



# Assisting Human Trafficking Victims in the U.S.A.

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# How can we help victims of trafficking?

- ❖ How is human trafficking defined?
- ❖ What are the unique social service needs of our clients?
- ❖ What are the multiple legal needs of our client?
- ❖ How can we work better with government agencies and NGOs?

# Human Trafficking Defined by the TVPA

The term `severe forms of trafficking in persons' means--

(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.

# Social Service Needs

- ▶ Basic Needs – food, shelter, clothing
- ▶ Other needs
  - ▶ Family Reunification
  - ▶ Counseling/mental health
  - ▶ ESL Classes
  - ▶ Job skills training / job placement
  - ▶ Immigrant integration / community orientation
- ▶ Know Your Rights Education: worker's rights, public benefits, immigration info.
- ▶ Survivor Empowerment

# Legal Needs: Redress and Restitution

- ▶ Immigration Status under TVPA – client must cooperate with law enforcement
  - ▶ Continued Presence
  - ▶ T-Visa
  - ▶ Adjustment of Status (Green card)
- ▶ Criminal Cases
  - ▶ Federal
  - ▶ State
- ▶ Civil Cases
  - ▶ Private Civil
  - ▶ U.S. Equal Employment Opportunity Commission (Title VII Discrimination)
  - ▶ U.S. Department of Labor (wage/hour violations)

# Working with Government Agencies and NGOs

- ▶ Reporting to Law Enforcement (federal or local) required for T Visa
  - ▶ FBI/HSI/DOJ – assist victims who become federal witnesses
  - ▶ U.S. EEOC – submit claims form for discrimination based on national origin
  - ▶ U.S. DOL – report to district office for investigation (over 10 people)
- ▶ National Human Trafficking Victims Assistance Program / DOJ OVC
  - ▶ Service Providers can provide case management, legal services, referrals
- ▶ International Organization for Migration (IOM)
  - ▶ Assists in family reunification or return to home country when T Visa issued
  - ▶ Application forms in English – single point of contact in Washington, DC.
  - ▶ Thailand Orientation developed in Bangkok for Thai families entering U.S.

# Thai Community Development Center Cases

**VICTORY FOR HUMAN RIGHTS:** Since 1995, Thai CDC has played a pivotal role in over half a dozen major human rights cases involving 2,000 Thai victims of human trafficking and their families.

- ▶ **1995 El Monte Case** – The first foreign national modern day slavery case in U.S. history, Thai CDC worked to liberate, resettle, and empower 72 Thai garment workers from the infamous El Monte Slave Shop
- ▶ **1996 Thai Garment Workers' Case** - Came to the aid of another case of Thai garment workers
- ▶ **1997 Thai Sexual Slavery Case** - Came to the aid of Thai women trafficked for sexual slavery
- ▶ **1998-2000 Thai Domestic Workers' Case** - Redress and restitution for Thai domestic worker escapees

# Thai CDC Cases Continued

- ▶ **2003 T-Visas were granted to trafficked Thai domestic and sex workers**
- ▶ **2001-2006 Thai Welders' Case** - Helped Thai welders reach a \$1.4 million settlement against Trans Bay Steel Corporation for civil rights violations. This case is *the first recognized male legal contract labor case of modern day slavery*
- ▶ **2003-2012 Thai Farmworkers' Case** - Redress and restitution for hundreds of Thai farmworkers. This case is *the largest human-trafficking case in U.S. history*, which involves more than 900 Thai legal contract workers
- ▶ **2009-present Thai Transnational Sex Trafficking Enterprise** – Hundreds of Thai women have been identified as victims of sexual slavery nation-wide.



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