

LABOR TRAFFICKING

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Labor Trafficking: An Overview

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What is Labor Trafficking?

Human trafficking has two main facets: labor trafficking and sex trafficking. Specifically, labor trafficking is the “recruitment, provision, or obtaining of a person for labor 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). This umbrella term can be further divided into bonded labor, forced labor, and child labor categories (Administration for Children and Families, 2015). Victims of labor trafficking are most likely to work in agriculture, hospitality, domestic work, construction, and food service industries (Owens et al., 2014). In Texas, cleaning services, kitchen workers, migrant farmworkers, construction, and landscaping are the fields that are at the highest risk for labor trafficking (Busch-Armendariz et al., 2016).



from Asia and Latin America (Owens et al., 2014). Specifically, domestic workers are recruited predominantly from the Philippines, Mexico, India, and Colombia (Polaris, 2019).

Prevalence of Labor Trafficking

According to the International Labour Organization (ILO) (2017), there are about 24.9 million people worldwide in the forced labor industry. There are estimated to be 234,000 labor trafficking victims in Texas, from which traffickers exploit approximately \$600 million (Busch-Armendariz et al., 2016).

It is important to note that there are many challenges to recording data for labor trafficking. First, there is no set definition across all jurisdictions for this crime, and some jurisdictions do not recognize it, though this lessens as more awareness is raised (Zhang, 2014).

Child Labor Trafficking

Forced child labor is considered one of the most gruesome aspects of labor trafficking. Children represent 25% of individuals in the forced labor industry; broken down, youth between the ages of 5 and 17 represent 18% of those in forced labor exploitation and 7% of those in state imposed forced labor. Of the 24.9 million labor trafficking victims worldwide, approximately 6.2 million of these victims are children (ILO, 2017). These children involuntarily work in a wide array of fields. In the United States, domestic work, construction, and janitorial services are popular. Internationally, children may work in brick kilns, mines, quarries, and fisheries. In more severe forms of forced labor, children may become soldiers or participate in drug trafficking (Greenbaum & Bodrick, 2017).

Human Trafficking Versus Human Smuggling

Human trafficking and human smuggling are not interchangeable. Human smuggling is a contractual agreement between the smuggler and the person or family being transported through illegal means (i.e., breaking immigration laws). Human trafficking contains a manipulative element. Traffickers, or recruiters, use force, fraud, or coercion to move a victim from one location to the next and convince the worker to continue working for them (Kleemans, 2011). By nature, human smuggling includes crossing international borders (Kyle & Koslowski, 2011); human trafficking can be intranational without crossing borders. The country of origin for trafficking victims varies by industry. For example, in the United States, many trafficking victims come

Across the literature, there are repeated notes of the difficulty in finding empirical data on child labor trafficking prevalence.

Risk Factors for Labor Trafficking

Victimization

Housing Insecurity

Housing insecurity involves unstable living conditions including, but not limited to, homelessness, consistently living in temporary living conditions, and sleeping in places such as vehicles or deserted buildings (Geller & Curtis, 2011). The constant moving to new living quarters leads to having temporary relations with others and a lack of lasting connections with positive role models, contributing to the feeling of isolation that traffickers use to their advantage. Due to this risk factor, runaways, throwaways, and foster care children are especially vulnerable. Those living in these conditions do not have the means to live independently, so traffickers fill the void along with the need to have someone if the person follows their rules. To maintain control, the trafficker may encourage victims to take drugs to make them dependent or to trade sex for housing (Schwarz et al., 2019). Living conditions may be dangerous, overcrowded, or inhumane (Polaris, 2020a).

Economic Insecurity

Economic insecurity refers to having unstable means of obtaining money or resources. Potential trafficking victims are often impoverished, unemployed, or underemployed. They may be trying to take care of their family, so they are susceptible to taking resources (e.g. food, housing, clothing) despite their source (Schwarz et al., 2019). The trafficker knowingly takes advantage of their need to survive. The victims, hearing promises of money, living nicely, and being happy, desire a better life, so they may be more likely to believe the abuser (Polaris, 2020b).

Educational Gaps and Lack of Positive Influences

For youth, poor school performance is another risk factor of being trafficked. When adolescents do not perform well academically, they are less likely to be excited about pushing themselves or attending classes. Without adult supervision at home or in school, adolescents are more likely to engage in risky or delinquent behavior and less likely to build positive relationships with teachers or coaches. Further, the lack of mentorship may cause these adolescents to feel disconnected from school, leading again to isolation and leaving them without someone to warn them about the risks of their behavior and the people they associate themselves with (Schwarz et al., 2019).

Migration

Because of the nature of trafficking and the possible involvement of national and international travel, issues may arise involving language barriers, isolation, lack of documentation, and sexual abuse. If brought to the United States, the trafficking victim may not be familiar with the

English language; therefore, they may not communicate with others. Due to the large Hispanic population trafficked to the United States, these individuals may feel isolated if they are not familiar with Spanish to communicate with other victims. These language limitations lead to a further feeling of isolation. Additionally, a lack of proper documentation (state ID, passport, birth certificate, social security number) further limits access to resources by trafficking victims. Thus, Congress created the T Nonimmigrant Status as part of the Victims of Trafficking and Violence Protection Act to help trafficking victims (U.S. Citizenship and Immigration Services, 2018). However, this status may not be accessible in every scenario. Lastly, during the migration process, the victim may have been sexually abused by the trafficker or other victims. Amplifying this victimization is the trauma of sexual assault, in addition to language barriers, feelings of isolation, and lack of documentation (Schwarz et al., 2019).

T Nonimmigrant Status

Commonly referred to as T visas, the T Nonimmigrant Status allows victims of human trafficking (including labor trafficking and sex trafficking) to remain in the United States for four years if they assist in a law enforcement investigation into human trafficking. This status can also be applied to individual family members, be used for employment, and help the victim become a permanent resident (U.S. Citizenship and Immigration Services, 2018).

Other Risk Factors

Prior victimization, such as having a history of domestic violence or sexual abuse, is another risk factor. Drug dependency or substance abuse in the victim or the victim's caregiver or family member makes the victim vulnerable to being trafficked. Lastly, fear of involvement in the juvenile justice system puts individuals at risk (Polaris, 2020b). For example, youth under the influence of traffickers and forced to participate in drug trafficking may be manipulated by their abusers into thinking that they will be arrested if they seek help from law enforcement. This threat increases fear of police in the young person and discourages their desire to escape (Hancock, 2019).

Consequences of Victimization

Physical Health

Depending on the type of labor that the victim is forced to do, there may be other physical tolls with little to no medical attention available. Neglect may take the form of the victim being given little to no food, forced to work for excessive hours with little to no time off, and poor safety conditions in the workplace (Smit, 2011). Physical strains from labor may include headaches, hearing loss, and cardiovascular and respiratory problems, loss of a limb, chronic back pain, and visual impairment (Administration for Children and Families, 2015). In addition to the harm that may arise from the job, victims may be susceptible to harm from the trafficker, including sexual abuse (Hopper & Gonzalez, 2018), beatings, injured with a gun or knife, or burned. Victims may also witness violence against a family member or others or have

violence threatened to themselves or their families (Turner-Moss et al., 2014). In forced combat cases, victims may be sexually assaulted, maimed themselves or forced to watch the disfigurement of their loved ones, or tortured by traffickers (Tiefenbrun, 2007), in addition to the violence they are exposed to during warfare including being shot, stabbed, or killed. Due to the intersectionality of physical and psychological health, victims suffering from depression may also experience fatigue, weight changes, and psychomotor retardation (Hopper & Gonzalez, 2018).

Psychological Health

Scholars have noted verbal and emotional abuse among trafficking victims. As a result of the relationship between the trafficker and victim, manipulative, coercive, and threatening tactics are often employed to force the victim to work. For example, traffickers may threaten victims by saying that they will send powerful and dangerous men after them and their families if they do not comply (Owens et al., 2014). Moreover, many victims are isolated from their families and peers. Some traffickers tell their victims that they are loved or will be provided care. These victims are forced to live in inhumane conditions and pitted against their fellow victims for survival. They may not have possession of their official paperwork such as birth certificates, passports, or valid identification because of the unstable and harsh way of life and may be threatened with deportation (Polaris, 2020a). Victims often develop depression, sleep disturbances, guilt/ worthlessness, loss of interest in activities, concentration problems, and posttraumatic stress disorder. Many victims also experience suicidal ideation. There is limited research on the psychological consequences of labor trafficking victims experience. Due to the variety of tasks that fall under labor trafficking and the array of affected demographics, the statistics vary greatly (Hopper & Gonzalez, 2018).

Financial

When the victims begin to work, they may be forced into debt to their employer, to work for little or no pay, or forced to work to pay off their passage to their new home (Polaris, 2020a). In some cases, children are sent to work off the debts of their parents (Owens et al., 2014). The victims may never see any of the money earned because their traffickers take all of it. Victims may be forced to meet a quota of how much they made and get beaten if they do not meet that minimum number. Without control of their own money, the victim is forced to depend on the trafficker for basic necessities such as food, water, shelter, clothing, and other needs. A substantial number of victims reported being deprived of food and water (Turner-Moss et al., 2014).

The effects of labor trafficking on individuals are dependent upon the conditions to which they are exposed. Signs of physical, psychological, emotional, verbal, and financial abuse are seen in domestic violence, child abuse, and other various forms of victimization. Recognizing the effects of labor trafficking is important for assisting victims and raising awareness of this crime.

How to Help Victims

As with helping any victims, it is helpful to know the signs and indicators of labor trafficking. Many of the victims have been threatened, manipulated, or scared into staying and will not self-identify as victims. Therefore, having law enforcement and the public aware of the crime and its effect on victims can help people know the right questions to ask a potential victim. Awareness can be raised through laws (along with penalties, such as fines, for intentional noncompliance), training for a more comprehensive array of individuals (namely law enforcement, medical personnel, school faculty, commercial truck drivers, and hotel employees) and labor trafficking victimization campaigns. For law enforcement, laws that clarify the definition of labor trafficking, improve training and resources, and modify the role of police in investigating labor exploitation can help to combat this crime and decrease its victimization (Farrell et al., 2019). Laws can also help to promote easy reporting of the crime and encourage public establishments to promote the human trafficking hotline. Educating children on how to identify possible labor traffickers can help to prevent them from falling victim (Shoop, 2020).

Anti-Human Trafficking Efforts in Texas

Various facets of the Texas community have put in the effort to combat labor and sex trafficking. The state government's highest office, the Governor's office, has created a Child Sex Trafficking Division to combat child sexual exploitation (Office of the Texas Governor, n.d.). The state Attorney General's office has an anti-human trafficking initiative. The office created the Texas Human Trafficking Prevention Coordinating Council who has a plan to partner with the community and government agencies, protect and provide support for those affected by human trafficking, prevent trafficking from happening to begin with, and prosecute traffickers (Texas Human Trafficking Prevention Coordinating Council, 2020). The Texas Alcoholic Beverage Commission (TABC) is dedicated to fighting human trafficking by uncovering front companies, revoking permits, and shutting down illegal businesses (TABC, n.d.). On a local level, some city and county governments have implemented anti-human trafficking initiatives. For example, in Houston, the mayor's office created an ordinance for hotels to require anti-human trafficking training for their employees and has created an anti-human trafficking task force to combat this issue (Davis, 2020). In addition to these major branches of the Texas government, other government departments raise awareness and create anti-human trafficking units, including the Texas Department of Transportation and the Texas Department of Licensing and Regulation. Nongovernmental organizations that combat human trafficking include the Central Texas Coalition Against Human Trafficking, North Texas Anti-Trafficking Task Force, and the Houston Area Council to Combat Human Trafficking.

Discussion

Human labor trafficking is a worldwide tragedy that is fueled by greed. Those involved in the recruitment process and those who employ labor trafficking victims subject these people to inhumane conditions with little to no pay but an immense amount of manipulation and force. As a result, victims are impacted physically, psychologically, and financially. To help victims, the public needs to be aware of the signs of labor trafficking, implement laws to prevent it, and educate the public to prevent more victims. Together, we can help those impacted by labor trafficking.

Endnotes

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Taylor Robinson began the Ph.D. program in the Department of Criminal Justice and Criminology at Sam Houston State University in the Fall of 2019. She received a B.S. in Criminal Justice with a minor in Forensic Science (2017) and a M.S. in Victim Services Management (2019) at SHSU. Her research interests include child abuse or maltreatment, intimate partner or family violence among minority populations, specifically, African Americans, as well as sexual assault victimization, and hate crime victimization.

Resources

The National Human Trafficking Resource Center & Hotline

1-888-373-7888

Text HELP to BEFREE (233733)

<https://alliesagainstslavery.org/>

Allies Against Slavery- Austin, Texas

<https://www.freedominthe806.org/>

Freedom in the 806- Coalition Against Trafficking- Amarillo, Texas

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

North Texas Coalition Against Human Trafficking- Dallas, Texas

214-823-4434

<https://mosaicervices.org/>

Mosaic Family Services- Dallas, Texas

915-307-2175

<https://www.pdncoh.org/>

Paso del Norte Center of Hope- El Paso, Texas

832-393-0977

<https://humantraffickinghouston.org/>

Office of Human Trafficking and Domestic Violence- Houston, Texas

713-308-8600

<https://www.houstontx.gov/police/divisions/vice/index.htm>

Houston Police Department- Vice Division- Houston, Texas

936-894-0296

<https://homeofhope.online/>

Home of Hope- Houston, Texas

<https://uaht.org/>

United Against Human Trafficking- Houston, Texas

<https://www.aacat.org/>

Alamo Area Coalition Against Trafficking- San Antonio, Texas

281-369-4412

<https://www.cchttt.com/>

Coalition to Combat Human Trafficking- Sugar Land, Texas

Texas Human Trafficking Resource Center

<https://hhs.texas.gov/services/safety/texas-human-trafficking-resource-center>

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