

Foreign Born Victims: Unique Needs, Available Services, and Opportunities for Advocates

From Darkness to Light: Human Trafficking and Our Response

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Catholic Church Priority of Responding to Victims & Eradicating Human Trafficking

Dignity of the Human Person

Dignity of Work

Preferential Option for the Poor

Protection of Migrants and People on the Move

Right ***not to migrate*** to support family in dignified manner in home communities,

Right ***to migrate*** if this is not possible

Full Continuum (Consistent) Pro-Life Ethic

Healthy Sexuality v Commercialization of Sexuality

USCCB/MRS Principles when Responding to Victims and Eradicating Human Trafficking

Promote human rights and the dignity of the person

Empower victims, those at-risk & survivors

Advance a holistic response:

- Prevention, service provisions and reintegration;

- Policy, advocacy and solidarity

Address root causes:

- Both demand and the factors that place individuals and communities at-risk

Promote collaboration among source, transit and destination countries

Build on existing community and institutional assets

Work with multi-disciplinary and multi-sectoral networks

Risk Factors for Trafficking

- Persistent poverty
- Lack of meaningful educational and employment opportunities
- Family breakdown or lack of family support
- Gender, racial and ethnic discrimination
- High crime communities
- Weakening community ties
- Lack of awareness or understanding of worker rights
- Low self-esteem, history of abuse
- Migrants, displaced, and people on the move
- *Highly ambitious, motivated, risk takers*
- *Strong sense of responsibility to family*

Additional Vulnerabilities of Migrants

- Lack of immigration status
- Local legal system excludes for protection/access
- Exploitation within migrant communities is common
- Immigrants Without Legal Authorization to Work Tend to be Employed in Unregulated Industries
- Lack of familiarity with local legal systems
- Closed/protective communities
- Distrust of law enforcement
- Domestic/in-home work within extended families or ethnic communities is common
- Language barriers
- Smuggling debt
- Economic needs of family in home countries

*“I have always been distressed at the lot of those who are victims of various kinds of human trafficking. How I wish that all of us would hear God’s cry: **“Where is your brother?” (Gen 4:9). Where is your brother or sister who is enslaved?** Where is the brother and sister whom you are killing each day in clandestine warehouses, in rings of prostitution, in children used for begging, in exploiting undocumented labor? Let us not look the other way. There is greater complicity than we think. The issue involves everyone! This infamous network of crime is now well established in our cities, and many people have blood on their hands as a result of their comfortable and silent complicity.” –*

Pope Francis, Apostolic Exhortation, *Evangelii Gaudium*, November 2013

Who May Encounter Trafficked Persons

- Community, charitable and social service providers
- Medical personnel
- National and local police
- Domestic violence, human rights advocates
- Religious workers; workers in community based ministries
- Customers at hotels, restaurants, salons
- Relatives, friends
- Neighbors, fellow community members, co-workers

Challenges to Identification

- Hidden nature of the crime
- *Those who may come into contact with victims not familiar with full diversity of victims and range of victimization*
- Many other related crimes are confused with human trafficking
- *Some exploitation among marginalized people is normalized*
- *Trafficking victims rarely self-identify*

Many Trafficked Persons Don't Self-Identify

- Clear recognition of their own “criminal activities” but
- Do not realize they are victims and have rights
- Fearful of being imprisoned and/or deported
- Feelings of shame and disgrace
- Fearful of endangering family or their own safety
- Mistrust authorities
- Believe the situation will get better
- Communication obstacles
- May believe debts are their obligation to repay
- Physically isolated or guarded by traffickers
- Trauma bonds to trafficker can exist

Protection: Responding to Victims

- Immediate Needs
- Long Term Needs
- Tangible
- Intangible



Partnerships

- Multi-disciplinary Model
- Recollect the tangible and intangible needs; immediate and long term needs
 - Seek partners with relevant specializations: sexual assault, domestic violence, trauma informed counseling, labor laws, interpreters without ties to community, shelter providers (short and long term; for men and women), legal services, victims' advocates, VOCA
- Coalitions & Task Forces

Immediate Needs

- Safe and appropriate shelter/housing
- Medical screening and treatment
 - Comprehensive medical screening
 - Reproductive health screening/treatment in alignment with Catholic teaching
 - Mental health assessment and treatment
- Clothing, basic personal care, hygiene
- Legal services and protections
 - Immigration
 - Victim Advocacy
 - Criminal defense, family law
- Family reunification/facilitate communication if appropriate
- Interpreters (vetted, safe, professional)
- Transportation

Long Term Needs

- English as Second Language
- Legal services
 - Immigration, i.e. T or U Visa, adjustment of status
 - Civil restitution
 - Vacate criminal charges
- Long term supportive or transitional housing, private residence
- Independent living skills
 - Budgeting
 - Navigating community resources independently
 - Transportation independently
- Education, Vocational or Job Readiness
- Dignified employment
- Family Reunification if appropriate

Trafficking Victims Protection Act: Defines Benefits and Protections

Access and eligibility for federally funded services and public benefits are defined by TVPRA, with some conditions:

- An adult victim has to prove that he/she was “subject to performing commercial sex acts” induced by “force, fraud, coercion”
- Adult and minor victims must prove that they were subjected to forced labor, involuntary servitude, debt bondage or slavery by “force, fraud, coercion”
- *Adults must also be willing to assist “in every reasonable way” in the prosecution of the traffickers*
- *Must be necessary to the prosecution of the traffickers*

Immigration Status Addressed

- **Continued Presence (CP)**: temporary immigration status provided to allow victims of human trafficking to remain in the U.S. during the ongoing investigation
 - CP is initially granted for one year and may be renewed in one-year increments
 - Must be approved by Immigration and Customs Enforcement (ICE)
 - Requests for CP typically submitted by federal LE
 - Triggers eligibility for HHS Certification and subsequent services
 - ***ICE can issue Employment Authorization***
 - ***Individual is NOT subject to removal/deportation proceedings***
- ***T-Visa***
- ***U-Visa***

HHS and DOJ/OVC-Funded Services (for Pre-Certified Victims)

- Comprehensive case management through local NGO Providers (12 month lifetime for HHS, including Certified victims)
- Reimbursement for authorized direct client expenses
 - Medical and mental health care services
 - Shelter and housing
 - Clothing
 - Food
 - Personal care
 - Education, i.e. ESL, vocational, pre-employment
 - Transportation
 - Child related expenses, etc.

HHS-Funded Refugee Benefits for Certified Adult Clients/Derivatives & Minors with Interim Assistance and Eligibility Letters

- Refugee Cash Assistance (cash assistance for approx. 8 months)
- Refugee Medical Assistance (basic medical care for approx. 8 months)
- Match Grant Program (intense job preparation and financial assistance for approx. 4 months)
- Unaccompanied Refugee Minor (URM) Program (specialized comprehensive care for minors including housing, medical, mental health, legal and education services)

Additional Resources and Services Available to Minor Victims

HHS/Office of Refugee Resettlement Eligibility for
Services to Minor Victims of Severe Form of Human
Trafficking

- Family Reunification with case management
- Reclassification to Unaccompanied Refugee Minor Foster Care

Federally-Funded Public Benefits (Certification Generally Required, Local Rules Vary)

- Supplemental Nutrition Assistance Program (SNAP) (*Food Stamps*)
- Temporary Assistance for Needy Families (TANF)
- Medicaid, Medicare, SSI
- Women, Infants and Children (WIC)
- Subsidized Housing (Section 8)
- Crime victim compensation (VOCA)
 - Cash assistance to relocate (in town or out of town)
 - Financial aid for disrupted educational achievement

Intangible Needs

- Family reunification, strengthening; support in repairing family relationships
- Safe, appropriate social support systems
- Access to faith community, religious traditions, celebrations
- Culturally appropriate, non-western or alternative therapeutic care; coping skills
- Accommodation of modesty standards and norms
- Access to ethnic or national foods
- Modeling U.S. standards and norms related to:
 - Interpersonal relationships & interactions
 - Gender roles
 - Employment and Workplace

Effects of Trauma On: Service Provision

- Assessing the “needs” of the reluctant client
 - Denying victimhood
 - **Requiring** services, when autonomy, control and decision-making are key trauma issues
 - Identifying culturally competent/appropriate services
 - Non-traditional therapies
 - Accessing services within a victim’s community, if the community poses danger
- Incorporating a survivor’s family, social support network
 - Non-offending caregivers, support networks

How to Engage?

- Advocacy
 - Inclusive language/beneficiaries in state and local level legislation
 - Include men and boys, include labor trafficking, explicit inclusion of non-U.S. Citizens
 - Stronger workplace and worker protections
 - Prioritization of the enforcement of existing laws (federal, state, local)
 - Engage local law enforcement, civic leaders
 - Highlight labor trafficking and foreign national victims
- Outreach and Education to General Public
 - Prevalence (local trends); needs of victims and survivors
 - Risks and available assistance and services
 - Schools, vulnerable communities
- Support victims and survivors
 - Donation drives for direct service providers and ministries
 - Volunteer with legitimate agencies and organizations
 - Mentors, transportation, ESL and conversation practice
 - Invite survivors to join faith communities—via with legitimate agencies and organizations
 - Respect privacy and confidentiality of survivors, i.e. need to know
- Ethical Consumerism and Ethical Employment
- Participate in local Coalitions and Task Forces



Amistad

A national peer education campaign to empower immigrants to prevent human trafficking in their communities.

Train Community Educators to:

- Identify human trafficking & exploitation, especially in the domestic, agricultural, service & sex industries
 - Educate others about modern day slavery
 - Educate others on local trends and risks to aid in prevention
 - Establish partnerships with those dedicated to combating human trafficking
 - Support survivors of human trafficking
 - Become ethical employers and consumers
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- Specially designed for audiences with low literacy
 - Available in any language
 - Customized modules that highlight specific industries and forms of exploitation, regional trends

Become a Shepherd

A Tool Kit designed from a Catholics perspective; recognizing that Catholics are called to seek ways that each of us can work with our dioceses and communities to address this issue.

- PowerPoint presentation with Leader Guide (English and Spanish)
- Documentary and Feature Film List with Discussion Questions
- Tips on Being an Ethical Consumer and Ethical Employer
- Human Trafficking Themed Stations of the Cross
- Prayer Service Guides, Homily Notes
- Sample Letters to Editors
- Sample Letters to Legislators

Initially had about 100 requests/month in the first few months; now it is about 1-3 per week but increases with promotion, i.e. National Migration Week; Day of Prayer against Human Trafficking; conferences and outreach efforts



BECOME *a* SHEPHERD

STOP HUMAN TRAFFICKING AND EXPLOITATION.
PROTECT, HELP, EMPOWER AND, RESTORE DIGNITY

USCCB and Sister Organization Resources

- USCCB Anti-Trafficking Program

www.usccb.org/stopslavery

- U.S. Catholic Sisters Against Human Trafficking

<http://www.sistersagainsttrafficking.org/>

- Vatican Anti-Slavery

<http://www.endslavery.va/content/endslavery/en.html>

- Caritas Internationalis

<http://www.caritas.org/what-we-do/migration/human-trafficking/>

- Christian Organizations Against Trafficking Network (COATnet)

<http://www.caritas.org/resources/Coatnet/Coatnet.html>

- Talithah Kum

<http://www.talithakum.info/>

Resources

National Human Trafficking Resource Center & Hotline (Polaris Project)

<https://humantraffickinghotline.org/>

HHS Office of Trafficking In Persons

- <http://www.acf.hhs.gov/programs/endtrafficking>

Requesting Interim Assistance or Eligibility for Minor Victims

- <http://www.acf.hhs.gov/programs/orr/resource/state-letter-10-05> (see especially attachments)

Requesting Certification for Adult Victims

- <http://www.acf.hhs.gov/programs/orr/resource/fact-sheet-certification-for-adult-victims-of-trafficking>

Services Available to Victims of Trafficking HHS and DOJ

https://www.acf.hhs.gov/sites/default/files/orr/traffickingservices_0.pdf

<https://ovc.ncjrs.gov/humantrafficking/survivors.html>

Continued Presence

- <http://www.ice.gov/doclib/human-trafficking/pdf/continued-presence.pdf>

Victims of Crime Compensation

- <https://www.victimsofcrime.org/help-for-crime-victims/find-local-assistance---connect-directory>