



**PATHWAYS
to FREEDOM**

City Competition Background Brief

We believe cities and towns play a critical role in preventing human trafficking and addressing the unmet needs of survivors in the U.S. Pathways to Freedom calls on cities to challenge their assumptions about trafficking, spur innovative city-wide responses, and share local solutions.

What is trafficking?

Human trafficking refers to both sex and labor trafficking, and it is important that cities address both. Labor trafficking is when recruiters, contractors, employers, and others use force, fraud or coercion, including violence, threats, lies, debt bondage, or other forms of coercion to compel people to work against their will in a wide range of industries. This can occur in agricultural work, manufacturing, construction, domestic work, landscaping, door to door sales, factories, forestry, beauty services, and many other fields of work. Sex trafficking is when traffickers use force, fraud, or coercion, including violence, threats, lies, debt bondage, to force an individual to engage in a commercial sex act. Under U.S. federal law, any minor under the age of 18 years engaging in a commercial sex act is a victim of sex trafficking—regardless of whether or not the trafficker used force, fraud, or coercion. Sex trafficking can take the form of escort services, illicit massage, solicitation on the streets and online, bars and strips clubs, pornography, and can occur in personal homes. A person can be a victim of both sex and labor trafficking at the same time.

Who are trafficking victims?

Victims have been identified in cities, suburbs, and rural areas in all 50 states, the District of Columbia, and Puerto Rico. Victims of human trafficking can be men, women, adults, children, foreign nationals or U.S. citizens, and of any race, sexual orientation, or gender identity. Examples of systems victims have been identified in include: child welfare, juvenile justice, runaway and homeless youth, domestic violence, immigration, labor enforcement, drug treatment programs and health care. And while there is no specific profile of a victim, victims are often vulnerable and isolated and may not be interacting with any systems. Populations that may also be impacted by trafficking include communities of color, Native communities, rural communities, immigrant populations (including those who are undocumented), LGBTQ youth, people with disabilities, and those with a history of substance abuse.

A City-Wide Response to Human Trafficking

Since the passage of the Trafficking Victims Protection Act (TVPA) in 2000, which established human trafficking as a federal crime, subsequent reauthorizations have advanced

efforts to combat human trafficking nationally. Important gains have been made, but significant gaps remain in local level systemic responses to trafficking in the United States.

Survivors of trafficking often cycle in and out of city systems and services and their complex histories require a more comprehensive response than currently exists. It is critical that communities engage new partners, have multiple systems of response, and maximize existing resources that may be outside of the traditional realm of trafficking victim services. Many systems, such as the ones described below, may fail to identify individuals at risk of trafficking as well as trafficking victims and survivors currently in their programs.

Historically, human trafficking has been focused on a criminal justice response. And while the importance of a law enforcement response cannot be overstated, it often fails to address prevention—in particular, the root causes of trafficking, and the many public health, human services, labor, legal, housing, and immigration systems with which human trafficking survivors interact. City systems must have the ability to speak to each other to identify current victims and survivors, as well as those at risk, to create a response that takes into account all of their needs. Additionally, cities must examine which survivors they are currently serving and who is being left out, such as labor trafficking survivors, male survivors, LGBTQ youth, etc.

Even more troubling, however, is that the criminal justice system that trafficking victims once relied on may be the one they now fear. With the increased threat of deportation, immigrant communities may become more vulnerable to trafficking and less likely to report their trafficker or access services.

Communities must strengthen key collaborative partnerships, foster a trauma-informed focus in all interventions, tap into existing but underutilized resources, and invest in new funding to prevent trafficking and meet the needs of all victims and survivors. In addition to a criminal justice response that investigates all forms of trafficking, including legal support for survivors, the following systems should be considered part of a comprehensive and holistic response, which often requires case management support to ensure appropriate access to wraparound services:

Immigration

A person's immigration status is often used as a means to coerce and exploit them for both sex and labor trafficking. Immigrant communities in the United States, particularly migrant workers, undocumented immigrants, and immigrant victims of crime, are among the most vulnerable to human trafficking and other forms of exploitation. Crackdowns on immigrants heighten the risk of human trafficking in the United States, making victims more vulnerable to exploitation and less likely to report a crime to law enforcement or seek services. It is critical that cities adopt policies that lower the barrier for immigrant victims to report crimes committed against them and enable access to culturally appropriate essential services, without fear of removal by law enforcement.

Children and Youth Services

Children in the child welfare, juvenile justice, and runaway and homeless youth systems (in particular, LGBTQ homeless youth) are at high risk of trafficking. Traffickers target children who have experienced multiple traumas (e.g., homelessness, abuse and neglect, unstable placements, and lack of positive relationships), sometimes for extended periods of time. These children may be interacting with various legal and social service agencies at the same time yet still not be identified as victims. It is imperative that social service providers receive the training and resources necessary to identify both the victims and the access to the services and resources children and youth need to recover.

Labor Enforcement & Civil Rights Protection

Trafficking victims often experience more than one form of workplace violation and may not be identified by labor enforcement systems as victims of trafficking. Trafficking exists on a continuum of labor exploitation, which includes wage theft, insufficient or unpredictable work hours, employer retaliation, sexual harassment, and lack of bargaining power. While all low-wage workers face heightened vulnerability to labor and civil rights violations, many of the same characteristics that predispose workers to being victims of crimes like wage theft, also predispose workers to being victims of trafficking. When cities consider other labor protections such as on minimum wage, fair hiring, unemployment insurance, and wage theft, impacts and connections to trafficking should also be considered.

Health Care

Survivors often require services related to emergency medical services, mental health counseling, reproductive health, malnutrition, oral health, untreated chronic diseases, and substance abuse. Many victims and survivors of human trafficking come into contact with health care and social service professionals during and after their exploitation but remain unidentified. Human trafficking can inflict both physical and psychological harm in varying degrees, frequently with long-term impacts. A trafficking survivor's experience of trauma, both in the context of their exploitation and other negative life experiences, can have a significant impact on their mental health. When survivors do interact with health care systems, they may face barriers around scheduling, being uninsured or underinsured, their inability to pay, and a significant lack of comprehensive and preventative medical services available to them. Victim services must be trauma-informed and oriented toward recovery, growth, and empowerment.

Housing

Lack of safe and stable housing for trafficking survivors may contribute to underemployment or unemployment, prevent full participation in mental health and substance use treatment, and create a dependence on abusive or exploitative relationships. Homelessness can also be a contributing factor to vulnerability to exploitation, particularly among youth. Survivor housing needs and options vary greatly. Survivors may have children or significant others, and histories of criminal activity or substance abuse, which may limit their ability to access certain types of housing. Male survivors often struggle to find appropriate placements in systems that primarily serve women and children. And survivors frequently need housing that is sensitive to their trauma, or they may need discreet and secure housing if their trafficker has not been apprehended.

Economic Empowerment

Attaining economic self-sufficiency and returning to work are critical elements of recovery for survivors. Because of arrests and convictions related to their exploitation, post-conviction relief for survivors with criminal records is an important component to removing the barriers to housing, employment, and other supportive services. Vacatur laws and fair hiring ordinances can be important remedies for human trafficking survivors. Additionally, many survivors may be faced with damaged credit as a result of identity theft or from being tied to an abuser's credit history. Survivors who are foreign nationals may be without identification documents because they have been taken by the trafficker, or they may be unable to work because they lack employment authorization. Additionally, many survivors can have limited education and job skills or may have experience only in the industry in which they were exploited.