

HUMAN TRAFFICKING & PUBLIC HEALTH

LOOK BENEATH THE SURFACE:
Role of Health Care Providers in Identifying
and Helping Victims of Human Trafficking

Presentation Overview

- **Human Trafficking**
 - What is it?
 - Overview of U.S and Texas' Response to Human Trafficking
 - Potential Immigration Remedies
- **The Challenge of Victim Identification**
 - Critical Role of Health Care Providers
 - Victim Identification
 - Overview of Health Issues Associated with Human Trafficking Victims
 - Overview of Trauma Associated with Human Trafficking Victims
 - Communicating with Victims of Human Trafficking
 - Building Trust with Victims Human Trafficking
 - Key Questions to Ask
- **Victim-Centered Approach**
 - Challenges to Assisting Survivors of Human Trafficking
 - Immediate & Long-Term Needs
 - Collaborative Approach to Victim Needs

Human Trafficking: What is it?

- It is an insidious type of international and domestic crime that involves a pattern of power and control used to extract labor or services for financial or material gain.
- Human trafficking affects all genders and ages within all types of relationships.
- Human trafficking has a devastating impact on individual victims, who often have been subjected to long-term systematic physical, sexual, and emotional abuse, threats against self and family.

Trafficking Victims Protection Act (TVPA)

- On October 28, 2000, the TVPA was signed into law. It was the first comprehensive law to protect human trafficking victims.
- TVPA is a victim-centered approach to address trafficking and combine anti-trafficking efforts and human rights objectives.



Trafficking Victims Protection Act (TVPA)

- The purpose of the law is to combat human trafficking by providing the means to:
 - Punish the traffickers
 - Protect the victims
 - Prevent trafficking from occurring

REAUTHORIZATION OF THE TRAFFICKING VICTIMS PROTECTION ACT

- 2003 - Trafficking Victims Protection Reauthorization Act (TVPRA)
- 2005 – Trafficking Victims Protection Reauthorization Act of 2005 (TVPRA 2005)
- 2008 – William Wilberforce Trafficking Victims Reauthorization Act of 2008

TVPA DEFINES “SEVERE FORMS OF TRAFFICKING IN PERSONS”

Sex Trafficking: *Commercial sex act induced by force, fraud or coercion, or in which person performing the act is under age 18.*

Labor Trafficking: Using force, fraud or coercion to recruit, harbor, transport, obtain or employ a person for labor or services in *involuntary servitude, peonage, debt bondage or slavery.*

IMMIGRATION REMEDIES AVAILABLE TO VICTIMS OF HUMAN TRAFFICKING

- T-Visa (Trafficking Visa)
- U-Visa (Victims of Crime in the US)
- VAWA (Violence Against Women Act)
- Asylum
- Special Immigrant Juvenile Status (SIJS)

TRAFFICKING vs. SMUGGLING: These are Not Interchangeable Terms

Human Trafficking

- NO consent to the victims' situation
- Ongoing exploitation of victims to generate illicit profits for the traffickers
- Trafficking need not entail the physical movement of a person
 - Must entail the exploitation of the person for labor or commercial sex
- Can be legal residents, undocumented persons & U.S. citizens.

Migrant Smuggling

- Illegal crossing across an international border.
- Includes consent to being smuggled
- Free to leave their transporters once in in the U.S.
- If they are provided work, they may be reasonably paid, and more importantly, they are free to leave the job.

INDUSTRIES LINKED TO HUMAN TRAFFICKING

- Sex Trafficking

- Brothels
- Prostitution or other commercial sex venues
- Pornography
- Exotic Dancing/Stripping
- Massage Parlors
- Escort Services
- Modeling Studios

- Labor Trafficking

- Farming/Agricultural work
- Landscaping/Construction
- Hotel or Tourist Industries
- Janitorial Services
- Restaurant/Cooks/Waiter or Waitresses
- Factory Work (“sweatshops”)
- Domestic servitude/Housekeeping/Nannies
- Peddling/Panhandling

IDENTIFYING VICTIMS OF HUMAN TRAFFICKING

- Frontline health providers play important role identifying and helping trafficking victims.
- While trafficking is largely hidden social problem, many victims are in plain sight if you know what to look for.
- Very few places where someone from outside has opportunity to interact with victim.

HEALTHCARE PROFESSIONALS

- Play two critical roles:
 - Finding victims of human trafficking while they are still in captivity
 - Caring for their mental and physical needs upon release

HEALTHCARE PROFESSIONALS: VICTIM IDENTIFICATION

- Trafficking Victims can appear at any time, at any place:
 - Emergency Room
 - Pregnancy Care Centers
 - Community Med Clinics
 - Free Health Screenings
- Trafficking Victims can also to be misidentified as victims of other crimes:
 - Sexual Assault
 - Domestic Violence
 - Torture/Mutilation
 - Work Accident

HEALTHCARE PROFESSIONALS: VICTIM IDENTIFICATION

- Indicators that a particular patient may be a victim of human trafficking include:
 - Is potential victim accompanied by another person who seems controlling?
 - Does person accompanying potential victim insist on giving information to health providers?
 - Can you see or detect any physical abuse?
 - Does potential victim seem submissive or fearful?
 - Does potential victim have difficulty communicating because of language or cultural barriers?
 - Does potential victim have any identification?
 - Is potential victim suffering from common health problems experienced by trafficking victims?

HEALTHCARE PROFESSIONALS: PROVISION OF HEALTHCARE SERVICES

- Trafficked persons suffer a wide variety of health problems beyond what would be expected given their age, gender, and country of residence.
 1. Based on the intimidation/indoctrination tactics used by the trafficker against the victim
 2. Based on the nature of work and conditions trafficking victims are subjected to.
 3. Inaccessibility to needed healthcare in a timely fashion because of the illegal nature of trafficking activities.

Health Issues Associated with Victims of Human Trafficking

- Victims suffer from host of physical and psychological problems stemming from:
 - *Inhumane living conditions*
 - *Poor sanitation*
 - *Inadequate nutrition*
 - *Poor personal hygiene*
 - *Brutal physical and emotional abuse*
 - *Dangerous workplace conditions*
 - *General lack of quality medical care*

Health Issues Associated with Victims of Human Trafficking

- Preventive health care virtually non-existent
- Health problems typically not treated in early stages
 - *Tend to fester until they become critical, life-endangering situations*

Health care frequently administered at least initially by unqualified “doctor” hired by trafficker with little regard for well-being of “patients” – even less regard for disease, infection or contamination control

Health Issues Associated with Victims of Human Trafficking

- Sexually transmitted diseases, HIV/AIDS, pelvic pain, rectal trauma and urinary difficulties
- Unwanted pregnancy, resulting from rape or prostitution
- Infertility from chronic untreated sexually transmitted infections or botched or unsafe abortions
- Infections or mutilations caused by unsanitary and dangerous medical procedures performed by unqualified individuals
- Chronic back, hearing, cardiovascular or respiratory problems from endless days toiling in dangerous agriculture, sweatshop or construction conditions
- Weak eyes and other eye problems from working in dimly lit sweatshops

Health Issues Associated with Victims of Human Trafficking

- Malnourishment and serious dental problems
 - *These are especially acute with child trafficking victims who often suffer from retarded growth and poorly formed or rotted teeth*
- Infectious diseases like tuberculosis
- Undetected or untreated diseases, such as diabetes or cancer
- Bruises, scars and other signs of physical abuse and torture
 - *Sex-industry victims often beaten in areas that will not damage their outward appearance, like lower back*

Health Issues Associated with Victims of Human Trafficking

- Substance abuse problems or addictions
- Psychological trauma from daily mental abuse and torture, including depression, stress-related disorders, disorientation, confusion, phobias and panic attacks
- Feelings of helplessness, shame, humiliation, shock, denial or disbelief
- Cultural shock from finding themselves in strange country

Trauma of Human Trafficking: Initiation

- Shock: realizing their situation
- Disorientation
- Breaking down resistance (overwork, lack of basic necessities)
- Intimidation and threats (immigration, police, family)
- Coercion/Fear
- Isolation/ Control/ Trapped
- Emotional and psychological abuse (use of relationship, name-calling)
- Physical abuse, force, rape, torture
- Reality turned on its head

Trauma of Human Trafficking: Indoctrination

Traffickers:

- Use authoritarian status to further retain control
- Build an community with its own rules (showing favoritism)
- Create external and internal group pressures (promise of rising rank)
- Create Physical Impairment and exhaustion
- Becomes the potential source of comfort and humiliation

UNDERSTANDING THE MINDSET OF THE VICTIM

“Slavery without Chains”

Frequently victims:

- Do not speak English and are unfamiliar with U.S. culture
- Confined to a room or small space to work, eat, sleep
- Fear and/or distrust health providers, government, law enforcement
 - Traffickers exploit and cultivate fear and distrust of authorities.
 - Fear of arrest or deportation
- Unaware what is being done to them is a crime
 - Don't self-identify as a “victim”
 - Blame themselves for their situations
- May develop loyalties, positive feelings towards traffickers and coping mechanisms
 - May try to protect traffickers from authorities

UNDERSTANDING THE MINDSET OF THE VICTIM

“Slavery without Chains”

- Traffickers may “coach” victims to answer with cover story about being wife, student, niece/nephew, son/daughter.
 - Victim may have a well-rehearsed story but be unable to provide answers to follow-up questions
- Sometimes victims do not know where they are, because traffickers frequently move them to escape detection.
 - Victims are misled about what city they are in.
- Typically watched, escorted, or guarded by traffickers or associates of traffickers.
- Victims comply and don’t seek help because of fear for their safety and safety of their family members.
- Threats of harm to family is one of the most powerful tools used against victims.

Trauma Reactions Associated with Human Trafficking

- Flashbacks/Triggered Reactions
- Emotional Numbing/Avoidance
- Repetition compulsion, Re-Enactment; Identification with the Perpetrator
- Psychosomatic Reactions
- Depression/Dysthymia

Communicating with Victims of Human Trafficking

- As with domestic violence victims, if you think a patient is a victim of trafficking, you do not want to begin by asking directly if the person has been beaten or held against his/her will.
- Instead, you want to start at the edges of his/her experience.
- Ideally you should find a staff member who knows the patient's language and culture.
- Screen interpreters to make sure they don't know your client or the trafficker.
- Before asking any sensitive questions try to get the person alone (trafficker may be posing as spouse, etc.)
- Request time alone in a manner that does not raise suspicions.

Communicating with Victims of Human Trafficking

- Before questioning potential trafficking victim, isolate individual from person accompanying her/him without raising suspicions
 - *Individual accompanying patient may be trafficker posing as spouse, other family member or employer*
 - *Say that ER/health clinic policy is to examine patient alone*
- Enlist trusted translator/interpreter who also understands victim's cultural needs
 - *If patient is child, important to enlist help of social services specialist skilled in interviewing child trafficking or abuse victims*

Communicating with Victims of Human Trafficking

- For victim's safety, strict confidentiality is paramount
 - *Ask questions in safe, confidential and trusting environment*
 - *Limit number of staff members coming in contact with suspected trafficking victim*
- Importance of indirectly and sensitively probing to determine if person is trafficking victim
 - *May deny being trafficking victim, so best not to ask direct questions*
 - *Phrase "trafficking victim" will have no meaning*

Building Trust with Victims of Human Trafficking

- Slow Process
- Take the time to build rapport
- Often survivors have negative perceptions of authority
- Use open-ended questions without many interruptions
- Be aware of culture, power/class differentials, “taboo” topics, importance of role/family, building cultural sensitivity and knowledge.

Building Trust with Victims of Human Trafficking

- Gaining victim's trust important first step in providing assistance
- Sample messages to convey:
 - *We are here to help you.*
 - *Our first priority is your safety.*
 - *If you are a victim of trafficking and you cooperate, you will not be deported.*
 - *We will give you the medical care that you need.*
 - *We can find you a safe place to stay.*
 - *We can help get you what you need.*
 - *We want to make sure what happened to you doesn't happen to anyone else.*
 - *You are entitled to assistance. We can help you get assistance.*
 - *If you are a victim of trafficking, you can receive help to rebuild your life safely in this country.*

Key Questions to Ask

- Can you leave your job or situation if you want?
- Can you come and go as you please?
- Have you been threatened if you try to leave?
- Have you been physically harmed in any way?
- What are your working or living conditions like?
- Where do you sleep and eat?
- Do you sleep in a bed, on a cot or on the floor?
- Have you ever been deprived of food, water, sleep or medical care?
- Do you have to ask permission to eat, sleep or go to the bathroom?
- Are there locks on your doors and windows so you cannot get out?
- Has anyone threatened your family?
- Has your identification or documentation been taken from you?
- Is anyone forcing you to do anything that you do not want to do?

CHALLENGES OF ASSISTING SURVIVORS OF HUMAN TRAFFICKING

- Shelter
- Mental Health Trauma
- Medical Care
- Interpretation Needs
- Income Assistance
- Intensive Case-Management
- Legal – Immigration
- Legal – Criminal Culpability
- Cultural Considerations
- Confidentiality Issues

IMMEDIATE NEEDS OF SURVIVORS OF HUMAN TRAFFICKING

- Personal Safety Planning and Safe/Secure Housing/Placement
- Medical/Mental Health Care
- Interpretation
- Legal Services

LONG-TERM NEEDS OF SURVIVORS OF HUMAN TRAFFICKING

- Safety & Security
- Medical or Mental Health Issues
- Education/Employment Issues
- Familial Support/Stability

A COLLABORATED EFFORT

- Collaboration is key to developing a comprehensive plan and response to human trafficking cases.
 - Facilitates a coordinated response
 - Allow each stakeholder to focus on their respective goals
 - Permits a multi-disciplinary/multi-agency approach
- No one agency can meet all the needs of a survivor of human trafficking.

REPORT

- If you think you have come in contact with victim of human trafficking, call **National Human Trafficking Resource Center, 1.888.3737.888.**
- This hotline will help you:
 - Determine if you have encountered victims of human trafficking
 - Identify local community resources to help victims
 - Coordinate with local social service organizations to help protect and serve victims so they begin process of restoring their lives
- For more information on human trafficking visit **www.acf.hhs.gov/trafficking.**
- ***Call local police if victim at risk of imminent harm***

1.888.3737.888

www.acf.hhs.gov/trafficking

CASE EXAMPLE

- Carlos lived in Mexico and wanted to come to the United States to work, so he paid a coyote to be brought into the country
- Once he crossed the border, he was taken to a safe house and then transported to a peanut farm where he was to work in Georgia
- Carlos was told that the cost of being smuggled into the U.S. and transported to the farm was \$2500.00
- Once at the farm, Carlos understood that he could not leave and that he would be beaten if he attempted to flee
- Carlos was paid for his work but rent and food costs were subtracted from his pay
- Carlos was moved to other farms throughout the east coast depending on the season

CASE EXAMPLE

- 15 year old Tina has been prostituting for the past six months for her pimp-boyfriend, Bobby
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- Tina has a \$1,000 quota/night she must make for Bobby who says he is saving the money for them to buy a house
- Tina is often scared while out on the streets, but Bobby reminds her that she is making money for their future and that the situation is only temporary
- Bobby has other girls who work for him, but Tina knows that she is special to him because Bobby does not hit her like he does the others
- Tina is picked up one night by an undercover officer; feeling angry, Tina does not cooperate. She admits that Bobby is her pimp, but swears that prostitution was her choice and that Bobby has never forced her

RESOURCES

- U.S. Department of Health and Human Services - www.acf.hhs.gov/trafficking
- U.S. Department of Justice - http://www.usdoj.gov/whatwedo/whatwedo_ctip.html
- Coalition to Abolish Slavery and Trafficking - www.castla.org
- International Association of Chiefs of Police - www.theiacp.org
- Trafficking Victims Protection Act of 2000, Pub. L. No. 106-386 Division A, 114 Stat. 1464 (2000) (TVPA).
- Trafficking Victims Protection Reauthorization Act of 2003, Pub. L. No. 108-193. [*TVPRA 2003*].
- Trafficking Victims Protection Reauthorization Act of 2005, Pub. L. No. 109-164. [*TVPRA 2005*].
- William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008.

RESOURCES

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- Human Trafficking and the Healthcare Professional, Jeffrey Barrows, DO, MA (Bioethics) and Reginald Finger, MD, MPH, *Southeastern Medical Journal*, Volume 101, Number 5, May 2008.
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- *“The Psychological Issues in Cases of Human Trafficking,”* Michelle Contreras, Project REACH, The Trauma Center at JRI.