

Human Trafficking

Modern Day Slavery

Alicia R. Kinsman
Project Rescue
Anti-Human Trafficking Program
International Institute of Connecticut
ProjRescue@iiconn.org

Goals:

1. To familiarize participants with human trafficking
2. To help participants identify trafficked persons,
both US citizen and Foreign National
3. To Review the Unaccompanied Alien Minor Process
and vulnerability for trafficking
4. To help participants identify resources available to
trafficked persons

Goal #1

Familiarize participants with human trafficking

- Definitions**
- Myths and Misconceptions**

Human Trafficking

- Illegal trade of human beings
- After drug dealing, tied with the illegal sale of arms as the 2nd largest criminal enterprise in the world
- Highly profitable, relatively low risk

“People become completely disposable tools for making money”
Kevin Bales in Disposable People



Human Trafficking—Why now?

- Vulnerability: youth, gender, poverty, ignorance, social and cultural exclusion, political instability, war and conflict, global recession.
- Discriminatory social, cultural, legal frameworks
- Outdated policy

As Defined by the Federal Law

“Severe forms of trafficking in persons”

- 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
- 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**

Forms of Human Trafficking

Sexual Exploitation

- Brothels
- Massage Parlors
- Pornography Production
- Pimp controlled prostitution

- **Servile Marriage**

Labor Exploitation

- Agricultural/Farmwork
- Construction
- Cleaning Services
- Domestic Servitude
- Exotic Dancing
- Factory/Manufacturing
- Restaurant work

Smuggling vs. Trafficking

Smuggling is:

- An offense against the integrity of the U.S. borders
- Requires illegal crossing of the U.S. border
- Smugglers typically make their money once the alien has reached the U.S. border; their “business relationship” with the immigrant then terminates

Smuggling vs. Trafficking

Trafficking is:

- An offense **against a person**
 - A border does **NOT** need to be crossed
 - Must involve compelled/forced labor or service
 - Traffickers maintain **ongoing** control over victims, even after a border is crossed
- **HOWEVER**, UAC and others at the border are vulnerable to being trafficked by smugglers and others, as we will look at later.

Goal #2

To help participants identify trafficked persons

- Strategies for identifying human trafficking
- Recognizing the red flags that indicate a potential trafficking situation; and
- Use follow up questions to help identify a trafficked person

Who are traffickers?

- Individuals
- Illicit activities
- US Citizens
- Resort to Kidnapping
- Pay nothing
- For sex
- Multiple states
- Take advantage of age
- Companies
- Legitimate businesses
- Foreign Born
- Arrange for valid visas
- Pay little
- For labor
- One state
- Take advantage of immigration status

Where Are Victims?

- Brothels, strip clubs
- Nail salons, massage parlors
- Restaurants, hotels, janitorial services
- Up-scale neighborhoods, as housekeepers/nannies
- Farms, as migrant agricultural workers
- Factories
- Marriages
- Landscaping, construction worksites

Methods of Control

Confiscating papers and legal documents
Misrepresenting U.S. laws
Physical harm or threats of harm
Use debt and other fines to create peonage situation
Move victims from location to location
Create dependency—psych/emotional abuse/LOVE
Restrict movement
Social/Linguistic Isolation
Little/no pay
Debt bondage
Inhumane living conditions
Sexual abuse/Shame
Hope

Exploiting Vulnerabilities

Strategies for Identifying Human Trafficking

Some examples of state and federal violations that may lead you to uncover elements of human trafficking include:

- Domestic violence crimes
- Labor disputes
- Prostitution and pimping offenses
- Shoplifting
- Repeatedly AWOL youth

Victim Identification can be one of the most challenging tasks for service providers. You may have to rely on your instincts to pick up on red flags indicating that someone might be a victim or perpetrator of trafficking.

Red Flags

Businesses within your community--Could any serve as fronts for trafficking?

Building security--Is it used to keep people out or to keep people in?

Working conditions

- Do the workers have freedom of movement?
- Do they live and work in the same place?
- Do the workers owe a debt to their employers?
- Do the employers have control over their worker's docs?

Appearance and mannerism of the workers

- Are there signs of trauma, fatigue, injuries or other evidence of poor care?
- Are the individuals withdrawn, afraid to talk, or is their communication censored?

Red Flags, ctd.

- Promises made about job prior to arrival or start?
- Work requirements/conditions?
- Money owed to employer or anyone else?
- Freedom of movement and socialization?
- Threats of violence?
- Location of documents?
- Scared/Depressed?
- Deprivation of food, water, or medical care?
- Paid? Money deducted from payment?

Could the individual leave their job without consequence?

Domestic Minor Sex Trafficking

Vulnerabilities:

- Runaways/AWOL
- Child abuse/Neglect
- Sexual abuse—what it teaches children
- Adolescent brain—being a child alone makes you vulnerable!

Types:

- Street Prostitution
- Pornography
- Stripping
- Escort & Private Parties
- Interfamilial pimping
- Gang-based prostitution
- Internet based prostitution
- 35 years old

Domestic Minor Sex Trafficker: Corey Davis

- 35 years old
- 12 year old and 17 year old- US born girls
- 12 hours of sex acts
- Bridgeport area
- Beatings and rape
- Intimidation and humiliation
- Visibly wealthy



Labor Trafficker: Griffin Land & Nurseries, Imperial Nurseries & Pro Tree Forestry Services



- Granby
- 12 Guatemalan men
- Valid visas
- Passports confiscated
- Threats
- 80 hour work weeks
- Little pay
- No medical care

Goal # 3

A Review the Unaccompanied Alien Minor
Process and vulnerability for trafficking

- Define UAC
- Role of HHS and Reunification Process

Unaccompanied Alien Children

Unaccompanied Alien Children UAC: A child who has no lawful immigration status in the United States; has not attained 18 years of age; and, with respect to whom, there is no parent or legal guardian in the United States, or no parent or legal guardian in the United States available to provide care and physical custody. 6 U.S.C. Sec. 279(g)(2)—*Determination is made at the time child arrives at the border, even if later united with adult family member.*

Why are they coming?

The vast majority are coming from Honduras, Guatemala, and El Salvador. They are not coming because of legal immigration law changes—they are largely escaping violence, poverty, and government corruption.

Unaccompanied Alien Children

If a UAC arrives at the border:

- DHS/CBP determines legal status in US and age
- DHS is required to transfer jurisdiction to HHS if:
 - Determined a minor
 - Not accompanied by a parent or legal guardian (But note, traffickers sometimes pose as parents).

While in HHS Custody:

- UAC is given a medical check-up and placed in temporary shelter and school
- Legal staff, usually at partner agencies, screen for legal options and possible family reunification in the US
- UAC is still in removal proceedings

Unaccompanied Alien Children

If UAC can be reunited with a family member:

- HHS will review family plan/agreement with adult family member (who does not need legal immigration status)
- Family member agrees to care for minor and take them to all immigration court hearings
- HHS helps move the court case to the venue where the minor will be residing

If UAC cannot be re-united with family:

- Held in juvenile facilities while an attempt is made to find a foster family
- HHS continues to monitor and assist UAC
- And UAC is still in removal proceedings

Unaccompanied Alien Children

UAC (even if later re-united) get some protections in the immigration process:

- Easier to change venue
- Asylum Guidelines for Minors

BUT, a lack of support and resources once out of HHS care results in greater hardship:

- No financial assistance/benefits
- No assistance with legal immigration services
- No support with education/school enrollment

Unaccompanied Alien Children

So, minors often disappear and suffer severe hardships, including exploitation and can be trafficked or re-trafficked.

For example, overwhelmed government officials cannot run comprehensive background checks to ensure kids are placed with trustworthy and capable adults. As a result, children may be turned over to adults who are incapable of proper care at a minimum or violent criminals and abusers at worst. Even parents who are able to care for their children struggle with culture change issues, new family members, education, and other issues. And UAC who turn 18, can be left to fend for themselves.

UAC and Labor/Sex Trafficking

Not all UAC are trafficked. But when and how can they be?

- In home country
- En route/transit
- During smuggling/entry into the U.S.
- After placement with family members
- Upon return to home country

UAC and Labor/Sex Trafficking

Common Scenarios:

1. Forced drug mule in transit
2. Kidnapped after entry and held for ransom while forced to work at drop house or bar
3. Placement into agricultural sector to pay off smuggling debt
4. Coerced and forced into providing sexual services

Goal #4.

To help participants identify resources and legal remedies available to trafficked persons

- DCF's role
- Role of NGOs and other partners
- Possible Immigration Relief

DCF's Role

- Children involved with child protective services at higher risk for Commercial Sexual Exploitation and human trafficking. (Roe-Sepowitz et al, 2014)
- Minor victims of any type of human trafficking (domestic or foreign born) are classified as “uncared for” and DCF to provide services
- DCF responsible for identification of, access to and provision of services for minor children that are victims of trafficking, and any other services the department deems necessary to carry out the provisions of this section and section 17a-106 of the general statutes

DCF's Role, cont.

- DCF provides awareness for compliance with the laws and protocols concerning trafficking of minor children and Careline reporting information and response
- Provide training on identification of and DCF response to LE agencies and MDTs in CT, and collaborate with LE to share information that will result in identification and prosecution of traffickers
- If you **suspect** that a minor is a victim of human trafficking call the **DCF Careline** number at **800.842.2288** and **inform the screener that you suspect a child is a victim of human trafficking.**

Services for Survivors (both foreign and domestic) at IICONN

Trauma focused, culturally and linguistically competent, survivor led services.

- Holistic services are tailored to meet of each individual survivor and his or her family
- Services include comprehensive case management and assistance with housing, medical, dental, mental health needs, substance abuse counseling, childcare, legal immigration services, family reunification, repatriation (when appropriate) and job training

Immigration Relief for Foreign-Born Victims

- TVPA and other laws meant to protect victims, prevent the crime, and aid in prosecution.
- Immigration relief for victims of crime makes society safer as a whole—encourages collaboration with law enforcement, coming forward and reporting crimes.

Potential Forms of Immigration Relief for Victims

U & T nonimmigrant visas: For victim of trafficking if trafficked en route to US or in the US.

VAWA: if abused child of US citizen or LPR

Special Immigration Juvenile Status: requires juvenile/probate court order to declare the child has been abused, abandoned, or neglected and not in his/her best interest to return to home country.

Asylum, Withholding, CAT: If trafficked abroad or en route

Who Can Help Victims?

National Anti-Trafficking
Resource Hotline

1-888-3737-888

CT State Police Organized
Crime Task Force

1-203-238-6550

International Institute of
Connecticut, Project Rescue

1-203-336-0141

projrescue@iiconn.org

DCF Careline 1-800-842-2288

U.S. Department of Justice- The
Trafficking in Persons &
Worker Exploitation Task Force
Complaint Line 1-888-428-
7581

ICE tip line 866-347-2423

Campaign to Rescue & Restore
Free Materials for Distribution
www.acf.hhs.gov/trafficking