose crimes of human trafficking:
 - *Prostitution rings*
(brothels, escort services, massage parlors)
 - *Pornography*
 - *Illegal operations of massage parlors, strip clubs*
 - *Domestic abuse*
 - *Vice raids involving foreign nationals*
 - *Crimes involving immigrant children with no guardians*

IDENTIFYING CRIME OF HUMAN TRAFFICKING

- Evidence of control and lack of ability to move freely or leave job
- Bruises or other signs of physical abuse
- Intense fear or depression
- Non-English speaking
- Recent arrival from Asia, Latin America, Eastern Europe, Canada, Africa, India
- Lack of ID or immigration documents

VICTIMS OF TRAFFICKING AND THEIR NEEDS

There are four general areas of victim needs:

- **Immediate assistance**
 - *Housing, food, medical, safety and security, language interpretation and legal services*
- **Mental health assistance**
 - *Counseling*
- **Income assistance**
 - *Cash, living assistance*
- **Legal status**
 - *T visa, immigration, certification*

COMMUNICATING WITH VICTIMS OF HUMAN TRAFFICKING

- Fear of deportation → The TVPA authorizes special visas and other forms of immigration relief to certain trafficking victims.
- Does not Identify as Victim → You are a victim, not a criminal. What is happening to you is wrong.
- Distrust of law enforcement → We can help get you what you need. We can protect you. You can trust us.
- Unaware of rights → You have rights. You have the right to live without being abused.

IDENTIFYING VICTIMS OF TRAFFICKING

Key Questions for Victims of Trafficking:

- How did you get here?
- Where do you live, eat and sleep?
- Do you owe someone money?
- Is someone keeping your legal/travel documents?
- Were you threatened if you tried to leave?
- Has your family been threatened?
- Were you ever physically abused?
- Were you ever forced to stay in one place?
- Who are you afraid of?

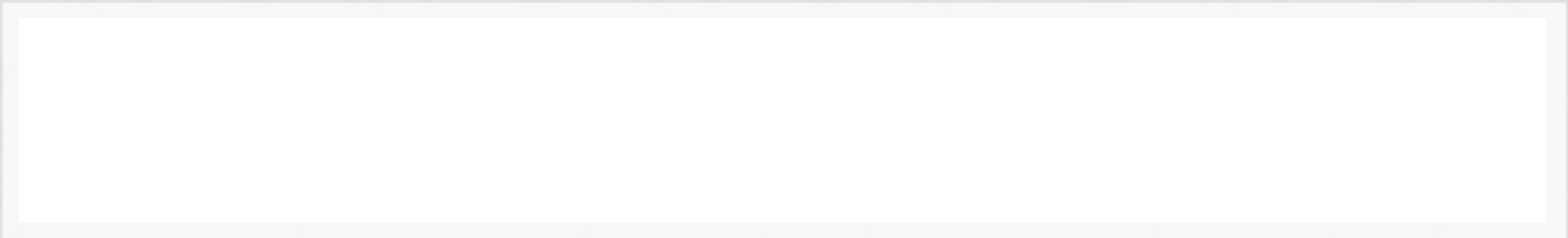
YOUR ROLE IN THE COMMUNITY

- Keep doing what you're doing
- Take closer look – beneath surface
- Cooperate with social services, law enforcement

**Call Trafficking Information and Referral Hotline,
1.888.3737.888, to connect victims to services they
may be eligible to receive.**

EVIDENCE OF SUCCESS / FAILURE

- Choir in Texas
- Young women in a Men's Club
- Waiters in a Chinese restaurant



Photographs of human trafficking and enslavement around the world



These are slaves. It was 130 degrees, deadened by monotony and exhaustion, they worked without speaking, repeating the same task 16 hours a day. They took no rest for food or water, no bathroom breaks -- although their dehydration suppressed their need to urinate.



Accra, Ghana: These gold miners have just come out of the shaft, their pants soaked from their own sweat. Most had spent all their money coming from the north hoping to strike it rich in legal mines. But legal operations require certifications. When they can't get a job, the men take high-interest loans or join groups of slaves in mines abandoned by legitimate operations.



Accra, Ghana: 200 feet underground, a man labors in an illegal gold mine. He and others enslaved like him are underground for as long as 72 hours at a time.



Accra, Ghana: Many of those enslaved had children with them while panning for gold, wading in waters poisoned by mercury that is used in the extraction process.



Kathmandu, Nepal: I was escorted by women who had previously been enslaved themselves. They brought me down a narrow set of stairs leading to a green fluorescent-lit basement. This was a "cabin restaurants," as they are known in the trade -- venues for forced prostitution. Each has a small private room where slaves, some as young as seven, entertain and serve the clients, encouraging them to buy alcohol and food.



Kathmandu, Nepal: A worker blends in with the bricks at a Nepalese kiln. Workers mechanically stack 18 bricks at a time, each weighing four pounds, and carry them to nearby trucks for 18 hours a day without any payment or compensation.



Uttar Pradesh, India: whole families were enslaved in the silk industry. The father (hands in black) and his sons (hands in red and blue) are held captive in a "silk dyeing house."

The Obama Administration Announces Efforts to Combat Human Trafficking at Home and Abroad

“It ought to concern every person, because it’s a debasement of our common humanity. It ought to concern every community, because it tears at the social fabric. It ought to concern every business, because it distorts markets. It ought to concern every nation, because it endangers public health and fuels violence and organized crime. I’m talking about the injustice, the outrage, of human trafficking, which must be called by its true name—modern slavery.”

“Our fight against human trafficking is one of the great human rights causes of our time, and the United States will continue to lead it...”

--President Barack Obama, September 25, 2012