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POLICY BRIEF

Ending Slavery in the 21st Century: Federal Anti-Trafficking Programs Have Far to Go

Although the federal government has made significant progress over the past three years in fighting human trafficking, more is needed to end this 21st century slave trade.

The annual reports on human trafficking released in June by the State and Justice Departments serve to highlight both the accomplishments and shortcomings of the federal government's efforts to stem the modern-day slave trade. While the government has made significant progress over the past three years in fighting human trafficking in the United States and abroad, the resources devoted to the task and the results achieved pale in comparison to the enormity of the problem. In particular, relatively few traffickers have been caught and prosecuted in the United States, while relatively few of their victims have even been identified, let alone granted permission to remain in the country and given access to federal protection, programs and services. Given the brutality and magnitude of the trafficking business, the federal government should continue to expand its anti-trafficking programs, especially partnerships with nongovernmental organizations and local police that offer the greatest hope of rescuing more trafficking victims and catching more traffickers. Lawmakers should therefore resist the urge to pass ill-conceived legislative proposals that would effectively transform police officers or social service and healthcare providers into immigration enforcement agents, thereby undermining the trust of the very people anti-trafficking coalitions are working to save.

A Global Slave Trade

It is no exaggeration to describe human trafficking, as President Bush has, as a "modern form of slavery."¹ The federal government currently estimates that 600,000 to 800,000 women, children, and men are trafficked across international borders each year, including 14,500 to 17,500 who are brought into the United States.² However, in 2000 the State Department estimated that between 1 and 2 million people around the world are trafficked annually³, while a 1999 report released by the Central Intelligence Agency estimated that 45,000-50,000 women and children alone are trafficked into the United States each year.⁴ As opposed to migrants who have paid human smugglers to transport them across borders, the victims of trafficking are subjected to "force, fraud or coercion."⁵ Some are abducted, while others are lured by the false promise of a good job and a better life, often through job advertisements in newspapers or bogus travel, modeling and matchmaking agencies. But, in reality, they are taken to other countries only to be forced into the sex trade, indentured servitude, or sweatshop labor. Traffickers worldwide earn \$7-10 billion each year,⁶ thereby making human trafficking one of the three largest criminal enterprises together with drug and arms dealing. By way of comparison, in Fiscal Year (FY) 2003 the U.S. government spent about \$91 million on international anti-trafficking programs.⁷

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Current Anti-Trafficking Efforts Only Scratch the Surface

Congress responded to the scourge of human trafficking by passing the Trafficking Victims Protection Act (TVPA) in 2000, which was reauthorized in 2003. The TVPA provided for assistance to foreign governments to fight trafficking at the source, created new federal crimes related to human trafficking, and established protections for trafficking victims in the United States. Perhaps the most important of the protections for victims was the creation of the “T” visa category, under which victims of a “severe form” of trafficking who agree to cooperate in trafficking investigations and prosecutions are permitted to remain in the United States for three years, after which they may apply for permanent residency (a “green card”). This is especially important for trafficking victims given that most are either brought across the border illegally or forced to overstay their period of admission.

However, the efforts to protect victims and prosecute traffickers in the United States have yet to bear much fruit. According to a report released in May by the Justice Department, during FY 2001-2003, only about 450 victims of trafficking had either received a T visa or been granted “continued presence” in the United States, under which a victim determined by law enforcement authorities to be a witness in a trafficking case may remain in the country temporarily. During the same period, the Department of Health and Human Services’ Office of Refugee Resettlement issued only 448 “certifications” or “benefits eligibility letters” to trafficking victims, thereby enabling them to access the same federal benefits and programs as refugees.⁸ These figures are minuscule compared to the tens of thousands of victims who were trafficked into the country during those three years. The statistics on

law enforcement actions against traffickers are similarly low. On May 18, the Justice Department announced that, since FY 2001, it had brought charges against 149 human traffickers and won convictions against 94.⁹

The federal government recognizes that its anti-trafficking efforts thus far have reached few victims and resulted in few prosecutions of traffickers.¹⁰ Federal agencies are therefore partnering with nongovernmental organizations to implement outreach programs designed to train social service and health-care providers, local police, and the general public how to identify victims of trafficking and distinguish trafficking from other crimes, such as human smuggling.¹¹ For instance, on March 11 the Department of Health and Human Services unveiled the Campaign to Rescue & Restore Victims of Human Trafficking, which features a “Look Beneath the Surface” public awareness effort and a Trafficking Information and Referral Hotline. The campaign is focused initially on establishing anti-trafficking coalitions in three “pilot” cities: Atlanta, Philadelphia, and Phoenix.¹² Given that local police and service providers are often the first to have contact with trafficking victims, the success of this campaign and others like it depends upon the collaboration of a wide range of government agencies and nongovernmental organizations at the national, state, and local levels.

However, the effectiveness of even the broadest anti-trafficking coalition hinges upon something more intangible: the trust of trafficking victims and members of the communities in which they live. Victims and potential witnesses in trafficking cases, particularly those who are not legally present in the United States, will continue to come forward only if they continue to believe that the first priority of local police, service providers, and other members of anti-trafficking

coalitions is their well-being and the prosecution of traffickers. Yet recent legislative proposals to require local police or service providers to enforce immigration laws would send precisely the opposite message, thereby undermining the relationships of trust that current anti-trafficking coalitions are working so hard to build. Turning police officers, state social workers, or emergency room doctors into de facto immigration agents would only drive trafficking victims further underground and leave their captors further removed from the reach of justice.

crucial in rescuing more trafficking victims and capturing more traffickers. Only by continuing to partner with service providers and police in ways that build trust with local communities can the federal government hope to fulfill the mandate of the TVPA “to ensure just and effective punishment of traffickers, and to protect their victims.”¹³ Although expanding these programs will require additional federal funding, most lawmakers would agree that money spent to end slavery in the 21st century is a worthwhile investment.

Moving Forward

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The expansion of outreach programs and broad-based anti-trafficking coalitions is

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Endnotes

¹ White House, Office of the Press Secretary, “Remarks by the President at the White House Conference on Missing, Exploited and Runaway Children,” October 2, 2002.

² U.S. Department of Justice, *Report to Congress from Attorney General John Ashcroft on U.S. Government Efforts to Combat Trafficking in Persons in Fiscal Year 2003*, May 1, 2004.

³ *Statement of Frank E. Loy, Undersecretary of State for Global Affairs, Before the Senate Foreign Relations Committee, Subcommittee on Near Eastern and South Asian Affairs, on International People Trafficking*, February 22, 2000.

⁴ Amy O’Neill Richard, *International Trafficking in Women to the United States: A Contemporary Manifestation of Slavery and Organized Crime*. Washington, DC: Center for the Study of Intelligence, Central Intelligence Agency, November 1999.

⁵ Trafficking Victims Protection Act of 2000, P.L. 106-386, §103(8).

⁶ U.S. Department of State, *Trafficking in Persons Report*, June 2003.

⁷ U.S. Department of Justice, *Report to Congress*, May 1, 2004.

⁸ *ibid.*

⁹ U. S. Department of Justice, Office of Public Affairs, “Attorney General John Ashcroft Issues First Annual Report on Human Trafficking,” May 18, 2004.

¹⁰ U. S. Department of Justice, *Assessment of U.S. Activities to Combat Trafficking in Persons*, August 2003.

¹¹ U.S. Department of Justice, *Report to Congress*, May 1, 2004.

¹² U.S. Department of Health and Human Services, Administration for Children and Families Press Office, “HHS Announces Anti-Trafficking Hotline, Awareness Effort,” March 11, 2004.

¹³ Trafficking Victims Protection Act of 2000, P.L. 106-386, §103(8).