

Ten Things Law Enforcement Executives Need to Know about Labor Trafficking

COPS Community Oriented Policing Services U.S. Department of Justice

IIR Institute for Intergovernmental Research

Human trafficking, both sex trafficking and labor trafficking, is persistently dynamic and can be difficult to recognize, investigate, and prosecute. The Trafficking Victims Protection Act of 2000 defines labor trafficking as the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services using force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

This resource provides 10 facts and considerations to educate law enforcement executives on labor trafficking and the importance of addressing labor trafficking issues in local communities.

This resource was developed as part of the **Partnerships to Address Labor Trafficking** *project, designed to improve the awareness, responsiveness, and accountability among law enforcement, businesses, communities, and other stakeholders on labor trafficking. This project is a collaborative effort between the Office of Community Oriented Policing Services and the Institute for Intergovernmental Research. For more information and additional resources, visit https://cops.usdoj.gov/labor_trafficking.*

1. Executive support is critical.

Agency buy-in starts with law enforcement executives. Executives should understand and recognize the extent of labor trafficking issues in their communities so they can advocate to city and county leadership and within their agencies on strategies to address and respond to labor trafficking.

2. Labor trafficking extends beyond labor exploitation and workplace violations.

Labor trafficking goes beyond wage and hour violations to involve the use of force, fraud, or coercion to compel another to work. In addition to exploitation and harmful labor practices, labor trafficking may include enforced isolation, psychological manipulation and coercion, substandard living conditions and pay, document fraud or withholding identity documents, extortion, sexual abuse and rape, restricting communication, monitoring and surveillance, torture, attempted murder, or violence and threats against victims or their family members. These investigations may involve multiple crimes across departmental units; therefore, interagency communication and collaboration should be encouraged. Understanding the trauma and its long-term impact on victims—both physical and emotional—is important for leaders in recognizing the complexity of these investigations and the support required to successfully investigate and prosecute labor trafficking cases, while also providing services to support victim recovery.

3. Set realistic expectations.

Labor trafficking is difficult to detect, and cases may be long and arduous. Labor trafficking investigators may not work a case for months or may work just one case for a



long time. Executives should consider a variety of unconventional metrics and strategies for championing this cause internally and externally, as labor trafficking cases are unique and may take time to produce results. Agencies should develop clear, consistent policies and strategies for responding to and investigating labor trafficking.

4. Success in labor trafficking cases involves more than arrests and convictions.

Law enforcement performance measures related to labor trafficking can include arrests and prosecutions but should also consider qualitative measures such as the number of victims recovered or referred to services, the number of victims interviewed, the quality of services provided to victims, networking efforts with community partners and federal agencies, increased positive interactions and involvement with the community, and enhanced trust between law enforcement and the community. Justice and restitution for victims extend long beyond prosecutorial case outcomes, no matter whether the case leads to a conviction. It is critical for executives to acknowledge the broader impacts of victim services provided throughout the course of an investigation and the vital significance of victims rescued from labor trafficking. With foreign-born victims, there may be immigration issues to address during the investigation. Federal immigration programs for trafficking victims are designed with a role for law enforcement, and victims' attorneys or advocates may request law enforcement assistance in this area. If a person has been victimized and has not refused reasonable law enforcement requests for cooperation, command staff should not decline to support such applications related to immigration.

5. Anyone can be a victim, and victims are often hidden in plain sight.

Labor trafficking can affect any age, race, sex, socio-economic status, education level, and nationality, including U.S. citizens. Labor trafficking exists in urban, suburban, and rural areas. Traffickers often exploit victims with vulnerabilities due to economic hardship, lack of social ties and support, natural disasters, political instability or unrest, and psychological or emotional vulnerability. Traffickers may also exploit vulnerable U.S. citizens with developmental disabilities or other challenges. While working, labor trafficking victims may regularly interact with the public but may be afraid to ask for help. Others may be fearful that they cannot seek help because of irregular immigration status. Victims may be unaware that they are being victimized or may not self-identify as a victim of human trafficking. Victims may be coached on what to say to the public, including law enforcement and immigration officials, and may not understand their rights as U.S. citizens or foreign nationals. Law enforcement agencies should promote awareness on labor trafficking indicators and assistance available to community members, frontline officers, and businesses.

6. Many foreign victims enter the United States on a lawful visa.

Foreign labor trafficking victims may come to the United States in search of better opportunities or be recruited in their home countries for work in the United States. Victims may enter the country legally on temporary visas, such as H-2A visas for agricultural work, H-2B visas for nonagricultural work, and J-1 visas for cultural and education exchange.[1] Others may enter the country on B-2 tourist visas that do not allow them

1. *Human Trafficking on Temporary Work Visas: A Data Analysis 2015–2017,* The Polaris Project, last modified June 1, 2018, https://polarisproject.org/sites/default/files/Polaris%20Temporary%20Work%20Visa%20Report.pdf.



to legally work. While transportation is not a required element of the crime, victims can be moved on airplanes, ships, vehicles, public transportation, taxis, or ride-shares—all of which are opportunities for detection and intervention. Forced labor may take place after a foreign victim has entered the country willingly. Victims may pay to be willingly smuggled into the country and then subsequently be coerced or exploited to pay debts or otherwise victimized. It is important to recognize that although foreign victims initially may have entered into their working arrangements willingly, if victimization, fraud, and coercion occur at any point the crime of labor trafficking has been committed.

7. Understanding the vulnerable industries in the community is important for increasing community awareness and preventing future victimization.

Labor trafficking occurs in a broad range of industries that use both legitimate and illegitimate operations. Trafficking may occur in large corporations through third-party vendors or outsourced labor. Based on reported labor trafficking instances in the United States and abroad, vulnerable industries may include hospitality, farming and agriculture, logging, tourism, transportation, traveling sales crews, janitorial services, hotels, restaurants and other food services, fishing, salon services, massage parlors, retail, fairs and carnivals, manufacturing, textiles, construction, health care, peddling and begging, private homes, and recreation.[2] Sexually oriented businesses, such as strip clubs or massage parlors, often involve forced labor, and the absence of a chargeable prostitution case in those settings does not preclude a labor trafficking investigation. Agencies should work with community partners to educate businesses and community members on the warning signs of labor trafficking and how to report suspicious activity.

8. Implementing an agencywide victim-centered and trauma-informed approach is paramount to avoid further traumatization.

Agencies should prioritize the needs and concerns of a victim to ensure the compassionate and sensitive delivery of services in a nonjudgmental manner. Often, this includes working closely with nongovernmental agencies that specialize in victim care and support. Individuals who interact with victims should be familiar with the physical, social, and emotional impacts of trauma. However, not all victim issues in labor trafficking cases stem from the victims' enslavement or trafficking. Prior issues of addiction, mental illness, or marginalization may make trafficking victims (especially U.S. citizens) appear less sympathetic on first impression—a reaction that command staff and leadership can help guard against. Investigators should be properly trained on working with victims of labor trafficking. Supporting line officers' discretion not to arrest victims identified in criminal activity associated with trafficking, such as prostitution stings and drug overdoses, can improve the response to victims and enhance victim cooperation with law enforcement.

9. Labor trafficking may be associated with organized crime or other crime in the community.

Labor trafficking often has ties to myriad other law enforcement priorities—financial crime, drug crime, corruption, organized crime, domestic violence, and other violent crimes—so interdiction can have compound effects on public safety. Consistent and clear departmental strategies regarding human trafficking

2. *Trafficking in Persons Report June 2019* (Washington, DC: U.S. Department of State, 2019), https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf.



responses—especially a commitment to investigating both labor and sex trafficking—help agencies and victims alike. Executives should encourage new ideas and suggestions regarding law enforcement responses to human trafficking, such as new investigative strategies, victim support protocols, outreach to nongovernmental partners, and intra- and interagency collaborative methods.

10. Collaboration is essential.

Coordinated efforts among local, state, tribal, and federal law enforcement and prosecutors is critical to the successful identification, investigation, and prosecution of labor trafficking crimes. Collaborative efforts also should include multidisciplinary partners, such as law enforcement; state and federal wage and hour agencies (e.g., the U.S. Department of Labor, Wage and Hour Division and Office of the Solicitor; State Attorney General's Office); immigration attorneys and advocates; code inspectors (e.g., health departments, business and liquor licensing); transportation agencies and organizations (e.g., the U.S. Department of Transportation, Uber/Lyft); child protection agencies; victim service providers and advocates; health care providers; faith-based and nonprofit organizations; regional- or state-based established collaboratives (e.g., the Coalition to Abolish Slavery and Trafficking [CAST] in Los Angeles, California; the Washington Advisory Committee on Trafficking [WashACT] and the Washington Anti-Trafficking Response Network [WARN] in Washington State); business and financial organizations; schools; and court administrations. Executives should establish relationships with these agencies ideally before a major trafficking case is discovered to establish roles, responsibilities, communication, and expectations of collaborative partners.



Additional Sources and Resources

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About IIR

The **Institute for Intergovernmental Research (IIR)** is a Florida-based, not-for-profit corporation specializing in research, training, and technical assistance for criminal justice, homeland security, and juvenile justice issues. IIR has a proven history of successful service delivery of federal programs to state, local, and tribal law enforcement agencies and homeland security partners.

With emphasis on intergovernmental collaboration, IIR offers expertise and an extraordinary track record in management and organization, operations, information systems, planning, research, technical assistance, program evaluation, curriculum development, training, and policy development and implementation. IIR has long-standing, trusted relationships with federal, state, local, and tribal law enforcement agencies as well as partnerships with national organizations dedicated to advancing the field of criminal justice.

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IIR is one of the technical assistance providers for the U.S. Department of Justice, Office of Community Oriented Policing Services Critical Response Initiative and Collaborative Reform Initiative for Technical Assistance.

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About the COPS Office

The **Office of Community Oriented Policing Services (COPS Office)** is the component of the U.S. Department of Justice responsible for advancing the practice of community policing by the nation's state, local, territorial, and tribal law enforcement agencies through information and grant resources.

Community policing begins with a commitment to building trust and mutual respect between police and communities. It supports public safety by encouraging all stakeholders to work together to address our nation's crime challenges. When police and communities collaborate, they more effectively address underlying issues, change negative behavioral patterns, and allocate resources.

Rather than simply responding to crime, community policing focuses on preventing it through strategic problem-solving approaches based on collaboration. The COPS Office awards grants to hire community policing officers and support the development and testing of innovative policing strategies. COPS Office funding also provides training and technical assistance to community members and local government leaders, as well as all levels of law enforcement.

Since 1994, the COPS Office has invested more than $14 billion to add community policing officers to the nation's streets, enhance crime fighting technology, support crime prevention initiatives, and provide training and technical assistance to help advance community policing. Other achievements include the following:

- To date, the COPS Office has funded the hiring of approximately 130,000 additional officers by more than 13,000 of the nation's 18,000 law enforcement agencies in both small and large jurisdictions.
- Nearly 700,000 law enforcement personnel, community members, and government leaders have been trained through COPS Office–funded training organizations.
- To date, the COPS Office has distributed more than eight million topic-specific publications, training curricula, white papers, and resource CDs and flash drives.
- The COPS Office also sponsors conferences, round tables, and other forums focused on issues critical to law enforcement.

COPS Office information resources, covering a wide range of community policing topics such as school and campus safety, violent crime, and officer safety and wellness, can be downloaded via the COPS Office's home page, www.cops.usdoj.gov. This website is also the grant application portal, providing access to online application forms.



Labor trafficking is a crime that involves compelling or coercing a person to provide labor or services and affects persons of all ages, races, and nationalities. Labor traffickers often prey on those with vulnerable life circumstances and economic hardships. Labor trafficking victims can be found in legal and illegal labor industries, as well as hidden behind closed doors and in plain view. This toolkit provides resources for law enforcement, businesses, communities, and other stakeholders to identify, respond to, and address labor trafficking and to support its victims and survivors.

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To obtain details about COPS Office programs, call the COPS Office Response Center at 800-421-6770.

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