

# Labor Trafficking in the United States:

## **What the Data is Telling U**

*"I can't see a good life while there are people living like animals. Not because I'm a good person, not because it's my duty, but because they are human—like me."*

Leo Sakomoto, Brazilian Human Rights Advocate

Labor Trafficking Is a GLOBAL Crime

The Forced Labour Convention, one of the fundamental conventions of the International Labour Organization (ILO), defines “Forced” or “Compulsory Labour” as “all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily.”

*Forced Labour Convention (1930) - No. 29*

The Palermo Protocol, an international treaty signed and ratified by 173 countries (including the US), states that "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, **by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.** Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, **forced labour or services, slavery or practices similar to slavery, servitude** or the removal of organs."

*Protocol to Prevent, Suppress & Punish Trafficking in Persons Especially Women & Children (Palermo Protocol, 2000) - Art. 3(a)*

Labor Trafficking Is a NATIONAL Crime

The Trafficking Victims Protection Act (TVPA) (2000) is the federal law that criminalizes human trafficking in the United States. It defines labor trafficking as:

**“The recruitment, harboring, transportation, provision, or obtaining 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.”**

**(22 U.S.C. § 7102 (8))**

**Involuntary Servitude** “includes a condition of servitude induced by means of—(A) any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint; or (B) the abuse or threatened abuse of the legal process.” (22 U.S.C. § 7102(5))



**Peonage** means a status or condition of involuntary servitude based upon real or alleged indebtedness. (8 CFR 214.11)

**Debt bondage** means “the status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined.” (22 U.S.C. § 7102(4))



**As of February 2013, every single state in the U.S. has laws that criminalize labor trafficking.**

# Labor Exploitation vs. Labor Trafficking

<b>LABOR EXPLOITATION</b>	<b>BOTH</b>	<b>LABOR TRAFFICKING</b>
Freedom of Movement	Unfair Wages or Wage Theft	Limited or No Freedom of Movement
Freedom to Leave Employment	Substandard Working Conditions	No Freedom to Leave without Fear or Harm of Retaliation
	Substandard Living Conditions	Presence of Force, Fraud or Coercion

# Typology of Modern Slavery

In 2017, Polaris analyzed data collected from the National Human Trafficking Hotline and released a typology of the 25 primary types of human trafficking that exist in the US. Each type has a unique business model, trafficker & victim profile, recruitment strategies and control mechanisms that facilitate that particular type of trafficking.



19 of the 25 Types Reference Labor  
Trafficking



Escort Services	<b>Illicit Massage, Health &amp; Beauty</b>	Outdoor Solicitation	Residential	<b>Domestic Work</b>
<b>Bars, Strip Clubs &amp; Cantinas</b>	Pornography	<b>Traveling Sales Crews</b>	<b>Restaurants &amp; Food Service</b>	<b>Peddling &amp; Begging Crews</b>
<b>Agriculture &amp; Animal Husbandry</b>	Personal Sexual Servitude	<b>Health &amp; Beauty Services</b>	<b>Construction</b>	<b>Hotels &amp; Hospitality</b>
<b>Landscaping</b>	<b>Illicit Activities</b>	<b>Arts &amp; Entertainment</b>	<b>Commercial Cleaning Services</b>	<b>Factories &amp; Manufacturing</b>
Remote Interactive Sexual Acts	<b>Carnivals</b>	<b>Forestry &amp; Logging</b>	<b>Healthcare</b>	<b>Recreational Facilities</b>



## DOMESTIC SERVITUDE

- Often live with employers, cook/clean, and take care of children, elderly and/or infirm
- Male victims reported in 12% of cases
- Child victims reported in 8% of cases



## TRAVELING SALES CREWS

- Door-to-Door Sales  
(Magazines, Cleaning Products)
- Typically recruits teens & young adults from marginalized or economically disadvantaged communities
- **Majority of victims are USC**

## AGRICULTURE & ANIMAL HUSBANDRY



- Fields, Orchards, Dairy & Meat Farms
- Tobacco is most cited crop because it requires more intensive labor to harvest
- Victims are typically documented and their visas are tied to single employer
- Abuse at multiple levels of supply chain



## ILLICIT ACTIVITY

- Street-level drug distribution or cross-border smuggling
- May be a part of gang-related initiations and activity

# Global Data



**According to a 2017 joint report by Walk Free & ILO, of the 40.1 million victims of human trafficking globally, **81% (24.9m)** are trapped in Forced Labor**

Of those trapped in forced labor, 16 million are exploited in PRIVATE ECONOMY:

57.6% [9.2m] are Female

42.4% [6.8m] are Male

25% of victims in Forced Labor are **CHILDREN**

Top Industries - Domestic Work, Construction, Manufacturing, Agriculture & Fishing



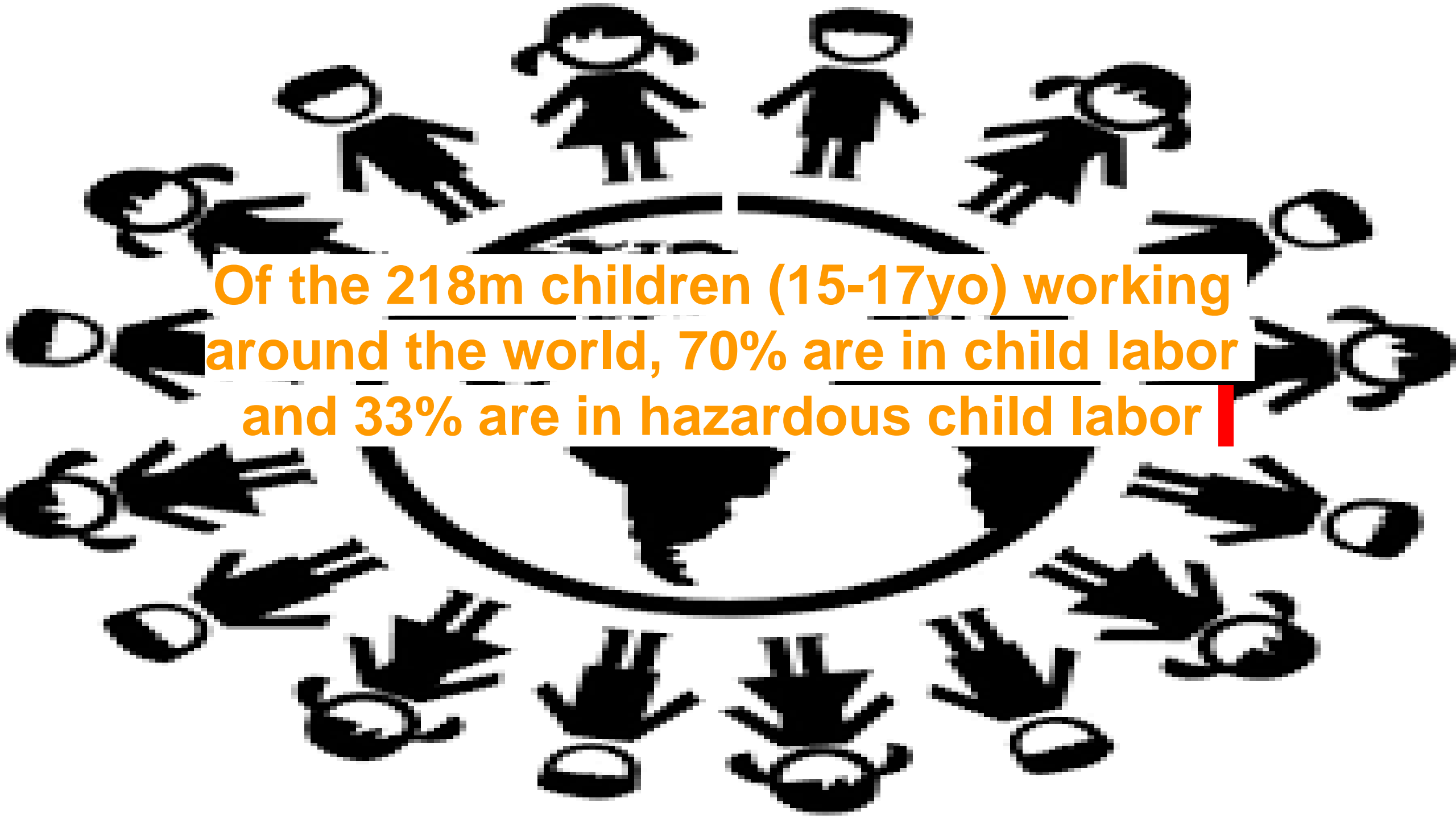


**Forced Labor in the private economy generates US\$150bn in global illegal profits per year**

# Child Labor

As of September 20, 2018, the List of Goods Produced by Child Labor or Forced Labor comprises 148 goods from 76 countries.

Top goods - sugarcane, cotton, coffee, tobacco, cattle, fish, rice, bricks, garments, textiles, footwear, carpets, fireworks, gold, coal, diamonds, pornography

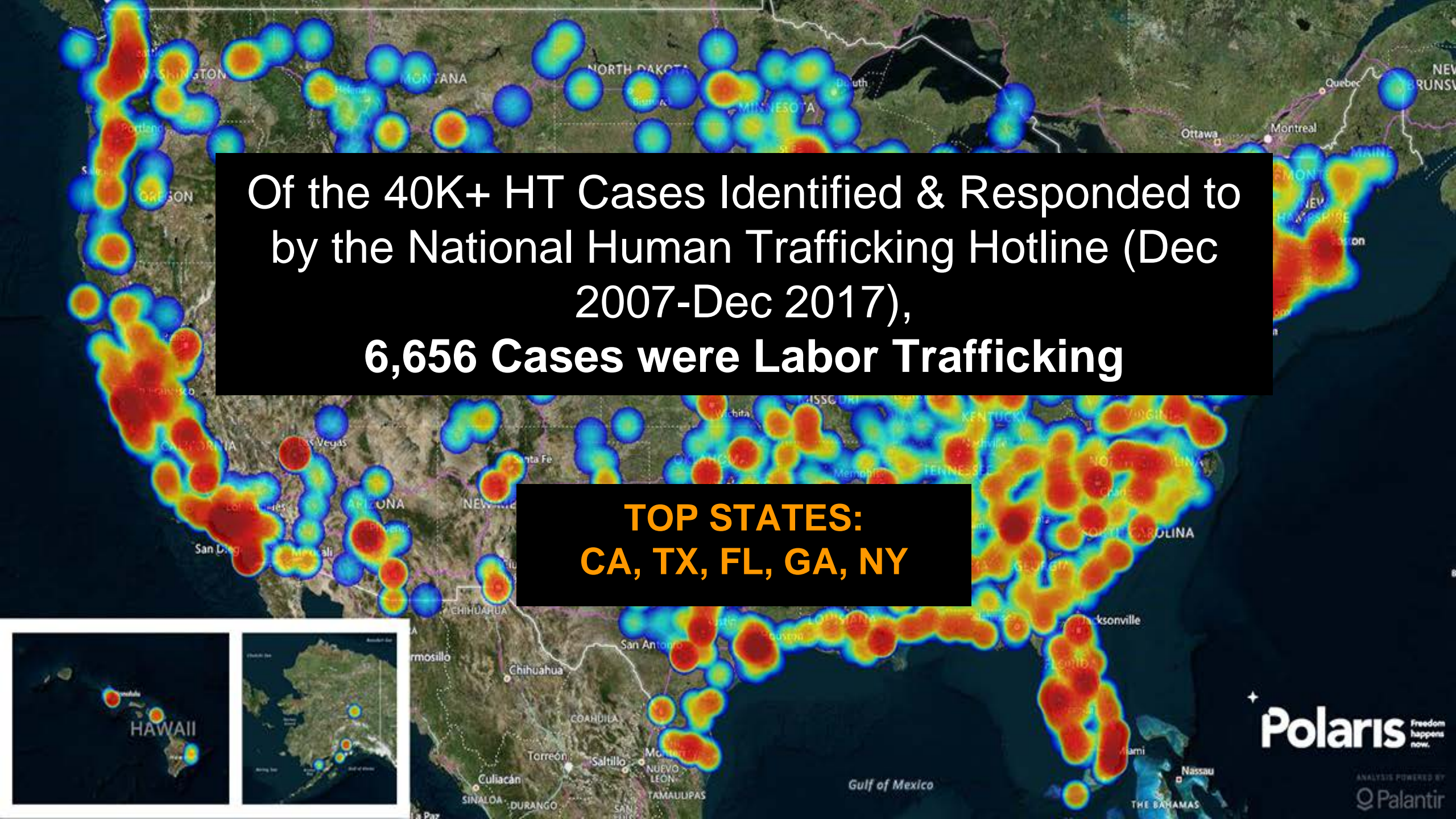


**Of the 218m children (15-17yo) working  
around the world, 70% are in child labor  
and 33% are in hazardous child labor |**

U.S. Data

There is no national prevalence study for human trafficking in the U.S.. As such, available data is scattered and siloed amongst the various agencies capturing and reporting them to the general public and field at large.





Of the 40K+ HT Cases Identified & Responded to  
by the National Human Trafficking Hotline (Dec  
2007-Dec 2017),  
**6,656 Cases were Labor Trafficking**

**TOP STATES:  
CA, TX, FL, GA, NY**

**Polaris** Freedom happens now.

ANALYSIS POWERED BY  
**Palantir**

In 2017 (Jan-Dec), of the 8,000+ cases responded to by the National Human Trafficking Hotline (NHTH), 1,274 cases referenced Labor Trafficking.

The NHTH identified 1,979 survivors of labor trafficking during this period. Victims crossed all demographics - male/female/gender non-conforming; adult/minor; USC/foreign national



Nearly half, 49.2% of the victims of labor trafficking reported to the NHTH, whose immigration status was identified, were foreign nationals holding LEGAL visas or with legal status as asylees/refugees.

NATIONAL  
HUMAN  
TRAFFICKING  
HOTLINE

1-888-373-7888

Top Labor Trafficking Venues reported to the NHTH:

Domestic Work

Agriculture

Begging Rings

From July 2014 - June 2017, over half of the 1,393 foreign national individuals identified through the Rescue & Restore outreach program, experienced labor trafficking (56%)



OTIP funds the Rescue & Restore Victims of HT Regional Program - newly renamed Look Beneath the Surface Regional Anti-HT Program - to identify and refer foreign national survivors of HT in the U.S.

From fiscal years 2001-2017, 65% of individuals receiving Certification Letters, experienced labor trafficking.



Certification Letters are issued by the Dept. of Health & Human Services (HHS) to adult foreign national survivors of HT. They allow individuals to access federal and state benefits to the same extent as refugees.

Of the 636 U.S. Citizens/Lawful Permanent Residents served by OTIP in FY 2017, a nominal amount experienced labor trafficking.

# OFFICE ON TRAFFICKING IN PERSONS

*An Office of the Administration for Children & Families*

OTIP funds the Domestic Victim of HT (DVHT) program to provide comprehensive case management, direct services, & referrals through community partnerships to USC/LPR survivors of HT.



From July 2011 to June 2017, programs funded through the Office of Victims of Crime (OVC) have served 8,214 foreign national victims/survivors who have experienced either labor trafficking or both sex & labor trafficking.



OVC manages the largest amount of federal funding dedicated to provide direct services to survivors of human trafficking in the U.S.

The Human Trafficking Institute analyzed every human trafficking case (783 cases) that federal courts handled in 2017. Of the 695 active criminal cases, 34 were labor trafficking cases. Of the 88 civil cases in federal court, 80 involved labor trafficking.

In the Criminal Labor Trafficking Cases, 16% involved the trafficker restraining the victim through cages, locked rooms or barred cells. In 51.6% of the cases, the trafficker used physical violence to compel the victim into providing labor or services, and in 71% of the cases, the trafficker used threats of violence against the victim or their family members if the victim did not perform work.

- In 2017, the FBI investigated 401 of the active criminal cases
- 11 of those cases were labor trafficking



- In 2017, Homeland Security Investigations (HSI) investigated 183 of the active criminal cases
- 18 of those cases were labor trafficking



- In 2017, Diplomatic Security Service (DSS) investigated 2 criminal labor trafficking cases
- DSS looks at fraud in foreign labor recruiting contracts



**DIPLOMATIC  
SECURITY  
SERVICE**



- Of the 344 defendants convicted of a crime in a HT case in 2017, 19 were labor trafficking defendants.
- 17 entered a guilty plea and 2 submitted to a jury trial
- Only 3 defendants convicted under TVPA (Human Trafficking)



Labor Trafficking EXISTS in the US - it is pervasive, dynamic and extremely exploitative

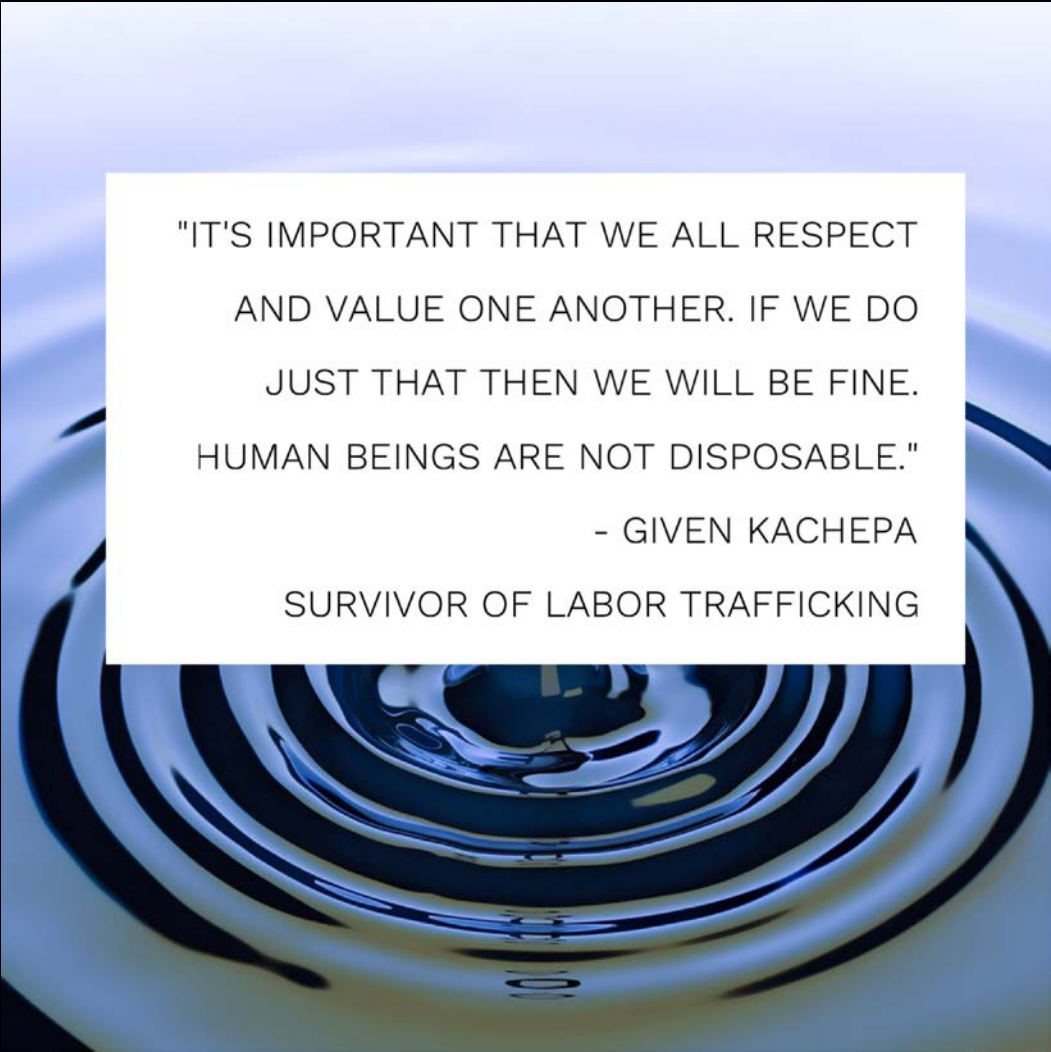
The time is now to shift the equation and protect the fundamental human rights of workers in labor settings. Effective solutions are underway.



Worker-driven Social Responsibility (WSR) puts power back in to the hands of the workers. In order to achieve sustainable improvement in the workplace, the human rights protections in corporate supply chains must be worker-driven, enforcement-focused & based on legally binding commitments to shift accountability to improve working conditions to the global corporations at the top of those supply chains.

Everyone, even YOU, can play can play a role in  
combating Labor Trafficking

1. Learn More about the Issue
2. Know Your Own Rights as a Worker in the U.S.
3. Educate Others/Increase Awareness
4. Be a conscious consumer - do you know where your product came from and how?
5. Be an Ally to the Movement
6. Support & Believe Survivors
7. Refer, Report (NHTH 1-888-373-7888)
8. Advocate for Change



"IT'S IMPORTANT THAT WE ALL RESPECT  
AND VALUE ONE ANOTHER. IF WE DO  
JUST THAT THEN WE WILL BE FINE.  
HUMAN BEINGS ARE NOT DISPOSABLE."

- GIVEN KACHEPA

SURVIVOR OF LABOR TRAFFICKING

Presentation by:  
Vanessa Chauhan

# Music from:

Charlie Okamura "Bridge Over Troubled Water"

Simply Three "Rain"

Instrumental Champions "Imagine"