



AGRICULTURAL LABOR TRAFFICKING

This scene depicts the labor trafficking of a brother and sister from a rural town south of the border. They are brought to the United States to work in the agricultural industry. In this scenario, these siblings are somewhat impoverished but live happily with their caring parents. Although the family is content, the parents have always dreamt of a life with better opportunities for their children. One day, the parents are approached by a man who has allegedly secured jobs and educational opportunities in the United States for similar families. He promises that with payment from the parents, he can do the same for their children. After paying the recruiters, the brother and sister cross the border from Mexico into the United States and travel by bus to a farm. Upon arrival, they discover they have been deceived. The foreman at the farm forces them to work long hours picking fruit. Because of their small fingers, they, along with smaller-framed women, are seen as being able to pick some of the smaller fruits quickly. The brother and sister are not permitted to continue their education as promised, and are subjected to horrible living conditions where the sister is sexually exploited.

LAW

Federal law prohibits anyone from obtaining the labor or services of anyone by force, threats of force, means and threats of harm (including financial), or threat of abuse of legal process. The Trafficking Victims Protection Act makes it unlawful to enslave a person in a condition of compulsory service or labor against his/her will through the use of force, threats of force, threats of legal coercion, or by creating a “climate of fear” by any of these means. It is also a violation of federal law to recruit, harbor, transport, or broker a person for the purpose of labor trafficking.¹ This is in addition to any applicable state law governing labor trafficking.

¹ Federal statutes prohibit involuntary servitude, slavery, and forced labor. These violations are codified in 18 U.S.C. § 1581, et. seq. The specific violations described here can be found in 18 U.S.C. §§ 1584, 1589, and 1590.

EXPLOITATION TYPE

Labor trafficking, also known as forced labor, refers to situations where force, fraud, or coercion is used to get a person to work against their will. Forced labor can be hidden, but people are often exploited in plain sight, in industries the public engages with on a regular basis. In many cases, victims are subjected to verbal threats or violence to achieve compliance or are forced to pay off large “debts” to their trafficker, known as debt bondage. Exploiters may lure migrant workers to the United States through false job advertisements that promise high wages and competitive benefits with little-to-no previous employment experience required. Once in the US, the exploiters may confiscate the victims’ passports or identification documents. Victims are forced to work long hours, have their wages withheld, are paid less than what they were promised, or are forced to work without pay in order to pay off “debt” for accumulated expenses. This includes “charges” for mistakes, food, accommodations, and other fees incurred related to their “job.”

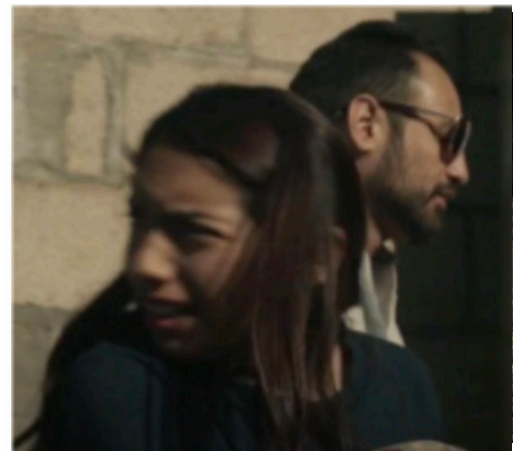
RECRUITMENT METHOD

False job offers are commonly used to recruit foreign nationals. A “recruitment agency” may arrange work, living accommodations, and travel to the US for a fee that may be unreasonable or even illegal. In reality, this causes migrants to be indebted to and fully dependent on the exploiter upon arrival. The “debt” is often inflated well above the cost of the actual item or service. In addition, the “debt” will also include recurring expenses such as food or rent and charges for mistakes made on the job. The exploiter then leverages this debt as a means of control to force the victim to remain in the situation until it is paid off. Traffickers may also threaten deportation or criminal consequences against undocumented migrants or abuse legitimate temporary worker visas as a means of control. For example, migrants may have the correct visa to work in the US, but the work, pay, or conditions do not equate to the visa stipulations. When workers realize this, they cannot leave their situation for alternative employment as their visa cannot be transferred to a different employer. If they leave their job, they would have to return to their home country. Traffickers may threaten to report workers who want to leave an exploitative job, claiming this violates their visa and that they will never be able to work in the United States again. These claims are false, but victims tend to believe traffickers regarding their visa and legal status due to a lack of awareness of their own rights.

INDICATORS

Indicators in this list are not exhaustive and may not be present in all labor trafficking cases but represent only those depicted in this scenario.

- Evidence of physical or sexual abuse
- Has few personal possessions/clothes
- Working excessively long hours
- Is unpaid or underpaid
- Has no access to education
- Travel in groups with persons who are not relatives
- Live in poor or substandard accommodations, such as agricultural or industrial buildings
- Has no labor contracts
- Evidence that labor laws are being breached
- Depend on their employer for work, transportation, and accommodation
- Unable to move freely or leave work premises with security measures to control movement
- Was recruited through false promises concerning the nature and conditions of the work
- Is not allowed breaks and other unusual restrictions
- Is fearful, anxious, depressed, submissive, tense, or nervous/paranoid





DOMESTIC SERVITUDE LABOR TRAFFICKING

This scenario depicts a young woman from the Philippines who finds a job working for a Philippine-American couple in the United States. She first meets her traffickers in the Philippines through a job agency. The traffickers tell her they are looking for a live-in housekeeper from their home country, who understands their customs and culture. They tell her that they will buy her airline ticket, provide for her housing and living expenses, and pay her a good salary. The couple appears to be very nice, and this seems like a fantastic chance to live and work in the land of opportunity, so the young woman agrees. With excitement, she flies on an airplane for the first time and travels to the United States where she is quickly escorted to the traffickers' house. At the house, the traffickers are controlling and mean. Her passport and cell phone are taken from her, and she is placed in a bare room, with little explanation. She is restricted from leaving the home and is verbally abused for every mistake she makes. She is not given any salary and only provided with the bare necessities. She is told that if she tries to contact anyone for help, the traffickers will call immigration, who will take her to jail. In a foreign and unfamiliar country with no money or passport, she wants to leave but doesn't know who to trust or what to do.

LAW

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¹ Federal statutes prohibit involuntary servitude, slavery, and forced labor. These violations are codified in 18 U.S.C. § 1581, et. seq. The specific violations described here can be found in 18 U.S.C. §§ 1584, 1589, and 1590.

EXPLOITATION TYPE

Labor trafficking, also known as forced labor, refers to situations where force, fraud, or coercion is used to get a person to work against their will. Domestic servitude refers to a particularly hidden form of forced labor that takes place in a private residence. Individuals experience force, fraud, or coercion to get them to work against their will as cooks, cleaners, or caretakers for little or no pay. In many cases, victims are subjected to verbal threats, physical and sexual violence, and emotional abuse to achieve compliance. Some are forced to pay off large “debts” to their trafficker, known as debt bondage. Exploiters may lure migrant workers to the US through false job advertisements that promise high wages and competitive benefits, with little-to-no previous employment experience required. Once in the United States, the exploiters may confiscate the victims’ passports or identification documents. Victims are forced to work long hours, have their wages withheld, are paid less than what they were promised, or are forced to work without compensation in order to pay off “debt” for accumulated expenses. This includes “charges” for food, accommodations, and other fees related to their “job.” Domestic servitude can be especially difficult to detect as the primary exploitation occurs in the home and away from the public eye. Additionally, some victims of domestic servitude may be acting as the trafficker’s intimate partner. This makes it even more difficult to detect. While not all domestic servitude victims share the same ethnicity or nationality as their traffickers, where they do, they may act as if the victim is a distant relative. Although residing in the same residence, the victim’s accommodations will be substandard compared to the rest of the household. On occasion, the victim may be assisting the family outside of the home. In these situations, the nuances of the interaction and the differences in material possessions such as attire and accessories may assist in determining the existence of an exploitative situation.

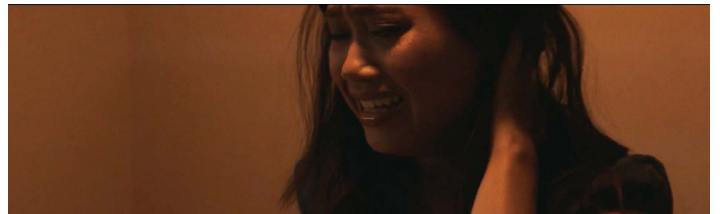
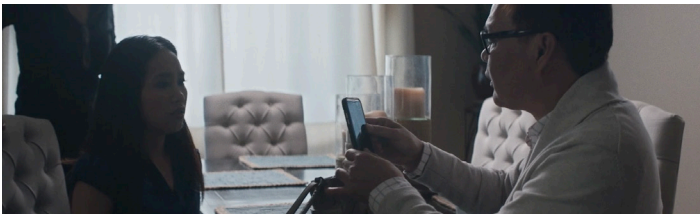
RECRUITMENT METHOD

A common recruitment method is the use of a false job offer promoted in an advertisement, by referral through a “friend” or family member, or through a recruitment agency. A recruitment agency or other third party may arrange the work, living accommodations, and travel to the United States for a fee that may be unreasonable or even illegal. In reality, this creates a situation in which migrants are indebted to and fully dependent on the exploiter upon arrival. The debt is often inflated well above the cost of the actual item or service incurred. The exploiter then uses threats of harm, either to the victim or their children, and threatens to file reports against the victim to immigration or other authorities as a means of control to force the victim to remain in the situation. By the time the victim realizes they are trapped, they find themselves isolated in a foreign country, unfamiliar with the language and the laws, and without friends or family who can assist them. This compounds the sense of helplessness that makes escaping their situation more difficult.

INDICATORS

Indicators in this list are not exhaustive and may not be present in all labor trafficking cases but represent only those depicted in this scenario.

- Works excessively long hours and is not paid
- Is not free to leave or come and go as they wish.
Is always accompanied by the employer if they do leave.
- Recruited through false job opportunity
- Shows signs of fear and appears submissive
- Has few personal possessions and no money
- Subjected to insults, abuse, threats, or violence
- Lives in the house with inappropriate sleeping space
- Has no breaks or other unusual work restrictions
- Is not in control of their own ID or passport





SEX TRAFFICKING OF A SCHOOL GIRL

This young girl is 15 years old when she first meets her trafficker online. He's a cute guy who contacts her using social media. She is a typical 15-year-old who lives at home and attends high school. The girl is excited because he is in his early twenties and is interested in her. He tells her how beautiful she is and how lucky he is to have met her. While she once studied with her friends, that seemed boring compared to hanging out with him.

After "dating" for a short time, he asks her to send explicit pictures of herself. She feels a bit hesitant, but he tells her how much he loves her, and that any girl his age would do it. If he can't be with her, he can look at her picture. He says he wants to be with her all the time. He buys her new clothes and tells her to wear more make up. This is different from her normal style, but she wants to look pretty the way he wants her to. After a month of "dating," lavishing her with attention and making her feel like the most important person in his world, he says he wants to keep buying her nice clothes and treating her well, but that she needed to help out. He asks her to have sex with a man for money. He tells her it will only be once and that it will be fun. He begs her, and she just wants to make him happy. He gives her a drug that makes the whole experience foggy. She doesn't want to do it, but she wants to make him happy and figures it will only be once. But then he keeps telling her she has to do it again.

He took her to a place to get a tattoo. She doesn't want to at first, but he says it is because he is proud she "was his" and wants everyone to know she belongs to him. He says if she loves him she would do it. She just wants to show him how much she loves him. She gets mad at him once, but he puts his hands on her and gets scary and aggressive. He tells her she belongs to him. This soon becomes a cycle. He is physical with her one minute and tells her he loves her the next. Confusion fills her mind because of how different he is now than when she first met him. All she wants is to get out, but she doesn't know how. Now, she feels like she needs the drug he keeps giving her, or else everything will keep hurting.

LAW

Under the Trafficking Victims Protection Act,¹ sex trafficking is defined as the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting a child under 18 years of age for the purpose of a commercial sex act or any persons regardless of age, by force, fraud, or coercion. A commercial sex act occurs when the sex act is exchanged for anything of value, such as food, shelter, drugs, etc., and is not limited to money. Under the law, a minor is not able to consent to being bought or sold. Regardless of whether or not the child has identified a trafficker or has consented to be sold, that child is still a victim under the law, even if a child appears to be willingly engaging in commercial sex. This is in addition to each individual states' laws prohibiting and penalizing sex trafficking.

EXPLOITATION TYPE

Sex trafficking or sexual exploitation refers to situations where force, fraud, or coercion is used to get a person to perform commercial sex acts against their will. Any "consent" obtained through psychological manipulation or physical force is invalid and implicates the existence of human trafficking. If the victim is under 18, then force, fraud, or coercion does not need to be shown. The majority of sex trafficking victims are female, but there are also male victims of sex trafficking. In many cases, victims of sex trafficking, by nature of their situation, are isolated or under constant surveillance, inhibiting their freedom of movement. Even if victims have some limited autonomy, they are often controlled through intense psychological manipulation, coercion, or threats of violence to keep them submissive and compliant. At times, the supply of drugs is used as a form of coercion or as a method of control. The goal is to feed or create substance addictions that make victims dependent on their

RECRUITMENT METHOD

Traffickers commonly recruit sex trafficking victims in two primary ways— and there is often a distinction between how they recruit domestic and foreign national victims. Firstly, traffickers may recruit victims via the "romeo pimp" scheme where a romantic relationship is fabricated to sexually exploit victims. Through falsified relationships, victims feel an emotional attachment to the exploiter. They can appear to be a "willing victim" by "agreeing" to do anything asked in an attempt to please the "romantic partner." Alternatively, foreign national victims may be recruited through false immigration promises or a job opportunity that turns out to be false. The illicit massage industry is separate from the commercial sex industry, where victims are often exploited through debt bondage.

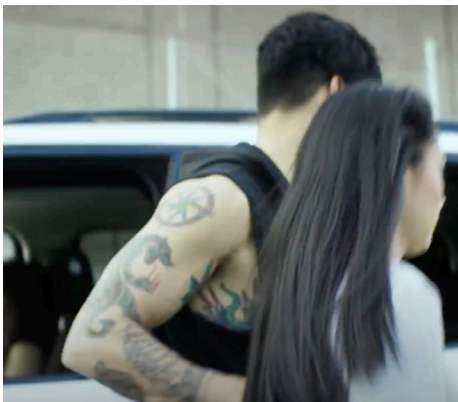
Homeless youth are extremely vulnerable to exploitation, as traffickers regularly visit areas of town where vulnerable people can be found, claiming to help them by meeting basic needs such as food or housing.

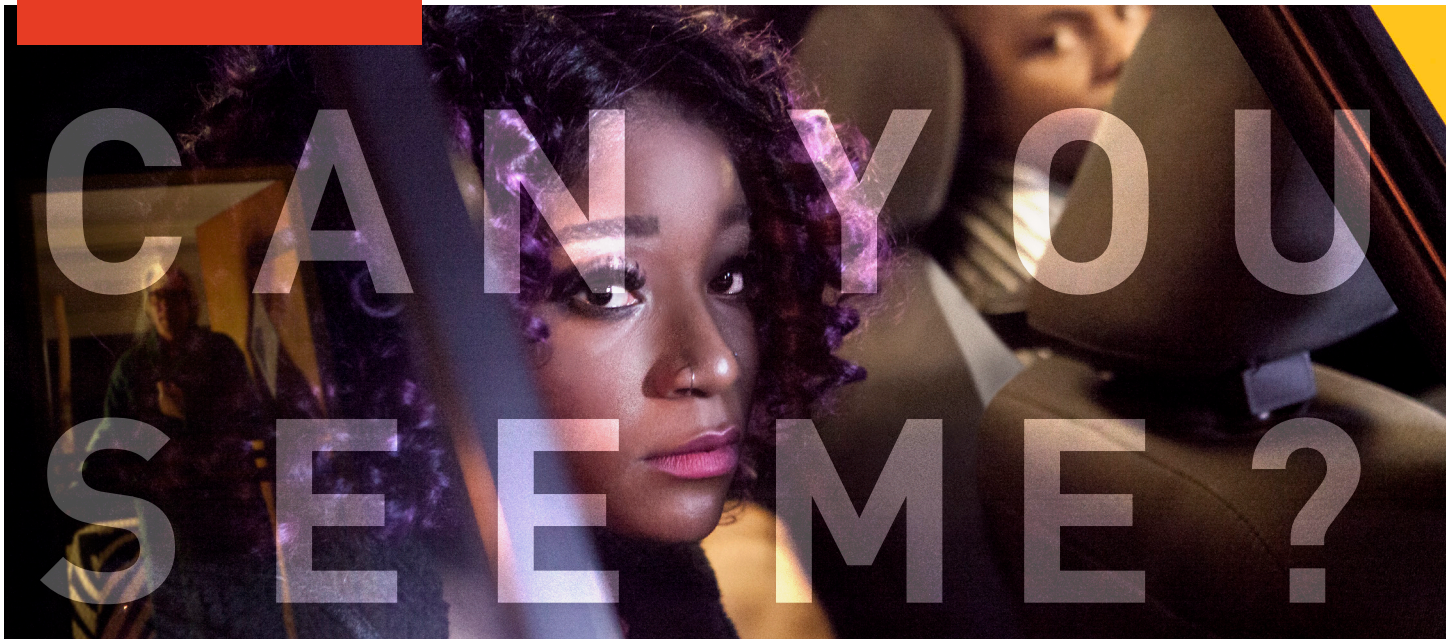
¹ A federal law codified in relevant part in 18 U.S.C. § 1591.

INDICATORS

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- Appears to be a minor
- Appears under the influence of drugs/alcohol
- Displays signs of physical or sexual violence
- Tattoos, brands, or other marks indicating “ownership” by the perpetrator
- Significant change in demeanor, once outgoing and now appears unhappy, disconnected
- Isolates from her friends and community
- Appearance (online or in person) does not fit the current situation (new look, new clothes or shoes, nails/hair done)
- Child lies about age or identity
- Presence of an overly controlling or abusive “boyfriend,” or an older female that exerts control in a subtle manner, with a look of the eyes, or touch of the hand
- May have been disciplined through punishment
- Facial expression and body language display fear and anxiety
- Child is preoccupied with “getting money”
- May be involved in commercial sex





SEX TRAFFICKING OF A MINOR

In this scenario, this young girl is 16 years old when she first meets her trafficker. After years of conflict, neglect, and abuse in a tense home environment, she feels as if her only alternative is to run away. While she may be escaping a difficult situation, as a 16-year-old, she does not have the means to provide for herself (food, shelter, and/or safety). Alone and scared at the bus station, she encounters a girl who claims she wants to help. The girl shares that she also had a similar home environment and that she understands what she's going through. She says that she and her "boyfriend" can help her out. What other choice does a 16-year-old girl alone on the streets have?

At first, they seem nice—providing her with food, clothing, and a place to live. But the "boyfriend" ends up being a trafficker. After manipulating her with false promises to care for her, he tells her she needs to pay him back for all the money he spent on her. He verbally and physically abuses his "girlfriend" in front of her and threatens to do the same to her if she doesn't repay him. He says she owes him. As a 16-year-old runaway, she couldn't get a job or go to her parents for the money. The only person who had shown her kindness and taken care of her when she desperately needed it was now telling her he needed her to help him pay the bills. He then started selling her for sex, giving her clothes to make her look older. He makes his "girlfriend" take her to customers using cabs and rideshare services. His "girlfriend" acts tough sometimes but seems really scared around him. He says he is able to monitor their every move and that he will kill both of them if they do not return with his money. She doesn't want to do this but doesn't know what else to do. She just wants to survive.

LAW

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RECRUITMENT METHOD

Traffickers commonly recruit sex trafficking victims in two primary ways - and there is often a distinction between how they recruit domestic and foreign national victims. Firstly, traffickers may recruit victims via the "romeo pimp" scheme where a romantic relationship is fabricated to sexually exploit victims. Through falsified relationships, victims feel an emotional attachment to the exploiter. They can appear to be a "willing victim" by "agreeing" to do anything asked in an attempt to please the "romantic partner." Alternatively, foreign national victims may be recruited through false immigration promises or a job opportunity that turns out to be fake. The illicit massage industry is separate from the commercial sex industry, where victims are often exploited through debt bondage.

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INDICATORS

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- May be providing commercial sex
- May be a runaway/homeless
- Appearance that does not fit the current situation (homeless/runaway who has money, electronics, new clothes or shoes, nails/hair done)
- Dresses in a provocative manner inconsistent with her true age
- Lies about age or identity
- Presence of an overly controlling or abusive “boyfriend,” or older female
- The “boyfriend” or older female exerts control in a subtle manner, with a look of the eyes, or touch of the hand
- Appears submissive
- Facial expression and body language display fear and anxiety
- Evidence of travel
- Not free to leave or come and go as she or he likes
- Permits others to speak for them when asked a question
- Act as if they were instructed by someone else
- Have no access to their parents or guardians
- Be escorted whenever they go to and return from “work”
- References travel to other cities or states or is not from the current location, may lack knowledge of travel plans, destination, or even their current location



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