Central Valley 7th Annual Conference on Human Trafficking
CULTURAL PERSPECTIVES ON LABOR EXPLOITATION AND TRAFFICKING

PRE-CONFERENCE WORKSHOP
10:00 a.m. - 12:00 p.m.

Presenters:

Melissa Gomez, Program Manager
Fresno EOC

Mario Gonzalez, Victim Services Department Manager
Centro La Familia Advocacy Services
WORKSHOP OBJECTIVES

• To gain a basic framework of labor trafficking: definition, recruitment, methods of control and exploitation
• To identify specific barriers facing foreign national victims of trafficking
• Participants will be aware of resources available to victims of labor trafficking
• Participants will be able to explain the central legal provisions of U and T-Visas, continued presence and asylum
• To recognize the aftermath of trauma and the long-term process of recovery
CULTURAL PERSPECTIVES ON LABOR EXPLOITATION AND TRAFFICKING

- 2009 Fresno EOC CVAHT Project & CLFA SB-1569
- Began Central Valley Freedom Coalition
- Additional 3-year grant awarded by HHS July, 2014
- Fresno, Kern, Kings, Madera, Merced & Tulare Counties

Sanctuary and Youth Services
Central Valley Against Human Trafficking

Central Valley Freedom Coalition
Central Valley Against Human Trafficking

• Lead agency:
  EOC Sanctuary and Youth Services

• Sub-awardees:
  Kern Coalition Against Human Trafficking
  Centro la Familia Advocacy Services, Inc.
  Family Services Supporting Tulare
  Marjaree Mason Center

• Funders:
  U.S. Department of Health and Human Services, Office of
  Refugee Resettlement
  California Office of Emergency Service

Partnership: National Human Trafficking Resource Center
Human trafficking is a form of modern-day slavery. This crime occurs when a trafficker uses:

force, fraud or coercion
to control another person for the purpose of engaging in commercial sex acts or soliciting labor or services against his/her will.

• Labor Trafficking:
Using force, fraud or coercion to recruit, harbor, transport, obtain or employ a person for the purpose of labor or services in involuntary servitude, debt bondage or slavery.
CULTURAL PERSPECTIVES ON LABOR EXPLOITATION AND TRAFFICKING

• **FORCE** – Physical Assault, Sexual Assault, Rape, Confinement, Isolation

• **FRAUD** – Fraudulent offers of employment; False promises of employment or living conditions; Withholding wages

• **COERCION** – Threats to life, safety, family members, or others; Threats of deportation or arrest; Withholding legal documents or ID’s; Psychological Manipulation

• Not Prostitution or Smuggling!
You are a trafficking victim asking for help from a victim service agency, a church, a community member or law enforcement, etc...

Can you guess the label on your back by asking questions??? What would be societies response to others?

Activity: Cultural Diversity
Discussion: Societal Labels –

- Single Parent
- Monolingual
- Immigrant
- Refugee
- Foster Care System
- Runaway Youth
- LGBTQ
- Low Income
- Disabled
- Early Childhood Trauma

Activity: Cultural Diversity
## CULTURAL PERSPECTIVES ON LABOR EXPLOITATION AND TRAFFICKING

### Activity: Cultural Diversity

<table>
<thead>
<tr>
<th>Vulnerabilities</th>
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<tbody>
<tr>
<td>Emotional</td>
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<tr>
<td>Physical</td>
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<tr>
<td>Psychological</td>
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<tr>
<td>Economic</td>
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<tr>
<td>Religious</td>
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</tbody>
</table>

How did you feel being labeled?

What vulnerabilities may be present?

How do traffickers exploit vulnerabilities through Force, Fraud and Coercion?

What barriers are there to getting help?
CULTURAL PERSPECTIVES ON LABOR EXPLOITATION AND TRAFFICKING

Force, Fraud, Coercion

- Beaten, raped, lied to, starved, tortured, held captive, & manipulated
- Kidnapped
- Given “loan” and then forced to “work” it off
- Victims are given or sold by family for a better life or financial reasons
- The promise of a better life in another country, state, or location; or the promise of love
- May be cultural value to pay off “loan” or debt which the trafficker exploits, victim does not self identify.
21 million people are in forced labor, bonded labor, and commercial sexual servitude worldwide. (ILO estimates).

18,000 to 20,000 people are brought in to the United States for purposes of trafficking. (U.S. Department of Justice)

Generates 150 Billion in illegal profits (ILO estimates).

US$ 99 billion, came from commercial sexual exploitation, while another US $51 billion resulted from forced economic exploitation, including domestic work, agriculture and other economic activities. (ILO estimates).

Transnational & Domestic

Not just a global but a local reality
Central Valley Data (2010- Present)

51 Cases of Labor Trafficking
38 Female
13 Male
8 Sex & Labor Combined
4 Minors

Countries Include: Belize, China, El Salvador, Guatemala, Honduras, India, Mexico, Pakistan, Peru, South Vietnam, USA
CULTURAL PERSPECTIVES ON LABOR EXPLOITATION AND TRAFFICKING

- Domestic Servitude: 9
- Restaurant/Bar: 8
- Agriculture: 6
- Servile Marriage: 4
- Construction: 5
- Massage Parlors: 2
- Sales Crews: 2
- Forced Labor &/or Debt Bondage: 15
CULTURAL PERSPECTIVES ON LABOR EXPLOITATION AND TRAFFICKING

Industries of Concern

- Agriculture
- Construction Work
- Sales Crews
- Domestic Situations
- Massage Parlors
- Sweatshops
- Recycling
- Hotels
- Restaurants
- Panhandling
- Nail Salons
- Other service jobs
Case Examples: Invisibility

S- Unaccompanied Minor- Domestic Servant/Servile Marriage
J- Clovis High School Student- False Adoption, Domestic Servant
L- H2-A Visa Seasonal Worker, Sheep Herding
H- Fresno Subcontractors, Maintenance
J- Marijuana Farming
K- Migrant Farmworkers/Sex Trafficking
Why Do Victims Stay? Possible Barriers...

• Lack of self-identification
• Fear of law enforcement or government agencies
• Drugs
• Fear of retaliation (self or family)
• Fear of arrest or deportation
• Traumatic Bonding/Stockholm Syndrome
• Power and control
• Exhaustion
• Physical Barriers
• Not knowing there is HELP out there!!!
Local law enforcement are generally first to come upon crimes of human trafficking.

Look beneath the surface of other crimes and scenarios to expose crimes of human trafficking:

- You Tube Film
- Prostitution rings (brothels, escort services, massage parlors)
- Pornography
- Illegal operations of massage parlors, strip clubs
- Domestic abuse
- Vice raids involving foreign nationals
- Crimes involving immigrant children with no guardians

Service providers are most likely first to identify VICTIM of human trafficking.
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Victim Identification – Ask ?’s

- Buildings – Keep people in or out?
- Type of work?
- Hours worked?
- Freedom of movement or threats?
- Own ID? Food, housing, clothing, shelter?
- Hesitant to talk?
- Sex industry?
- Abuse and Isolation?

- Whole communities?
- Under 18?
- Undocumented?
- Fear of authorities
- Communal housing and transportation?
- Chaperoned shopping?

- May not disclose right away: keep asking the right questions and earn trust!
Creative Outreach Strategies

- “Fotonovelas” /Film
- Prayer Cards
- Media
- EMPLEO – 1-877-55-AYUDA
- Culturally Appropriate Brochures
- “Promotores” Programs
- Mexican Consulate
- Food Distributions
- Labor/Cultural Fairs/Migrant Head Starts
- Education to Rural Law Enforcement & Other Agencies
- Labor Sub-Committee
CULTURAL PERSPECTIVES ON LABOR EXPLOITATION AND TRAFFICKING

Meet Basic Needs

Assess

Identify

Safety Plan

Case Management

Recovery & Self-Sufficiency
Case Challenges

- Housing
- Language Barriers
- Fear of the System & Unknown
- Male and LGBTQ Clients Service Provision
- Amount of TIME and ADVOCACY involved
- Education involved with other agencies/counties
- Number of agencies involved
Trauma Informed Victim Services

Learn from each client...

• Involve client in entire process
• Don’t assume: Ask questions if you aren’t certain
• Be aware of non-verbal cues and triggers
• Reach out to others for assistance
• Use inclusive language
• Don’t make promises you can’t keep
Survivors Need to...

- be empowered
- be supported in building stability
- know how to utilize resources
- have their progress celebrated
- be given the space to make mistakes and learn from them
CULTURAL PERSPECTIVES ON LABOR EXPLOITATION AND TRAFFICKING

Available Services & Resources

- HT Assessments
- Emergency Food/Shelter
- Clothing and Hygiene Products
- Case Management
- Translation
- Counseling
- Victim Compensation
- Relocation Services
- Legal Support & Advocacy
- Immigration Assistance
- Phone Replacement
Other Assistance for Victims of Trafficking

• Certification/Eligibility - Grants benefits to victims
• Continued Presence/T-Visa/U-Visa
• National Human Trafficking Victim Assistance Program (NHTVAP)
• SB1569 Benefits
• CA Trafficking and Crime Victims Assistance Program
Continued Presence

• A form of immigration relief that Federal Law Enforcement officials request on behalf of a victim of a severe form of trafficking

• CP allows the victim to remain in the United States during the investigation or prosecution

* Both T-Nonimmigrant Visa & Continued Presence are granted by the US Department of Homeland Security
T-VISA:

- victim of "severe trafficking" in persons;
- physically present in the United States;
- provides for 3 years of residency to aid in prosecution;
- provides for future residency.
- If over 18 years old must “comply” with reasonable request to assist in investigation/prosecution
- Must "suffer extreme hardship involving unusual and severe harm" if the person were to be deported

*Certain qualifying family members (spouse, children, parents and or unmarried children) may be eligible as a derivative of the T visa.
U – Non-immigrant Visa

• suffered substantial physical or mental abuse as a result of having been a victim
• possesses information concerning that criminal activity
• has been helpful, is being helpful, or is likely to be helpful in the investigation or prosecution of the criminal activity;
• The criminal activity violated the laws of the U.S. or occurred in the U.S.

*Certain qualifying family members may be eligible as derivatives under the U visa
Qualifications

- rape
- torture
- trafficking
- incest
- domestic violence
- sexual assault
- abusive sexual contact
- prostitution
- sexual exploitation
- female genital mutilation
- being held hostage
- peonage
- involuntary servitude

- slave trade
- kidnapping
- abduction
- unlawful criminal restraint
- false imprisonment
- blackmail
- extortion
- manslaughter
- murder
- felonious assault
- witness tampering
- obstruction of justice
- perjury
SB1569 Benefits

FUNDED: DEPARTMENT OF SOCIAL SERVICES – FRESNO COUNTY
SERVING NON-CITIZEN VICTIMS OF HUMAN TRAFFICKING & OTHER SERIOUS CRIMES

• PROVIDES OUTREACH AND EDUCATION
• ASSESSMENTS & EVALUATIONS
• INTERVENTION AND REFERRALS
Non-Citizen Benefits

- Refugee Cash Assistance (RCA)
- California Food Assistance Program (CFAP)
- CalWORKS
- Cash Assistance Program for Immigrants (CAPI)
- In-Home Support Services (IHSS)
- Employment Social Services
- Medi-Cal
- General Assistance (GA)
- State Food Stamps and Healthy Families

*Empower life sustaining resources to overcome hardship*
Nonimmigrant Visa

- The immigrant has suffered substantial physical or mental abuse as a result of having been a victim of certain criminal activity (Other Serious Crimes);
- The immigrant (or in the case of an immigrant child under the age of 16, the parent, guardian or next friend of the child) possesses information concerning that criminal activity;
- The immigrant (or in the case of an immigrant child under the age of 16, the parent, guardian or next friend of the child) has been helpful, is being helpful, or is likely to be helpful in the investigation or prosecution of the criminal activity;
- The criminal activity violated the laws of the United States or occurred in the United States.

Certain qualifying family members (spouse, children, parents and/or unmarried children) may be eligible as derivatives under the U visa.

California Legislation

- SB-674 Certifying agencies are prohibited from disclosing the immigrant status of a victim or person requesting a U visa certification, except to comply with federal law or legal process, or if authorized by the victim or person requesting the certification.
- A current investigation, the filing of charges, and a prosecution or conviction are not required for the victim to request and obtain the certification from a certifying official.
- Certifying agencies that receive certification requests must report to the Legislature, on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications from the particular agency, the number of certifications signed, and the number of certifications denied.

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CULTURAL PERSPECTIVES ON LABOR EXPLOITATION AND TRAFFICKING

• SB-674 California Legislation

• There is a rebuttable presumption that an immigrant victim is helpful, has been helpful, or is likely to be helpful, if the victim has not refused or failed to provide information and assistance reasonably requested by law enforcement.

• A certifying official may withdraw a previously granted certification only if the victim refuses to provide information and assistance when reasonably requested.

• In addition, a certifying official must fully complete and sign the U visa certification and include “specific details about the nature of the crime investigated or prosecuted and a detailed description about the victim’s helpfulness or likely helpfulness to the detection or investigation or prosecution of the criminal activity.”
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SB-674  California Legislation

The Act also requires certifying entities to complete the certification within 90 days of the request.

In cases where the applicant is in immigration removal proceedings, in which case the certification must be completed within 14 days of the request.
CULTURAL PERSPECTIVES ON LABOR EXPLOITATION AND TRAFFICKING

National Human Trafficking Assistance Program

<table>
<thead>
<tr>
<th>Client</th>
<th>Maximum Administrative Expenses (Per Month)</th>
<th>Maximum Client Expenses (Per Month)</th>
<th>=</th>
<th>Total Allowed Expenses (Per Month)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-Certified (Single and Family Unit) [Maximum of 9 Months]</td>
<td>Up to $670</td>
<td>Up to $650</td>
<td></td>
<td>Up to $1,320</td>
</tr>
<tr>
<td>Certified (Single and Family Unit) [Maximum of 3 Months]</td>
<td>Up to $400</td>
<td>Up to $400</td>
<td></td>
<td>Up to $800</td>
</tr>
<tr>
<td>Derivative (T2-T6 Eligible Derivative) [Maximum of 3 Months]</td>
<td>Up to $250</td>
<td>Up to $200</td>
<td></td>
<td>Up to $450</td>
</tr>
</tbody>
</table>

Is this enough to survive?

Revictimization?
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Get Involved...
CULTURAL PERSPECTIVES ON LABOR EXPLOITATION AND TRAFFICKING

Advocacy Efforts...

DE SALUD

FOOD CHAINS

THE REVOLUTION IN AMERICA'S FOOD
National Human Trafficking Resource Center
888-3737-888 24-hr hotline
or Text “HELP” TO Be Free (233733)

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DOMESTIC VIOLENCE

IMMIGRATION