



Understanding and Improving Law Enforcement Investigations of Human Trafficking:

Focus on Labor Trafficking

Expert Roundtable Discussion

August 2024

Understanding and Improving Law Enforcement Investigations of Human Trafficking: Focus on Labor Trafficking

Expert Roundtable Discussion

August 2024

This report was convened by the Global Center on Human Trafficking in partnership with the Federal Enforcement Homeland Security Foundation, and Fermata Discovery.

Written by:

Daniela Peterka-Benton, PhD

Alison Boak

Christabelle Robinson

Madison Kranis, MA

Edited By:

Daniela Peterka-Benton, PhD

Madison Kranis, MA

Ashlee Martellacci, MA

Published by:

Montclair State University Global Center on Human Trafficking

Designed by:

Christabelle Robinson

Table of Contents

Introductions	7
Participating Organizations	9
Part 1: Assessing, Identifying, and Interviewing Potential Victims	10
1.1 Challenges Identifying Potential Victims of Labor Trafficking	11
Lack of Awareness/Understanding of Labor Trafficking	11
Diversity of Labor Trafficking Scenarios	12
Dehumanization of Immigrants	13
Lack of Trust in Law Enforcement by Certain Communities	15
Lack of Screening Tools	15
Interplay Between Smuggling and Human Trafficking	17
1.2 Challenges Conducting Labor Trafficking Investigations	18
When Victims are Undocumented Immigrants	18
Power Inequities	19
Lack of Government Oversight	19
1.3 Interviewing Potential Victims of Labor Trafficking	20
1.4 Initial Actions - Protecting the Victims	20
Part 2. Current Status and Gaps in Investigations and Prosecution	22
2.1 Navigating Challenges and Best Practices	23
Evidence Collection in Labor Trafficking Cases	23
2.2 Addressing Challenges in Working with Survivor Agencies	24
Understanding Service Provider/Law Enforcement Roles in Investigations	24
Improving the Referral Process	24
2.3 Strategies for Improved Collaboration Among Law Enforcement Agencies	25
2.4 Improving Prosecution: Collaborative Approaches for Labor Trafficking Cases	25
2.5 Barriers and Best Practices in Prosecuting Labor Trafficking	26
Part 3. Supporting Survivors and Victim/Survivor-Centered Approach	28
3.1 Collaborative Approaches to Labor Trafficking Victim Support and Investigation	28
3.2 Law Enforcement Challenges in Supporting Labor Trafficking Survivors	29
Part 4. Current Tools, Training, and Resources	31
4.1 Assessing Current Practices and Identifying Gaps in Labor Trafficking Investigations	31
4.2 Enhancing Resources for Human Trafficking Investigations	32
Part 2: Summary of Best Practices and Recommendations	34
Strengthening the Department of Labor (DOL)	34
Moving More Cases to Prosecution	34
Establishment of Male Centered Services	35
Expungement for Labor Trafficking Victims	35

Table of Contents

Addressing Challenges in Collecting Evidence	35
Enhanced Training for Safe Harbour Laws	35
Addressing Mental Health Issues	36
Vigilance and Inspection of Repeat Offenders	36
Collaboration and Engagement with Labor Unions	36
Public Education Campaigns	37
Addressing Law Enforcement Challenges in Supporting	37
Labor Trafficking Survivors	37
Collaborative Approach to Labor Trafficking VictimSupport and Investigation	37
Extending Legal Protections	38
Part 3: Appendix	39
Appendix A: Report Conveners	39
Appendix B: Literature Review	40

Acknowledgments

The Global Center on Human Trafficking at Montclair State University (GCHT) extends grateful acknowledgment of the many experts and dedicated professionals who helped make this report possible.

Thank you to our co-conveners and partners, Richard S. Kendall, Founder and Chief Executive Officer, and the Federal Enforcement Homeland Security Foundation; Matthew Jack, Strategic Advisor Subject Matter Expert, CEO Dolphin Solutions Group, LLC; and to all the expert participants from across the country who generously shared their time and expertise.

We also would like to thank the lived-experience experts who shared their experiences and insights. Your participation is invaluable and helped us move past our current thinking to discover new approaches.

Special recognition must be given to Ali Boak, former Director of the Global Center on Human Trafficking and her leadership in convening and leading the roundtable. Her expertise, enthusiasm, and energy were foundational to realizing this project. Lastly, we would like to acknowledge the wonderful staff and interns at the Global Center on Human Trafficking for their support with this report, including Dr. Francesca Laguardia, Professor, Justice Studies; Christabelle Robinson, Program Coordinator, GCHT; Madison Kranis, Program Assistant, GCHT; and Ashlee Martellacci, Student Affairs and Community Engagement Coordinator, GCHT.



Daniela Felicio-Benton

Director, Global Center on Human Trafficking



Mimi Melidoni

Founder, Global Center on Human Trafficking

Disclaimer

This report contains summaries of discussions among roundtable participants that are intended for informational and educational purposes only. The statements and opinions expressed in this report do not necessarily represent the views of the Global Center on Human Trafficking at Montclair State University, the Federal Enforcement Homeland Security Foundation, or Fermata Discovery, Inc.

Notwithstanding anything in this Report to the contrary, the statements contained herein shall not be construed as legal advice or the provision of legal services for or on behalf of any person. The provision of this report shall also not establish an attorney-client relationship.

This report is made publicly available for use by the reader, but the copyright is retained by the creator. This report may not be redistributed or publicly displayed by others without providing credit to and the advance consent of Montclair State University through its Global Center on Human Trafficking, the Federal Enforcement Homeland Security Foundation, and Fermata Discovery, Inc.

For Accessibility issues with this document please contact gcht@montclair.edu.

Introductions

Human trafficking is an issue that affects urban, suburban, and rural communities across the United States. Data shows that human traffickers disproportionately target those in positions of socioeconomic or political vulnerability, often people of color or members of racial minority groups. The extent of human trafficking is notoriously difficult to measure, and accurate data is scarce. Despite a substantial upsurge in awareness and efforts to address the problem of human trafficking over the past ten years, traffickers continue to operate with impunity in every part of the world including the United States.

Human trafficking has always happened in our communities, but due to many systemic and societal barriers, it has largely gone unrecognized. The number of investigations and prosecutions across the nation represents only a tiny fraction of actual cases of human trafficking. Due to a lack of systematic data collection and research, we don't know if recent upticks in the number of human trafficking cases represent an actual increase in the incidence of human trafficking or are the result of increased education, awareness, and training efforts. Given the dearth of research and data, the Global Center on Human Trafficking at Montclair State University (GCHT) took the lead in convening two expert roundtables; one focusing on sex trafficking and the other on labor trafficking; to shed light on the current state of law enforcement investigations of human trafficking.

The purpose of this roundtable was to provide a space for dialogue, sharing, and reimagining the way investigations and prosecutions of labor trafficking are conducted in the United States. Participants of the roundtable include:

- survivors who have interacted with law enforcement local, state, and federal law enforcement
- agents with demonstrated experience, in investigating and/or prosecuting cases of labor trafficking
- service providers who have managed the care of and service delivery to survivors through the investigation and prosecution of their case
- attorneys who have represented victims of human trafficking during the prosecution of their traffickers
- advocates who have supported survivors during the prosecution of their traffickers
- other subject-matter experts, including national providers of training and technical assistance providers

Please see Participating Organizations located on page 9. While this report is not a formal study or research project, it is our hope that the insights, expertise, and lived experience shared here will inform the work of others in the field and will increase

Introductions

survivors' access to justice by improving the identification, investigation, and prosecution outcomes of human trafficking cases across the United States.

Please be aware that the proceedings contained in this report are discussion summaries only, not transcripts.

Note about terminology: The terms victims, survivors, and (individual with) lived experience are all used in this report. Each term serves different needs. The term victim typically refers to someone who recently has been the victim of a crime, and triggers certain rights in the context of the criminal justice process. Additionally, the word victim is commonly used when discussing a crime or referring to the justice system. The terms survivor and (individual with) lived experience often refer to someone who is currently undergoing or who has already gone through a recovery and/or healing journey. Additionally, the terms survivor and (individual with) lived experience are used by those who have been trafficked when referring to others who have also been trafficked.



Participating Organizations

We extend our heartfelt gratitude to all the participating organizations for convening for National Expert Roundtable Discussion Understanding and Improving Law Enforcement Investigations of Human Trafficking: Focus on Labor Trafficking. The dedication and expertise of these organizations and individual participants are invaluable in addressing labor trafficking.

Special thanks to AEquitas, Customs and Border Protection, Colorado Legal Services, Dolphin Solutions Group, Open Eyes International, Global Center on Human Trafficking, Human Trafficking Legal Center, International Association of Chiefs of Police, International Centre for Missing & Exploited Children, Department of Labor, International Organization for Adolescence, Karana Rising, Montclair State University, Montclair State University Police Department, New York State Office of Temporary and Disability, Tarrant County Sheriff's Office, University of Michigan Law School, Victim Report, Volunteer Lawyers for Justice, West Chester County Domestic Violence High-Risk Team, and Woolf Group Strategic Solutions.

Thank you for your unwavering support, for making this roundtable a success, and for continuing to raise awareness and combat labor trafficking in the United States.

Part 1: Assessing, Identifying, and Interviewing Potential Victims

Guiding Thoughts/Questions

- What challenges do law enforcement face in determining if an individual is a potential victim of labor trafficking?
- What are the current challenges in initiating and conducting a labor trafficking investigation? Are there additional challenges with specialized populations including:
 - Minors
 - LGTQ+ Population
 - Native American Populations
 - Persons with Disabilities
 - Other?
- Are there any specific challenges or best practices for interviewing potential victims?
- How are initial actions taken in an investigation crucial to the ultimate success or failure of prosecuting traffickers and protection of survivors?
- Many cases of human trafficking go undetected because law enforcement does not have access to the information and tools needed to screen for potential trafficking and initiate an investigation. What kinds of tools, resources, or training is necessary for the kind of rapid, sustained response required of labor trafficking investigations?

Summary

The discussion focused on the lack of progress the field has made in improving labor trafficking investigations as compared to sex trafficking investigations. Several participants felt that the field was going backwards in the way labor trafficking investigations are being conducted.

This section delves into the multifaceted challenges and best practices of assessing, identifying, and interviewing potential victims of labor trafficking. Key areas of focus include the difficulties in identifying potential victims due to varied manifestations of trafficking, the nuanced barriers to conducting thorough investigations, particularly among specialized populations, and the critical importance of employing a trauma-informed approach throughout the interviewing process.

The participants underscored the necessity of enhancing law enforcement training to incorporate a trauma-informed perspective, emphasizing the importance of treating labor trafficking with the same seriousness as sex trafficking. This includes adopting

non-threatening approaches during victim interviews, providing comprehensive support services, and prioritizing the protection and needs of victims from the outset of investigations. Moreover, the discussion highlighted a significant gap in resources and tools for screening and investigating labor trafficking cases, pointing to the need for improved training programs, practical application exercises, and better funding for investigative efforts.

This section synthesizes these discussions, advocating for a concerted effort to improve the identification, investigation, and support mechanisms for victims of labor trafficking.

1.1 Lack of Training

Lack of Awareness/Understanding of Labor Trafficking

Participants highlighted a fundamental gap in the understanding and identification of labor trafficking, compounded by multiple layers of awareness and jurisdictional challenges. Central to this issue is the general unfamiliarity with the concept of "labor" as defined by labor laws, the historical context of the labor movement, and labor politics. This lack of foundational knowledge hinders the ability to recognize red flags in various working environments. Without a clear understanding of how labor laws apply across different industries, signs of trafficking often go unnoticed, further complicating the identification process.

There is a pervasive issue with the general public's understanding of what constitutes labor trafficking. This contributes to a broader lack of awareness about the severity of exploitation associated with these crimes, resulting in less attention from both law enforcement and society at large. Experts expressed concern that the nuances of labor exploitation are not adequately recognized, which diminishes the urgency and resources allocated to combat these activities.

Adding to the complexity, law enforcement agencies typically do not view violations of labor standards within their direct purview. Trafficked individuals are often directed towards civil court for wage violations or to the Department of Labor for resolution. This approach unfortunately compartmentalizes labor issues as solely civil or administrative matters, overlooking potential intersections with criminal activities such as human trafficking. The consequence is a significant oversight where labor conditions are not thoroughly evaluated for underlying criminal acts, such as trafficking, which further perpetuates the cycle of exploitation and hinders effective justice for victims.

Many participants expressed concern about the pervasiveness of bad or ineffective training of law enforcement agents. Participants pointed out that law enforcement agents often do not recognize the need to vet trainers and/or curricula and do not have the expertise to do so. It was also mentioned that some training on human trafficking is offered by rogue/vigilante-type agencies that could unintentionally misguide law enforcement. All participants thought it was important for training to be provided by reputable and experienced organizations and trainers, and many expressed the need for universal standards for human trafficking training to be established to ensure quality and effectiveness.

Some participants indicated a need to rethink the red flag/indicator approach to identifying trafficking victims. As one survivor reported above, red flags are often overlooked, in part because currently recognized red flags/indicators may also indicate various other crimes and lack specificity for those without sufficient knowledge of human trafficking.

Diversity of Labor Trafficking Scenerios

The diversity of labor trafficking scenarios significantly complicates the identification of cases and hinders the development of a universal set of identifiers. Participants at the roundtable discussed the varied manifestations of labor trafficking across different regions and industries, which they agreed exacerbates the challenge of identifying potential cases. Labor trafficking can occur in numerous sectors; participants shared their experiences investigating cases in agriculture, horse racing, the hotel and restaurant industry, catering, construction, the foster care system, domestic service, among foreign musicians, and at state fairs, each presenting unique challenges, particularly in terms of accessing victims.

One notable complexity in these investigations is the exclusion of certain labor laws, such as child labor laws and regulations pertaining to agricultural workers, which poses significant challenges in the identification and protection of victims. For instance, in the agricultural sector and among child laborers, exemptions from standard labor protections can lead to significant oversight and underreporting of trafficking cases.

Participants also highlighted labor trafficking scenarios involving victims working in gas stations and convenience stores, where individuals often work between 40 to 60 hours per week yet may receive as little as \$1,000 per month, if they are paid

at all. Debt bondage is increasingly common, with victims traveling long distances for work and incurring substantial debts, which traffickers use as a coercive tool to keep them in exploitative jobs. This pattern of exploitation was also noted in the medical field, particularly concerning the international recruitment of nurses where high breakage fees are equated to forced labor.

It was noted by investigators that broader patterns of migration-driven by conflict, climate change, and lack of jobs—also contribute to labor trafficking. For example, participants mentioned cases involving organized crime with specific references to Mexican and Indian dishwashers and staff at Chinese buffets out of Chicago, showing how traffickers capitalize on vulnerable populations who incur debts as high as \$80,000, often originating from countries like India.

Labor trafficking is also perpetuated by individuals who are perceived as upstanding members of society, including diplomats, successful business owners, religious leaders, and even law enforcement agents. The socioeconomic status of these perpetrators often deviates from the typical criminal archetype. Many maintain a façade of respectability and financial stability, complicating the recognition of these individuals as potential traffickers by both law enforcement and the public at large.

Dehumanization of Immigrants

Participants noted that the predominance of immigrants among victims introduces significant challenges and barriers that complicate addressing the grave issue of labor trafficking. The politically charged climate surrounding migration, especially through the southern border of the United States, profoundly impacts law enforcement and public attitudes. Participants commented that this environment often colors perceptions of victims of labor trafficking, where traffickers exploit immigrants' lack of knowledge about rights and laws and instill a fear of arrest and deportation. This manipulation leads to a reluctance among potential victims to engage with law enforcement and service providers, further entrenching their vulnerability.

Participants emphasized that training programs must address the existence of underlying biases that devalue trafficked persons and, whether consciously or unconsciously, justify the harm caused. These biases are often rooted in stereotypes about "bad jobs" and the conditions deemed acceptable for certain types of work.

Such attitudes manifest in various sectors where immigrants are prominently employed, including domestic servitude, farm labor, and the service industry.

For example, participants shared distressing examples from the farm labor sector, where individuals are found living in deplorable conditions, such as out of their cars, paying to park these cars, or even bathing in pesticide-contaminated water. These conditions contribute to a lowered life expectancy and starkly illustrate how societal biases towards certain labor conditions can normalize severe exploitation. Similar dehumanizing conditions can be observed in the back-of-house roles in restaurants, cleaning services employing immigrants in both residential and corporate settings, and even court-ordered rehabilitation facilities that engage in trafficking under the guise of substance abuse programs.

"Investigators may say, "its just a bad job" or "Its a better situation than they would get somewhere else" to justify the employer's exploitation of an individual who is interpreted to have a lower socioeconomic status, thus resulting in a lack of investigation."

~ New York State Office of Temporary Disability Assistance Representative

Participants discussed how there is a notable bias in how these jobs are perceived by investigators and the broader society. Remarks such as "it's just a bad job" or "it's better than what they would get elsewhere" are often used to justify the employer's exploitation of individuals perceived to have lower socioeconomic status. This mindset leads to a lack of thorough investigation and accountability, allowing such exploitative practices to persist.

The predominance of immigrants among victims introduces additional challenges and barriers to addressing the crime. The politically charged climate around migration especially through the southern border of the United States impacts both law enforcement and the general public's attitudes and perceptions of victims of labor trafficking. In addition, traffickers exploit immigrants' ignorance of rights and laws, and instill within them a fear of arrest and deportation, leading to a reluctance for potential victims to engage with law enforcement and service providers.

Lack of Trust in Law Enforcement by Certain Communities

The participants spent significant time discussing how the lack of community trust in law enforcement exacerbates the challenges of identifying potential victims of labor trafficking. Communities affected by trafficking may view law enforcement with skepticism, often due to past experiences of indifference or hostility, particularly in marginalized groups. Policies that target migrants contribute to this valid distrust, particularly when individuals see in the news or hear from friends about negative treatment and deportations.

This distrust means community members are reluctant to report potential exploitation to law enforcement, and victims are less likely to seek out assistance from law enforcement.

Lack of Screening Tools

The roundtable discussion underscored the critical importance of screening tools in detecting labor trafficking, particularly given the widespread lack of awareness about the issue among both the general public and law enforcement. Participants highlighted the significant challenge in identifying criminal behavior, including human trafficking, without a thorough understanding of how labor laws apply across different industries. The current resources and tools available for screening and identifying labor trafficking cases were noted to be inadequate.

Participants emphasized that the effectiveness of any screening tool heavily depends on the relationship established by the interviewer with the individual being screened. Building trust is essential, as disclosure often takes time. Negative assumptions about the individual, whether explicit or implied, such as questioning their honesty or worthiness, can hinder communication and shut down dialogue.

Effective screening is predicated on the belief that the individual has been treated unfairly and deserves better treatment. There must also be a recognition that the actions of the trafficker are wrongful and warrant punishment. If screeners operate under the assumption that an individual's treatment is justified based on their socioeconomic status, immigration status, or race, then the harm they have suffered may not be deemed significant enough to warrant action. This is often reflected in dismissive attitudes, such as an investigator minimizing the situation by saying, "it's just a bad boss."

“Screening tools should not be utilized by law enforcement during interviews, as their role and duty differ significantly from triage screening in an emergency room or client intake screening. Law enforcement’s responsibility is to investigate any crime that has been committed, rather than simply screening for a specific crime.

It is crucial to encourage law enforcement to conduct thorough, engaged, and responsive interviews in a victim-centered manner. Setting the interview agenda with a checklist of questions is not victim-centered, as it does not accommodate the needs and abilities of the victim at that moment. Checklists can undermine the goal of a victim-centered approach. While it is beneficial for law enforcement to be familiar with the indicators found in a good screening tool, it is important to avoid conducting victim interviews by following a list of questions from a piece of paper. Experience shows that when provided with a checklist, law enforcement may 'comply' with it, leading to a less effective interview. Therefore, the use of such forms should be avoided.”

~ AEquitas Representative

The discussion also touched on the increase in child labor trafficking and the lack of adequate screening tools within Child Protective Services. There is very little awareness among Child Protective Services regarding labor trafficking, highlighting a significant gap in the system’s ability to protect vulnerable children from this form of exploitation.

Ineffective Training on How to Identify Potential Labor Trafficking Victims

Participants highlighted a significant gap in the current training programs for identifying potential labor trafficking victims. Although some training exists, its effectiveness is undermined by inconsistencies and a lack of focus on practical application. The group underscored the urgent need for high-quality, comprehensive labor trafficking training that incorporates hands-on practice through case studies and analysis of past investigations. This approach would better equip law enforcement with the necessary skills and insights to handle these complex cases more effectively.

The discussion also pointed out a noticeable imbalance in police training programs, where significantly less attention is given to labor trafficking compared to sex

trafficking. This disparity underscores a crucial area for improvement. Participants discussed the roles of different entities in addressing labor trafficking. There was a consensus on the tension between law enforcement and the Department of Labor, with suggestions that the Department of Labor should be considered a frontline enforcement entity due to its capabilities in enforcing laws and certifying victims, as well as its oversight and enforcement of guest worker programs.

Interplay Between Smuggling and Human Trafficking

During the roundtable, participants discussed the complex interplay between smuggling and human trafficking, particularly in the context of labor trafficking. Some noted that victims often do not see themselves as victims because they initially engaged smugglers, commonly referred to as 'coyotes', to facilitate their entry into another country. These victims view the subsequent labor trafficking as merely an obligation to repay their debt, highlighting a continuum of exploitation that begins with voluntary smuggling and transitions into coercive trafficking.

This continuum often involves debt bondage, a prevalent form of coercion in labor trafficking. Victims enter agreements with the promise of employment to pay off the debt incurred from their transportation and smuggling. However, this can quickly evolve into a form of trafficking when the terms of employment change unexpectedly, the debts inexplicably increase, or the conditions of work become abusive.

Participants emphasized the importance of clearly defining both smuggling and human trafficking to better understand how they can occur concurrently and contribute to each other. Smuggling typically ends once the individual arrives at their destination, but if coercion, force, or deception are introduced at any point during or after their arrival, it can transition into trafficking.

The role of contracts was also highlighted as a significant issue. Misperceptions and misunderstandings about the terms of employment contracts can lead victims to accept conditions that predispose them to exploitation. Furthermore, traffickers often manipulate these contracts, altering terms to prolong the indebtedness and dependency of the victim.

By distinguishing between smuggling and human trafficking and understanding the ways in which they intersect, law enforcement and service providers can better identify victims and the specific nature of their exploitation.

Understanding the nuances of how smuggling can lead to human trafficking is crucial for providing appropriate interventions and preventing the cycle of debt bondage and labor trafficking.

~ IOFA Representative

1.2 Challenges Conducting Labor Trafficking Investigations

Participants of the roundtable were in unanimous agreement that the current state of law enforcement investigations of labor trafficking is unacceptable. Participants discussed how most law enforcement jurisdictions do not have the proper training, tools, or resources to appropriately investigate labor trafficking cases. Even well-trained agencies may still not be prepared to investigate cases of labor trafficking due to many factors such as the complexity of the case, the large number of victims, the size of the law enforcement agency, and the jurisdictions' lack of previous experience with these types of cases.

Participants also discussed whether the criminal law system is the best option for addressing trafficking. Participants highlighted the need for more:

- Outreach and education of employers (on both trafficking and underlying assumptions that allow for exploitation to be normalized);
- Efforts to reduce the negative public attention on the victims, who are often immigrants, and focus on the criminal behavior of the traffickers and those who commit labor violations;
- Education of workers on their rights and available resources and services.

For example, sexual harassment laws have been on the books since the 1960s, but the #MeToo movement emphasized the failures of a legal framework to address the cultural norms that allowed and perpetuate workplace harassment and assaults.

When Victims are Undocumented Immigrants

Immigrants are often targeted due to their lack of understanding of their rights, compounded with language and cultural nuances. Their susceptibility is heightened by a limited understanding of local laws and rights. Traffickers exploit this vulnerability, manipulating their victims' perceptions of the legal system and instilling a pervasive fear of arrest and

deportation. Such tactics not only undermine the victims' willingness to seek help but also complicate law enforcement's ability to gain their trust and cooperation during investigations.

Power Inequities

The profile of defendants in labor trafficking cases presents another layer of complexity. Contrary to the conventional image of criminals, many traffickers committing labor trafficking belong to higher social strata, such as business owners or community leaders, typically wielding considerable financial resources. This socioeconomic disparity not only challenges law enforcement's ability to identify potential traffickers but also reflects the broader issue of inequality that underpins much of labor trafficking. Victims, particularly those from lower-income backgrounds, find themselves at a distinct disadvantage, their economic precarity making them more susceptible to exploitation. Traffickers may initially approach an individual as a friendly stranger, providing support, and progress into manipulations and threats to compel labor. At the root of every trafficking situation is a trafficker economically profiting off the labor of the victim.

Lack of Government Oversight

A critical obstacle in effectively addressing labor trafficking is the lack of meaningful government oversight, especially regarding guest worker programs in the United States. Participants noted that the absence of stringent regulatory mechanisms allows for the perpetuation of exploitative practices, with traffickers operating with impunity under the guise of legitimate employment opportunities. This regulatory gap not only facilitates the exploitation of workers but also significantly hampers law enforcement's efforts to identify and dismantle trafficking networks.

Participants discussed the historical context and underlying reasons why labor law enforcement has not been a policy focus for government and legislators. This historical perspective sheds light on the systemic issues that contribute to the current inadequacies in addressing labor trafficking.

“Labor exploitation has been a persistent feature of the U.S. economy, tracing back to the era of slavery. This pattern of exploitation continues today, with each new wave of migrants facing similar challenges.”

1.3 Interviewing Potential Victims of Labor Trafficking

During the roundtable discussion on labor trafficking, several participants emphasized the necessity of a trauma-informed approach, highlighting the importance of sensitivity and empathy to avoid re-traumatization. The group agreed on the critical need for comprehensive support, including legal assistance and translation services, to ensure effective communication regardless of the victim's background.

A key insight was the impact of the interview environment. Participants recommended conducting interviews in non-threatening settings, suggesting that law enforcement officers dress in plain clothes to make victims feel safer and more willing to share their experiences. This approach, they argued, fosters trust and encourages more open dialogue.

The roundtable also identified the importance of avoiding duplicative questioning, advocating for a streamlined interview process that focuses on understanding the victim's experience without unnecessary repetition. This strategy respects the victim's dignity and minimizes the risk of further psychological harm.

Participants underscored adopting a victim-centered approach that combines empathy, appropriate support services, and a conducive interview setting as essential to the effective interviewing of labor trafficking victims. These practices, they concluded, are fundamental to building trust with victims, facilitating their cooperation, and achieving the goals of prosecuting traffickers and protecting survivors.

Another significant consideration raised during the discussion was the potential risk to the families of victims. Participants highlighted that in many cases, the families of labor trafficking victims might be at risk in their home countries, especially if traffickers become aware that a victim is cooperating with law enforcement. This adds a layer of complexity to the interview process, as the safety of extended family members must be considered when discussing sensitive information.

1.4 Initial Actions - Protecting the Victims

During the roundtable discussion on labor trafficking, participants emphasized the critical importance of integrating a trauma-informed approach into law enforcement training from the initial stages of investigations. There was a strong advocacy for

treating labor trafficking with the same level of seriousness as sex trafficking, and this commitment needs to be effectively communicated to potential victims to build trust. The adoption of non-uniform attire by officers was recommended to create a less intimidating atmosphere, facilitating a more casual and supportive environment for victims.

Service providers noted that the provision of comprehensive support services, including legal assistance, victim advocacy, and translation services, is essential for addressing the needs and ensuring the protection of victims. It was also pointed out that interviewing other individuals connected to the victims, such as co-workers and neighbors, can provide a deeper understanding of the victims' mental states and the contexts of their situations.

“Law enforcement should invite labor trafficking survivors specifically to advise them on their labor trafficking investigations”

~ Open Eyes International Representative

Participants discussed the variance in victims' reactions; some are grateful for the intervention while others may wish to simply return to work. Questions like, "When was the last time you got paid? Have you seen the money? When did they last drop off water for you? What are you eating? Is this what you signed up for?" are crucial in assessing the immediate needs and conditions of the victims. The importance of having a skilled interpreter present during these interactions was underscored to ensure clear and effective communication.

Transparency about the process was highlighted as a critical element, with many cases starting as civil issues before gaining enough trust to pursue a criminal route. Emphasizing humility and transparency about what law enforcement officers may not know allows the survivor to be seen as the subject matter expert on their experience. Listening actively to the survivors, who may have general knowledge about land rights or exploitation, is essential. Making assumptions about what they know should be avoided.

Part 2. Current Status and Gaps in Investigations and Prosecution

Guiding Thoughts/Questions

- What are the challenges and best practices in collecting evidence?
- Human trafficking investigations require careful treatment of victims/survivors and witnesses, upon whose testimony the prosecution often depends. What are some of the challenges working with survivors or survivor agencies?
- How can we improve collaboration among law enforcement agencies during the investigation stage?
- How can we move more cases to prosecution?
- What are the barriers during the prosecution phase, what are the primary challenges and best practices of labor trafficking cases?

Summary

This section focused on current gaps and strategies within labor trafficking investigations. Participants explored various facets of the investigations, including evidence collection, collaboration with survivor agencies, and improving prosecution rates. The need for more detailed protocols and training for law enforcement to ensure proper evidence collection, especially during the initial encounter, was emphasized. Participants underscored the importance of sustained collaboration, trauma-informed approaches, and comprehensive support services in advancing human trafficking investigations and prosecution efforts.

Survivor agencies also reported that they require better protocols and training to facilitate effective collaboration with law enforcement and ensure that victim needs are prioritized over investigative processes.

Several participants contributed ideas to strategies that would improve prosecution rates including ensuring access to legal representation for survivors, implementing field coaching sessions, and strengthening collaboration between state and federal partners. Participants noted barriers to prosecuting labor trafficking cases persist, including perceived difficulty, reluctance to pursue cases involving certain individuals, and a lack of case studies and mentorship support. Addressing these challenges requires providing mentorship support, enhancing collaboration between agencies and advocates, and exploring alternative prosecution avenues.

“I have investigated cases in agriculture, horse racing industry, hotel, restaurant, catering, construction, foster care system, domestic service, foreign musicians, state fairs...to give some examples...and they all present different challenges, mostly access to victims. Exclusions from some labor laws, such as child labor laws and agriculture, also present serious challenges in identification.”

~ Workers Justice Center of New York

2.1 Navigating Challenges and Best Practices: Evidence Collection in Labor Trafficking Cases

In labor trafficking cases, the collection of evidence presents significant challenges due to the complexity of the crime and the vulnerabilities of the victims. This complexity necessitates a multi-faceted, trauma-informed approach and the provision of comprehensive support services. Participants highlighted that the individuals who typically have access to potential labor trafficking victims are not law enforcement officers but rather entities like the Department of Labor, nonprofits, and agencies that work with immigrants, as well as employment and immigrant attorneys.

Participants noted that expecting law enforcement to be the initial investigators in these cases is often impractical. Instead, grassroots organizations, which are frequently on the front lines, need more resources and support. Additionally, there is a crucial need for law enforcement to earn the trust of these organizations and the communities they serve.

The role of labor unions was emphasized, with participants advocating for their involvement in discussions about labor trafficking, given their potential to influence labor industries significantly. There was also a call for improved data collection on new arrivals in sectors like construction, where vulnerabilities might be higher.

A major issue identified was the lack of information sharing between different agencies. Participants recommended the development of better tools and checklists for evidence collection, noting that indicators of trafficking often make sense only to those who are adequately trained. Public information campaigns were suggested to educate the workforce better on their rights and the rights of human beings in work contexts. Following the money in labor trafficking cases was another critical topic. Participants pointed out that very few agencies have the capacity to undertake such financial investigations, especially in rural areas where resources are limited.

They recommended the involvement of forensic accountants and the engagement of economists and professors of accounting, particularly through initiatives like the Los Angeles Task Force, to bring a specialized skill set to these investigations.

The discussion also touched on the exploitation of workers in the legal and illicit cannabis industries, where even legal growers have been found exploiting workers. Participants mentioned the importance of inquiring about previous employers to uncover patterns of exploitation.

2.2 Addressing Challenges in Working with Survivor Agencies

Understanding Service Provider/Law Enforcement Roles in Investigations

A significant challenge discussed during the roundtable was the coordination between service providers and law enforcement in labor trafficking investigations. Participants noted the importance of understanding each other's roles and responsibilities in order to facilitate a collaborative approach. The point was made that convincing clients to collaborate with law enforcement is often crucial for the progression of cases. However, this requires building trust and understanding the survivors' desires and needs within the context of their recovery and justice processes.

Participants also discussed the diversity of philosophies regarding access to justice. Some survivor agencies employ more visible advocacy strategies, such as sit-ins, marches, or public displays involving signs with victims' faces, which may not always align with law enforcement approaches. This variance in tactics underscores the need for mutual respect and understanding of the different methods by which justice and recovery are sought.

Improving the Referral Process

A key recommendation from previous discussions is the improvement of the referral process between agencies and law enforcement. Effective referrals are crucial for ensuring that survivors receive the appropriate support services swiftly and efficiently. Participants highlighted the need for a standardized process that could help streamline communications and referrals between different stakeholders, including law enforcement, legal services, and other service providers. This would not only improve the efficiency of case handling but also the overall experience and outcomes for survivors.

“Effective collaboration among stakeholders is essential for creating a secure environment where survivors can feel safe and secure to focus on healing, identifying their needs, and planning their next steps post-trafficking. In the absence of such collaboration and communication, survivors often find themselves in a state of chronic stress, struggling to navigate unpredictable programs and rules. This lack of coordination leads to feelings of disempowerment and isolation, significantly hindering their ability to begin to heal and any efforts to build a stable life post-trafficking.”

~ Lived Experience Professional

2.3 Strategies for Improved Collaboration Among Law Enforcement Agencies

The value of multi-disciplinary task forces to address human trafficking cannot be underestimated. Investigations of labor trafficking can cross state and international borders. The need for a multi-agency response is often required and knowing who to call is critical. Small, rural law enforcement agencies may not have the resources to conduct an investigation on their own but often do not know who to call. Relationships need to be built ahead of time as the outcome of a human trafficking investigation will be negatively impacted if law enforcement is not prepared to respond quickly.

Participants emphasized the importance of fostering genuine collaboration between survivors and law enforcement, prioritizing victim needs over the investigative process. Participants noted that ensuring survivors safety and needs is not only the right thing to do but it leads to better criminal justice outcomes.

There was a general consensus on the necessity of equipping survivor agencies and law enforcement with the tools to address the diverse experiences of trafficking victims and allocating more funds for departments to concentrate anti-labor trafficking efforts.

2.4 Improving Prosecution: Collaborative Approaches for Labor Trafficking Cases

Participants proposed several strategies to improve prosecution rates in labor trafficking cases. Notably, several participants emphasized the importance of ensuring that survivors do not have to navigate the legal process alone or hire their own lawyers, highlighting the need for improved access to legal representation, how

the system operates, and improving the preparation and briefing process for victims, especially those who are native English speakers.

Secondly, the participants suggested implementing field coaching sessions, where law enforcement, prosecutors, victim service providers, and coordinators can collaborate and share best practices locally.

Another key recommendation was to increase collaboration and communication between prosecutors with experience in labor trafficking cases and those seeking mentorship. This could involve sharing case study examples and fostering mentorship relationships to enhance prosecutorial skills and knowledge needed to understand the complexity of labor trafficking.

Furthermore, participants stressed the necessity of improving collaboration between state and federal partners. They noted that federal stakeholders often prioritize cases perceived as "good," leaving state stakeholders with less experience and fewer resources to handle more challenging cases.

2.5 Barriers and Best Practices in Prosecuting Labor Trafficking

Roundtable participants highlighted several barriers and challenges encountered during the prosecution phase of labor trafficking cases. It was noted that labor trafficking cases are often perceived as difficult to prosecute, leading to the pursuit of charges like wage theft rather than addressing the broader issue of exploitation. Additionally, there is a reluctance among prosecutors to pursue cases involving diplomats, well-off business owners, community leaders, and international organization employees, particularly in cities like Washington, DC and New York City. The complications of diplomatic immunities, coupled with the tendency of these individuals to depart the country rather than face charges, further complicate prosecutions.

Participants agreed that a lack of case studies and mentorship support, coupled with high turnovers, significantly hinders prosecutors' ability to effectively handle these cases. Challenges also arise from the perception that victims are motivated solely by obtaining a T Visa, which can undermine their credibility in the eyes of law enforcement and prosecutors. This underscores the need for training to address and dismantle socioeconomic, racial, and immigration status assumptions that influence these perceptions. An individual's desire for a benefit from having been a victim of a crime should not impact an assessment of whether or not they were a victim of a crime.

Federal prosecutors also face challenges, with a hesitancy to bring cases that may have uncertain outcomes at trial. There is a preference for cases heavily supported by evidence and involving multiple victims before charging federally. To address these issues, participants emphasized the need for increased availability of case studies and mentorship support for prosecutors, as well as enhanced collaboration between law enforcement agencies and victim advocates. Additionally, efforts should be made to overcome the hesitancy to prosecute difficult cases and explore alternative avenues for holding traffickers accountable.

Given these challenges, participants also discussed whether the criminal law system is the best option for addressing trafficking. The roundtable highlighted the need for outreach and education of employers on both trafficking and underlying assumptions that allow for exploitation to be normalized, negative public attention and focus on traffickers and those who commit labor violations, and education of workers on their rights and services available. Drawing a parallel, participants referenced the #MeToo movement, which emphasized the failures of a legal framework to address the cultural norms that allowed and perpetuate workplace harassment and assaults. This comparison suggests that similar efforts could be instrumental in changing the cultural and legal landscape surrounding labor trafficking.

Part 3. Supporting Survivors and Victim/Survivor-Centered Approach

Guiding Thoughts/Questions

- The process of interviewing the victim, collecting corroborating evidence and investigating perpetrators is more effective when a victim/survivor of trafficking has immediate access to services and supports and law enforcement and social services providers are working collaboratively.
- What challenges do law enforcement face in ensuring victims/survivors of labor trafficking have access?

Summary

All of the roundtable participants were in agreement that a collaborative approach to supporting labor trafficking victims and investigation emphasizes the necessity of immediate access to services and collaborative efforts between law enforcement and social service providers. This section emphasizes participants' urgency that such access and collaboration enhances the effectiveness of victim interviews, evidence collection, and perpetrator investigations. Key points included the pivotal role of social service providers in aiding victims with legal processes and the importance of transparent communication to empower survivors.

Advocates shared their challenges in sustaining communication with law enforcement through the duration of the investigation and prosecution. Challenges faced by law enforcement in supporting victims were noted, such as the lack of appropriate housing options and the need for extended protections for victims. Additionally, enhancing awareness and training among law enforcement regarding victim protection was highlighted as crucial.

3.1 Collaborative Approaches to Labor Trafficking Victim Support and Investigation

Roundtable participants emphasized that the process of interviewing the victim, collecting corroborating evidence, and investigating the trafficker(s) is significantly more effective when a victim/survivor of labor trafficking has immediate access to advocates, services and supports, and when law enforcement and social service providers work collaboratively. It was agreed upon by service provider and survivor

leader participants alike that prompt access to services, including housing, legal assistance, and victim advocacy, not only ensures the survivor's well-being but also improves their cooperation with and trust in law enforcement when there is a sincere show of concern for the victim's welfare first and foremost.

A couple of participants highlighted the importance of collaborative efforts between law enforcement and social service providers, noting that this partnership allows for a victim-centered approach that prioritizes the needs and empowerment of survivors throughout the investigative process. One participant noted that social service providers play a crucial role in assisting victims to navigate the legal system, understand their rights, have community to rely on, and access essential resources.

Law enforcement participants emphasized that effective collaboration between law enforcement and social service providers enhances the collection of corroborating evidence and the identification of perpetrators. It was agreed upon that sharing information and resources between these entities enables a more efficient and thorough investigation of labor trafficking cases. Several participants agreed that by leveraging their respective expertise and resources, law enforcement and social service providers can better address the complexities of labor trafficking and ensure that both the victims needs and the cases are acutely honed in on the unique impact labor trafficking has on the healing and justice process.

Advocates highlighted the importance and need to sustain communication and collaboration throughout the duration of the investigation and prosecution. Law enforcement collaboration may be necessary for certain visa applications or other critical services that survivors may need. It also creates confusion for the survivors when law enforcement seem to disappear after initial close collaboration.

3.2 Law Enforcement Challenges in Supporting Labor Trafficking Survivors

Participants report that law enforcement faces several challenges in ensuring victims and survivors of labor trafficking have access to necessary support and protections. One significant issue is the lack of suitable housing options for victims, particularly foreign nationals and male survivors. This shortage of accommodation can leave victims vulnerable and without a safe place to seek refuge, often forcing them to either return to their traffickers, or become vulnerable to exploitation through other means. One survivor leader noted that when a survivor is without stability and services, it's almost impossible to focus on the case, their energy and time going towards survival instead.

"Victims without immigration status have additional limitations in options, as they may not be eligible for public benefits and some shelter options."

~ Department of Labor, Representative

Additionally, there's a need to extend protections for labor trafficking victims, such as restraining orders and T Visas, which are currently more readily available to victims of sex trafficking. Many law enforcement agencies are unfamiliar with these concepts, highlighting the need for increased awareness and training.

Transparency and communication between law enforcement, lawyers, and survivors are also crucial. Survivors often lack a clear understanding of their cases and may struggle to differentiate between normal job experiences and instances of labor exploitation. Improved transparency and information-sharing can empower survivors to navigate the legal process more effectively and access the support they need.

Part 4. Current Tools, Training, and Resources

Guiding Thoughts/Questions

- Where do you currently receive your training on conducting human trafficking investigations? What are the areas/topics in which you need additional training? What kind of training is most effective?
- What resources/tools do you wish you had to improve your ability to address human trafficking?

Summary

The "Current Tools, Training, and Resources" section addresses the existing landscape of training and resources for human trafficking investigations. Roundtable participants explored sources of current training for law enforcement in human trafficking investigations, identified areas requiring additional training, and discussed effective training methods.

In assessing current practices and identifying gaps in labor trafficking investigations, participants highlighted the need for improved resources and tools. Additionally, participants discussed enhancing resources for human trafficking investigations through existing training structures to increase access to labor trafficking trainings.

4.1 Assessing Current Practices and Identifying Gaps in Labor Trafficking Investigations

In reviewing current practices for labor trafficking investigations, it is crucial that training programs emphasize empathy and a deep understanding of the vulnerabilities faced by trafficked individuals. Such training should instill a firm belief among investigators that victims of trafficking are treated unfairly and deserve better protection and justice, and that traffickers' actions are inherently wrong and warrant punishment.

“Proper and ongoing training of law enforcement on labor trafficking is crucial and must be available at all levels, also including smaller and more local police agencies as they are on the frontlines of identification and investigation.”

~ Director, Global Center on Human Trafficking

A significant gap identified in current practices is the influence of underlying assumptions held by some investigators. If an investigator starts with the presumption that an individual's harsh treatment is justified based on their socioeconomic status, immigration status, or race, they may not value the harm inflicted upon the victim appropriately. This can lead to minimal responses to serious situations, evidenced by dismissive statements such as "it's just a bad boss," as noted in Section 2.5.

To address these gaps, training must also tackle these biases directly, highlighting the importance of recognizing and countering prejudices that may affect the investigation's outcomes. This involves enhancing the screening tools and procedures, as previously discussed in Section 1.4, to better identify signs of trafficking and understand the complexities of different cases, particularly those involving diverse populations and non-traditional labor sectors.

Participants highlighted the challenge of law enforcement typically not seeing labor standard violations as part of their purview which leads to labor conditions not being evaluated as to whether or not a criminal act is also taking place.

As discussed in Section 2.2, collaboration between law enforcement and service providers is essential. Building trust and effective communication channels between these entities can aid in more comprehensive and sensitive handling of cases, ensuring that all investigative actions are informed by a trauma-informed perspective and a deep respect for the rights and dignity of trafficking victims.

4.2 Enhancing Resources for Human Trafficking Investigations

One roundtable participant proposed the development of an online portfolio showcasing human trafficking cases presented in an online, visual, and easy-to-navigate format. This visual and user-friendly platform would offer insights into case elements, investigative actions, partners involved, and prosecution tactics. Highlighting successful strategies and collaborations, it would serve as a practical resource for law enforcement and prosecutors, empowering them to enhance their efforts in combating human trafficking effectively, several of the participants emphasized how helpful a universal tool like this would be, and even more impactful in areas where labor trafficking expertise is scarce.

Another suggestion made by participants was to utilize National Guard State Counterdrug training centers across the country as a platform for training law enforcement in various aspects of criminal investigations related to human

trafficking. These training centers, with their established infrastructure and expertise, could serve as valuable avenues for offering specialized training programs to law enforcement personnel.

Part 2: Summary of Best Practices and Recommendations

In addressing the challenges of labor trafficking, participants at the roundtable yielded several best practices and recommendations aimed at enhancing current practices and policies. These recommendations are designed to provide more effective support for victims, improve investigative outcomes, and ensure that all stakeholders are better equipped to address labor trafficking comprehensively.

Strengthening the Department of Labor (DOL)

Participants recommend the United States Federal Government rethink and strengthen the role of the DOL in labor trafficking investigations. This includes making labor issues central to anti-trafficking strategies and ensuring that labor perspectives are represented at the decision-making table.

Several participants urged local law enforcement to establish and/or strengthen ongoing relationships with their state and federal agencies, including DOL partners, and vice versa.

Moving More Cases to Prosecution

It's critical to ensure that survivors be provided with access to legal representation and support services, and ensuring they understand and feel included in the process.

Ensuring translators and victim advocates are available to survivors are crucial to the victim's ability to endure the prosecution phase, according to survivor participants. Implementing field coaching sessions and increasing collaboration between experienced prosecutors and those seeking mentorship can enhance prosecutorial skills.

Overcoming barriers in prosecuting labor trafficking cases requires addressing challenges such as historical cases, federal hesitancy, and the lack of case studies and mentorship support for prosecutors. Strengthening collaboration between state and federal partners is crucial to ensure the equitable distribution of resources and expertise for prosecuting labor trafficking cases.

Participants discussed the need for specialized "jump teams" that have expertise

on investigating and prosecuting cases of human trafficking to provide technical assistance to law enforcement that has less experience or lacks resources to appropriately investigate/prosecute a case of labor trafficking.

Establishment of Male Centered Services

Participants highlighted the urgent need for trauma-informed, specialized services specifically designed men, and for immigrant victims of labor trafficking, addressing the current lack of facilities and programs for male victims.

Expungement for Labor Trafficking Victims

The roundtable participants stressed the need to advocate for the expungement of records for labor trafficking victims, helping them reintegrate into society without the burden of a criminal record linked to their exploitation.

Addressing Challenges in Collecting Evidence

Both law enforcement and service providers alike agreed that overcoming challenges in collecting evidence for labor trafficking cases requires a trauma-informed approach and comprehensive support services for victims.

Building trust between law enforcement and affected communities, particularly immigrants, is vital. Utilizing simple steps such as having a translator, approaching in street clothing, and ensuring the potential victim(s) know their rights before engaging go a long way towards building trust with victims.

Prioritizing relationship-building and non-threatening forms of communication fosters collaborative spaces between law enforcement and affected communities.

Enhanced Training for Safe Harbour Laws

Imposed criminal liability of child victims of commercial sexual exploitation who are referred to as prostitutes is a serious issue for law enforcement. This also includes challenges to understanding CSEC which may also affect youth who are over 18, but may have entered their vulnerable and exploitative circumstances as a minor. Safe harbor laws were introduced as a countermeasure to protect minors from being prosecuted for prostitution and to provide specialized services to victims of juvenile sex trafficking. Participants emphasized the importance of increasing training on

Safe Harbor laws to prevent the wrongful conviction of trafficking victims, ensuring that protective rather than punitive measures are applied.

Addressing Mental Health Issues

Participants recommend that resources be provided to address the mental health issues of trafficking victims. Participants noted the need for enhanced mental health support and continuous services to improve victims' well-being and participation in legal processes.

Training and Education for Law Enforcement Personnel

Participants recommend enhancing training programs for law enforcement personnel conducting human trafficking investigations by:

- Ensure training is delivered from endorsed and reputable organizations who work in anti-human trafficking.
- Trainings should be multidisciplinary in nature, and should feature case studies and include service providers, law enforcement, survivors or lived experience professionals in the training.
- Strengthening and expanding resources and training programs focused on labor trafficking can enhance evidence collection and investigative efforts.

Vigilance and Inspection of Repeat Offenders

Participants advocated for increased vigilance and inspection of employers who are repeated offenders, particularly in guest worker programs, to strengthen oversight and enforcement.

Collaboration and Engagement with Labor Unions

Participants recommended encouraging collaboration and active engagement with labor unions, which can provide valuable insights and support in advocating for workers' rights and identifying labor trafficking.

Public Education Campaigns

The roundtable recommended implementing public information campaigns to educate employers about trafficking and the assumptions that normalize exploitation, drawing parallels to the impact of the #MeToo movement in highlighting workplace harassment.

Addressing Law Enforcement Challenges in Supporting Labor Trafficking Survivors

The next most noted subject was that law enforcement faces challenges in ensuring access to necessary support and protections for labor trafficking victims.

- Law enforcement should build relationships with service providers and victim advocates in anticipation of human trafficking cases.
- In order to facilitate transparency and communication between law enforcement, lawyers, victim service providers, and survivors, policies, procedures, or an MOU should be developed.
- Join multidisciplinary task forces in your area that address human trafficking.
 - Alternatively consider starting one if one doesn't exist.
- Advocate for housing programs that serve men and LGBTQI+ populations specifically.

Several participants strongly encouraged law enforcement to put the emotional, physical, and mental well-being of the victim ahead of the investigation, citing that if the immediate needs of the victims are met first, they are better equipped to handle the stressful and challenging process of investigating and prosecuting cases, while simultaneously builds trusting relationships between law enforcement and the survivors.

Collaborative Approach to Labor Trafficking Victim Support and Investigation

Roundtable participants emphasized that a victim/survivor of labor trafficking benefits from immediate access to advocates, services, and support. Collaborative efforts between law enforcement and social service providers prioritize victim needs and empower survivors throughout the investigative process. Effective collaboration enhances evidence collection, victim support, and perpetrator identification.

Extending Legal Protections

Service providers, especially those in the legal services area expressed that extending legal protections, such as restraining orders and T Visas, to labor trafficking victims is necessary to safeguard their rights and ensure their safety. Law enforcement agencies should prioritize awareness and training on these legal concepts to better serve trafficking survivors.

Note: Throughout the roundtable discussion, a prominent consensus emerged regarding the insufficient attention and resources allocated to labor trafficking. Participants underscored that labor trafficking often receives minimal focus in both media coverage, law enforcement priorities, and even victim service provider programming, resulting in a lack of awareness and understanding among relevant stakeholders. This lack of attention leads to an underwhelming amount of robust support networks and training programs dedicated to addressing labor trafficking effectively.

Consequently, cases of labor exploitation frequently go undetected or unaddressed, perpetuating a cycle of impunity for perpetrators. Participants emphasized the urgent need for increased leadership support within law enforcement to prioritize labor trafficking cases, along with the development of standardized training initiatives accessible to all relevant personnel. Furthermore, there was a collective call for enhanced victim support services that prioritize their well-being over the singular pursuit of justice. The overarching goal is to bring labor trafficking out of obscurity and allocate the necessary resources and attention to combat this form of exploitation comprehensively.

Appendix A: Report Conveners

Global Center on Human Trafficking

Mailing Address: 1 Normal Ave, Montclair, NJ, 07043

Contact: Dr. Daniela Peterka-Benton, Director

Email: peterkabentd@montclair.edu

International Organization for Adolescence

Mailing Address: 53 West Jackson Boulevard, Suite 857, Chicago, IL 60604

Contact: Ali Boak, Co-Founder and Advisor

Email: aboak@iofa.org

Federal Enforcement Homeland Security Foundation

Mailing Address: 150 East 58th Street, 27th Floor. New York, NY 10155

Contact: Ariel K. Grossman, Acting Executive Director

Email: akg@fehfsf.org

Fermata Discovery, Inc

Mailing Address: 116 W 23rd St., Ste. 500, New York, NY 10011

Contact: Lisa Pscolkoski, COO/CPO

Email: imp@fermata.us

Dolphin Solutions Group, LLC, Public Safety Practice

Contact: Matthew Jack, CEO and Principal Consultant

Email: mjack@dolphinsg.com

Appendix B: Literature Review

Understanding and Improving Investigations of Human Trafficking-Focus for Labor Trafficking

Madison Kranis, MA, Global Center on Human Trafficking

Labor trafficking is a complex and largely misunderstood topic that remains a hidden issue in our communities and requires further analysis of its complexities. In the United States, two classifications are used to categorize human trafficking: sex trafficking and labor trafficking (Farrell et al., 2019)(TIP Report, 2023). Research by Farrell et al. (2019) and Hogal et al. (2023), agree that sex trafficking has historically been the primary focus of law enforcement, while labor trafficking has been difficult to identify and prosecute. Research further suggests that the lack of empirical evidence poses an increased risk for ineffective and harmful decision-making by the legal system, as noted by Todres, 2011 ; Powers & Paul 2018 (cited by Lockyer, 2022). While law enforcement has faced challenges in recognizing labor trafficking incidents, data from the National Human Trafficking Hotline reveals that the public is actively reporting suspicions of labor trafficking within their local communities (Farrell et. al, 2017). Although there is reported suspicions of labor trafficking, there is still a lack of data. A lack of data and data sharing academic research, medical professionals, and law enforcement suggest the importance of collaborative efforts to achieve best practices. The below briefly reviews and summarizes literature surrounding labor trafficking, aiming to provide a comprehensive overview of the challenges and potential solutions in addressing this issue, with an emphasis on the critical role of survivor inclusion, cultural sensitivity, victim identification, and proactive prevention measures.

Research shows, victims are hesitant to consult with authority figures such as law enforcement and medical professionals, out of fear (Hogan & Roe-Sepowitz, 2023, Sousou Coppola & Cantwell, 2016, Owens et. al, 2014 cited by Farrell et. al, 2019). Other fears such as deportation, discriminatory treatment, and being turned away from health services due to insufficient funds contribute to underreporting of labor trafficking (Konstantopoulos et. al, 2013 cited by Gibbons & Stoklosa, 2016). This concern, combined with trafficking victims' lack of knowledge about protective legislation in the United States, results in underreporting and limited data available for research.

Victim identification proves to be a major challenge in identifying labor trafficking (Eyerman, et al, 2023; Zhang, 2022; Barrick & Pfeffer, 2021). Some countries take a preventative approach, by holding corporations accountable through analysis of their

complex supply chains with due diligence measures and pre-determined reporting standards (Bisenthal, 2022). Other countries take a reactive stance, where law enforcement target individuals and corporations who exploit individuals by means of recruitment and/or providing labor (Bisenthal, 2022). Bisenthal (2022) identifies several large corporations in the United States with complex supply chains, which would benefit from a more proactive law enforcement rather than through reactive policing. Internationally, corporations are held to a different standard in terms of combatting labor trafficking, however federally in the United States there are no uniform regulations currently in place (Bisenthal, 2022).

When addressing the research gaps in the field of labor trafficking, it is evident that a critical inadequacy exists in the inclusion of survivor perspectives, as noted by Lockyer (2022). In part, this is due to the underreporting of labor trafficking (Farrell et. al, 2017). Oftentimes, labor trafficking disproportionately affects migrant workers, many of whom are a part of the minority population (Farrell et al., 2019). The U.S. Department of Health and Human Services (HSS) states that rectifying the lack of survivor inclusion 'will improve the effectiveness of anti-trafficking efforts' (as cited in Lockyer, 2022).

To facilitate further collaboration, the following practices are encouraged:

- **Addressing the gap in data.** As mentioned previously, the National Human Trafficking Hotline has a disproportionality between victim identification and reports of trafficking investigations (Farrell et. al, 2019). To address the disproportionality between victim identification and reporting, a collaborative approach is necessary between agencies, organizations, and the public.
- **Focus on means of prevention:** Research conducted by Moore (2023), highlights the need for further preventative measures, rather than reactive punishment methods in terms of forced labor in supply chains. Abuses of human rights have gone on for far too long unchecked by law enforcement. The burden of responsibility must ultimately fall on corporations, being enforced by the legal system in a more proactive rather than reactive approach (Moore, 2023).
- **Enhance survivor inclusion.** To achieve this, law enforcement must build trust within the community and address the concerns highlighted earlier in this report. Establishing a reputation as a trauma-informed system will benefit victims, law enforcement, and scholars by reducing victimization through traditional investigative methods (Heffernan & Blythe, 2014). Research by Lockyer (2022) and Burns et al. (2022) indicates that including survivors in the early stages of legislative development is crucial for trauma-informed decision-making and validating lived experiences. By taking this approach, the Anti-Trafficking movement will become survivor-led and addresses cultural tensions in a non-tokenistic manner (Lockyer, 2022).

- **Acknowledge cultural differences:** Disproportionately, minorities and People of Color (POC) are affected by human trafficking (Lockyer, 2022, Farrell et al., 2019). When addressing anti-trafficking agendas, officials must recognize this disproportionality between survivors and officials considering factors such as communicative differences, social status, lack of familiarity and/or trust, immigration status, gender, race, ethnicity, geographical location, and power dynamics (Lockyer, 2022). Additionally, the disparities mentioned above highlight the critical issue of inadequate access to information and understanding of one's rights within marginalized communities (Hogan & Roe-Sepowitz, 2023). Minorities may face barriers when it comes to comprehending the intricacies of the United States legal system, language, and other essential aspects, rendering them more susceptible to trafficking and re-victimization (Farrell et al., 2019). Research conducted by Phillips (2017), shows that collaboration between survivors and law enforcement will strengthen the overall response addressing labor trafficking and more equitable survivor engagement. These obstacles compound the existing challenges faced by survivors and lived experience professionals, further emphasizing the need for comprehensive initiatives and support (Lockyer, 2022). Due to the aforementioned inequalities, collaboration becomes an even wider and more pressing issue that must be addressed. The lack of awareness and understanding of one's rights, legal systems, and language among minority communities not only increases vulnerability to trafficking but also creates a significant barrier to effective collaboration between survivors, professionals, and officials (Farrell et al., 2019). This gap in understanding can lead to discomfort and mistrust among survivors and lived experience professionals, hindering their ability to work together cohesively to combat human trafficking. To address these issues comprehensively, it is imperative to bridge this knowledge gap and foster an environment of mutual understanding and trust (Lockyer, 2022).

References

- Barrick, K., Panichelli, M., Lambdin, B., Dang, M., & Lutnick, A. (2020). Law enforcement identification of potential trafficking victims. *Journal of Crime and Justice*, 1-16. <https://doi.org/10.1080/0735648x.2020.1837204>
- Biesenthal, B. (2022, November 2). Global Spotlight On Labor Trafficking In Health Care And Corporate Supply Chains. Mondaq Business Briefing.
- Burns, C. J., Borah, L., Terrell, S. M., James, L. N., Erkkinen, E., & Owens, L. (2022). Trauma-Informed Care Curricula for the Health Professions: A Scoping Review of Best Practices for Design, Implementation, and Evaluation. *Academic Medicine*, Publish Ahead of Print. <https://doi.org/10.1097/acm.0000000000005046>
- Desai, N. K., & Tepfer, Sean. (2017). Proactive case identification strategies and the challenges of initiating labor trafficking cases. *United States Attorneys' Bulletin*, 65(6), 25-32.
- Eyerman, J., Labriola, M. M. & González, I. (2023). Labor Trafficking in the United States: Current and Future Research. Santa Monica, CA: RAND Corporation. https://www.rand.org/pubs/research_briefs/RBA1681-1.html.
- Farrell, A., Bright, K., de Vries, I., Pfeffer, R., & Dank, M. (2019). Policing labor trafficking in the United States. *Trends in Organized Crime*, 23(1). <https://doi.org/10.1007/s12117-019-09367-6>
- Farrell, A., Dank, M., Vries, I., Kafafian, M., Hughes, A., & Lockwood, S. (2019). Failing victims? Challenges of the police response to human trafficking. *Criminology & Public Policy*, 18(3), 649-673. <https://doi.org/10.1111/1745-9133.12456>
- Gibbons, P., & Stoklosa, H. (2016). Identification and Treatment of Human Trafficking Victims in the Emergency Department: A Case Report. *The Journal of Emergency Medicine*, 50(5), 715-719. <https://doi.org/10.1016/j.jemermed.2016.01.004>
- Heffernan, K., & Blythe, B. (2014). Evidence-Based Practice: Developing a Trauma-Informed Lens to Case Management for Victims of Human Trafficking. *Global Social Welfare*, 1 (4), 169-177. <https://doi.org/10.1007/s40609-014-0007-8>
- Hogan, K. A., & Roe-Sepowitz, D. (2023). Providing Services to Victims of Human Trafficking During the COVID-19 Pandemic: A Social Service Agency State-Wide Survey. *Taylor & Francis Online*, 357-376. <https://doi.org/10.1080/01488376.2023.2232827>
- Lockyer, S. (2020). Beyond Inclusion: Survivor-Leader Voice in Anti-Human Trafficking Organizations. *Journal of Human Trafficking*, 8(2), 1 -22. <https://doi.org/10.1080/23322705.2020.1756122>

- Moore, L. (2023). Cutting slavery from U.S. supply chains: how supplementing U.S. customs and border protection withhold release order procedures will more effectively address forced labor in supply chains. *Florida State University Law Review*, 50(2), 401-426.
- Owens C, Dank M, Breaux J, Bañuelos I, Farrell A, Pfeffer R, Bright K, Heitsmith R, McDevitt J (2014) Understanding the organization, operation, and victimization process of labor trafficking in the United States, Washington, D.C. United States Department of Justice, National Institute of Justice (NCJ-248461)
- Phillips, N. (2017). Kirsten Foot: Collaborating against Human Trafficking: Cross-sector Challenges and Practices. *Administrative Science Quarterly*, 62(3), NP27-NP30. <https://doi.org/10.1177/0001839217692523>
- Sousou Coppola, J., & Cantwell, R. (2016). Health Professional Role in Identifying and Assessing Victims of Human Labor Trafficking. *The Journal for Nurse Practitioners*, 12(5), e193—e200. <https://doi.org/10.1016/j.nurpra.2016.01.004>
-
- U.S. Department of State. (2023, June 15). 2023 Trafficking in Persons Report - United States Department of State. United States Department of State; OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS. <https://www.state.gov/reports/2023-trafficking-in-persons-report/>
- Zhang, S. X. (2022). Progress and Challenges in Human Trafficking Research: Two Decades after the Palermo Protocol. *Journal of Human Trafficking*, 8(1), 1 -9. <https://doi.org/10.1080/23322705.2021.2019528>