

# ASSISTING SURVIVORS OF HUMAN TRAFFICKING: Multicultural Case Studies



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# Introduction

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Hidden throughout the United States, in factories and brothels, farms and private homes, are thousands of victims of human trafficking. In a global economy in which national borders blur for the sake of profit, the human trafficking industry is no exception. Although statistics are almost impossible to verify, an estimated 15,500 – 17,500 modern-day slaves are brought to the United States every year<sup>1</sup> from Latin America, Asia, Europe, Africa, and the Middle East. Thousands more trafficking victims are U.S. citizens who never leave their home country, but are still just as vulnerable and are trapped in debt bondage and forced labor. Every year, an estimated 800,000 are trafficked across international borders.<sup>2</sup> Taking into consideration the millions who are trafficked within their own countries, a staggering 12.3 million people are believed to be enslaved at any given time.<sup>3</sup> They are men, women and children from a vast variety of contexts who have been lured into slavery by an equal diversity of false promises, deceit, and coercion.

The persistence of victim advocacy groups on the subject of human trafficking has helped to bring this issue into public awareness. The result is legislation and funding designed to identify and assist victims. In spite of their success in influencing policy, advocates, law enforcement officers and social service providers generally agree that it is very difficult to identify victims, to build solid cases against the traffickers, and to help survivors make good use of existing services. Thus, success in ultimately dismantling the trafficking industry requires that we examine the complex web of social, cultural and economic forces that keep victims powerless.

Trafficking takes on many guises and its very nature inherently hides victims, often in plain view. Sophisticated coercion schemes keep many victims from seeking help, and language barriers can isolate them further from the surrounding community. Lack of general knowledge about human trafficking among those who might come into contact with victims makes it rare that victims are recognized as such. A lack of coordination between sectors means that pieces of information often do not come together to reveal the full reality, and even identified victims can fall between the cracks of law enforcement and service provision.

The fictional case vignettes included in this book are based on true stories and on real dilemmas faced in the field. They highlight the obstacles to successfully identifying victims and getting to the truth in interviews. They illustrate the hidden reasons many victims stay in abusive situations, though their chains might not be tangible or easily understood by an outsider. The case studies explore the pitfalls and challenges to designing and implementing culturally competent

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<sup>1</sup> Trafficking in Persons Report (2005) <https://www.state.gov/documents/organization/47255.pdf>, United States Department of State

<sup>2</sup> Trafficking in Persons Report (2008) <https://www.state.gov/j/tip/rls/tiprpt/2008/> United States Department of State

<sup>3</sup> International Labor Organization as cited in Trafficking in Persons Report (2008) [https://www.state.gov/j/tip/rls/tiprpt/2008,](https://www.state.gov/j/tip/rls/tiprpt/2008/) United States Department of State

interventions that do not re-victimize or re-traumatize survivors. They grapple with the additional challenges of working through an interpreter and collaborating effectively across sectors to prosecute traffickers and protect victims.

These case studies can be used as catalysts for discussion in training sessions or staff meetings. They can be used as the basis for role plays or practical skill building workshops. They are designed for those who come or may come into direct contact with survivors of trafficking, though many of the themes are applicable to survivors of other crimes as well. For those working in the field of anti-trafficking research, policy analysis and political advocacy, this book may be helpful in understanding the interpersonal and clinical challenges that arise when policy is put into practice.

## How to Use Case Studies

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The case studies included in this collection are designed as tools to reach the more complex and evasive aspects of identifying and assisting survivors of trafficking. There are many advantages to using case studies as a training tool. When used as part of a larger workshop, case studies provide an opportunity to bring together the lessons taught through an application of skills to real-world scenarios. The fact that the case studies are based on real situations draws participants in, and often resonates with their own experience.

The use of case studies is sometimes criticized on the grounds that they are not representative, and conclusions derived from cases are not applicable to the group as a whole. However, the specificity of a case ensures that participants and trainers do not rely on stereotypes or generalizations and thus can be an advantage when studying nuanced themes rather than general trends. Case studies can be useful in suggesting cultural patterns which, unlike static stereotypes, are open to exceptions. When using these case studies, particularly those which cite specific cultural identities, it is important to guard against stereotyping. If the group seems to be tending toward stereotyping, select one of the many cases that illustrate how counter-productive unchecked assumptions can be.

Each chapter begins with a short introduction, a list of case studies and the issues addressed. This can be used to select the most appropriate case studies for a given discussion or setting. We encourage readers to use the case studies creatively. Small groups can discuss the cases and answer the debriefing questions. Some cases are written to allow participants to take on different roles within the situation. Facilitators might choose to use cases as a jumping-off point for role plays or intertwine them with other lectures or exercises to fully explore a particular issue or theme.

Consider the following tips when designing a case study session:

1. Divide the large group into small groups and have each group discuss a different case study. Then ask each small group to share their discussion with the large group. In this way, the participants get the benefit of learning from several case studies.

2. Record all strategies proposed by participants and add any suggestions you might have. This list becomes a toolbox of skills that participants can use in their work. It also provides insights to help guide future discussions on the case study.
3. One effective approach is to divide the participants into groups and assign each group to look at the same case study from a different character's perspective. Each group then shares their analysis of the situation from their character's perspective and suggests a solution. If done well, participants will be surprised how different the situation looks from the viewpoint of various characters in the scenario. Several cases included in this collection are designed to be used in this way.
4. Some trainers use case studies as the basis for role-plays. For example, many cases offer the opportunity to practice interviewing skills.
5. A case study should end with one or more process questions. You can use the process questions provided or develop your own questions that reflect what you want to accomplish.

Some process questions that typically elicit meaningful discussion are:

- *What is going on in this case?* Have participants answer this from the perspective of as many characters as possible.
  - *How can the situation be resolved?* Ask participants to consider as many alternative courses of action as possible.
  - *What might be the probable results of each proposed solution?* Ask participants whether additional information is required to make a decision.
6. Consider concluding the discussion by using one or more of the conceptual frameworks outlined below to help participants place their specific lessons learned into a broader set of tools that can be applied to understanding other situations.

## Social and Cultural Barriers to Identifying and Assisting Survivors

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The broad structural impediments to identifying and assisting victims are generally understood among those working in the field. Less understood is the subtle interplay of attitudes, economic hardship, cultural belief systems and social networks that compound these other barriers and weave an almost inescapable web for many victims.

Culture is the way individuals learn to interpret, give meaning to, and function in the world based on the shared values, beliefs, history, traditions, standards, language, behavioral norms, and

communication styles of the communities with which one identifies.<sup>4</sup> Culture can have an enormous, though often unacknowledged, influence on the success of criminal investigations and social service interventions for survivors of trafficking. Perceptions of law enforcement, beliefs about fate and destiny, communication differences, stereotypes of the “other,” differing concepts of power and authority, of time, and of gender roles all sway our interpretations of reality and, therefore, the choices we make.

Economic pressures and beliefs about fate and destiny can have a powerful impact on victims. For example, victims of debt bondage may not view themselves as “victims” and believe that paying off the money they “owe” is a prerequisite to earning money in the future. Some might believe that this is punishment from a past life and, if they do not pay this money back in this life, it will affect their karma; they will simply have this debt to repay in a future life. Others stay in situations of extreme cruelty because of the pressures to send money home to needy family members. Some victims of trafficking come from situations of such extreme poverty at home that, in spite of human rights violations in their current situations, they view simply being in the United States as an opportunity or potential escape in the future.

Perceptions of law enforcement can also inhibit victims from coming forward. Many victims of human trafficking are in the U.S. illegally and are thus further discouraged to seek help for fear of being imprisoned or deported. Since many victims come from situations of conflict or extreme poverty, being deported can seem worse than even the most horrendous conditions. For others, the shame of returning poorer than one left would be unbearable and sow seeds of suspicion or scorn at home. Some victims are involved in illegal activities, such as prostitution, and worry that they will be treated as criminals rather than victims. Many come from unstable situations in which law enforcement authorities threaten and violate human rights rather than uphold them; therefore, it is natural that many victims are afraid of the “uniform.”

Sometimes victims’ requests for help go unrecognized because of cultural differences in communication. For example, many victims might feel more comfortable talking indirectly about their experience to a religious leader, or might present with physical symptoms at a hospital. The root cause of the difficulties can be missed if leaders or health professionals are not tuned into differences in communication styles. Compounding this cultural isolation, victims might feel too ashamed to seek assistance from their own cultural community, either because of a stigma attached to the work that they’ve been doing or because of their low status within the community. Still others may be “employed” by close family friends or respected members of their home community; if they were to expose these families, they risk not only their own reputations but possible social and economic repercussions on their families at home.

In spite of this intricate web of obstacles, many victims manage to break free and seek help. Victims who are identified get drawn into a system of government benefits, visa applications, criminal investigations and legal proceedings. Though well-intentioned, this system can be overwhelming and disempowering; in the worst instances it can “re-victimize” a survivor by

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<sup>4</sup> *TIPS for Building an Inclusive Workplace*, Washington DC: NMCI Publications, 2007.

the trafficking in the first place. Just as there are obstacles to identifying victims, service providers and law enforcement agencies face significant barriers to working effectively with survivors to ensure that they access available services and to encourage them to cooperate in ongoing investigations of traffickers.

Survivors and helpers alike bring to any interaction a set of stereotypes about the other that can impact how each person is perceived and the nature of the working relationship. For example, survivors might expect that a U.S. American is focused on individual gain rather than on helping others; having heard such a stereotype, they might be skeptical of a helper's motives and slow to trust. Conversely, helpers might view an Asian woman, for example, as a helpless, weak victim; having heard that stereotype, they might be quick to take over the survivor's recovery process, thereby unintentionally recreating a power dynamic similar to what the survivor just escaped.

When a helper becomes too invested in the "rescuer" role, or a survivor too invested in the "victim" role, it blocks the path to true recovery. Stereotypes are particularly common in encounters between peoples of different cultures and nationalities, particularly when there has been little mutual exposure. These stereotypes can be solidified when there are other genuine cultural differences that are misunderstood.

Concepts of power and authority, for example, can vary greatly from culture to culture, ranging from hierarchal to egalitarian societies. Survivors' expectations of the roles that helpers play can be very different from the helpers' expectations themselves. Survivors might expect that the aid come purely in material form, or they might expect that a helper is the expert and will prescribe a solution. Conscious of how this dynamic is reminiscent of an unhealthy power relationship, helpers might feel more comfortable acting as partners in the recovery process. When unrecognized, these differing expectations can inhibit important relationship-building between survivors and helpers, and the survivor may stop seeking services as a result. Perceptions of power and authority are particularly relevant when survivors encounter law enforcement officers. Survivors may be too intimidated to talk freely, or they might think they need to tell police what they are told to say. These reactions, often based on experiences with law enforcement in the past, can be a significant obstacle to an investigation

Gender dynamics lend added complexity to these differing perceptions of authority. Some survivors may be uncomfortable talking openly to someone of the opposite sex. Others might only be comfortable talking to a man or to a woman, regardless of their own gender identity. Gender is particularly sensitive in situations of sex enslavement, but it can also be sensitive for men who have been working in farms or factories and have been "emasculated" through ongoing threats, violence and coercion.

Investigators and lawyers can often be frustrated in their attempts to elicit a consistent and clear story from survivors. Differing conceptions of time – from linear to fluid – can impact how people tell stories. In linear cultures stories are often told chronologically, while in fluid cultures, stories can be circular or event-focused. In addition to this cultural difference, trauma in any culture can cause a survivor to remember and retell the story of his trauma in a disjointed and inconsistent way. This poses a challenge to the investigator who is trying to discover the objective truth of what happened.



Stories retold through interpreters can add to the difficulty. Interpreters' own biases can be played out in their translations, and the identity of the interpreter can either inhibit full disclosure or encourage it. For example, if an interpreter and a survivor come from the same cultural community, the survivor might worry that they know people in common and that her story will not remain confidential. She could worry that the interpreter is judging her; or they might come from the same language group and nationality but from rivaling ethnic or social groups.

In short, once victims have been identified, multiple nuanced subtle challenges play out in every interaction between survivors and helpers. When they are not well understood, these challenges can derail both attempts to assist survivors and plans to break up trafficking operations. Criminal investigations may be hampered as these challenges create unnecessary barriers to discovering the truth. Whether the challenges are caused by different perceptions and values or by very real systemic barriers, individual law enforcement officers and service providers play a crucial role. If they are provided with the necessary awareness, knowledge and skills, then they may have an increased opportunity to prevent the trafficking of human beings and to help survivors navigate their way from victim-hood to recovery.

## Conceptual Frameworks

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Three different conceptual frameworks are used to analyze and contextualize all of the case studies in this collection. The first considers cultural barriers to effectively identifying and assisting survivors of trafficking. The list of barriers draws from a framework developed for working with diverse victims of crime in general and was tailored to address the particular challenges of working with victims of human trafficking. The second conceptual organizing tool is a cultural values continuum that has been used widely in cross-cultural and diversity training and is extremely useful in diagnosing cultural influences on world view and behavior. Lastly, the Karpman Drama Triangle is adapted to examine the power dynamics between victim, abuser and rescuer in a post-trafficking context.

### Cultural Barriers to Identifying and Assisting Victims<sup>5</sup>

The identified barriers to effectively working with diverse victims of trafficking are organized into four major categories: Societal and structural contexts of human trafficking, programmatic and systemic barriers, victim belief systems, and provider/advocate belief systems.

#### Societal and Structural Context for Human Trafficking

- Global economic disparity and poverty resulting in increased vulnerability to and reliance on the black market trade in human beings
- Racism, sexism, classism, ageism and other structural discrimination that result in the dehumanization of some groups

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<sup>5</sup>

Adapted from Shipler, L., Anand, R., and Hadi, (1998) Cultural Consideration in Assisting Victims of Crime: A Report on Needs and Promising Practices. Washington, DC: U.S. Department of Justice, Office for Victims of Crime.



- Climate of fear (xenophobia, homophobia, etc.) which results in isolation and hatred

#### Programmatic and Systemic Barriers

- Immigration law and courts
- Funding sources and allocation
- Misinformation about victim services
- Location of victim service programs
- Limited resources
- Lack of staff diversity

#### Victim Belief Systems

- Distrust of police and criminal justice system
- Fear of deportation and arrest
- Fear of trafficker
- Gender and power dynamics
- Shame and taboo
- Grieving and healing processes
- Conceptions of privacy
- Expectations of service providers' roles
- Role of the family

#### Provider/Advocate Belief Systems

- Stereotyping
- Assumed similarity
- Expectations of roles of provider and victim
- Limited cross-cultural communication skills
- Language

Most of these barriers are addressed by the selected case studies. Placing specific barriers into their larger context can help participants develop culturally competent strategies to dismantle these obstacles to effective victim identification and assistance.

## Cultural Values Continuum

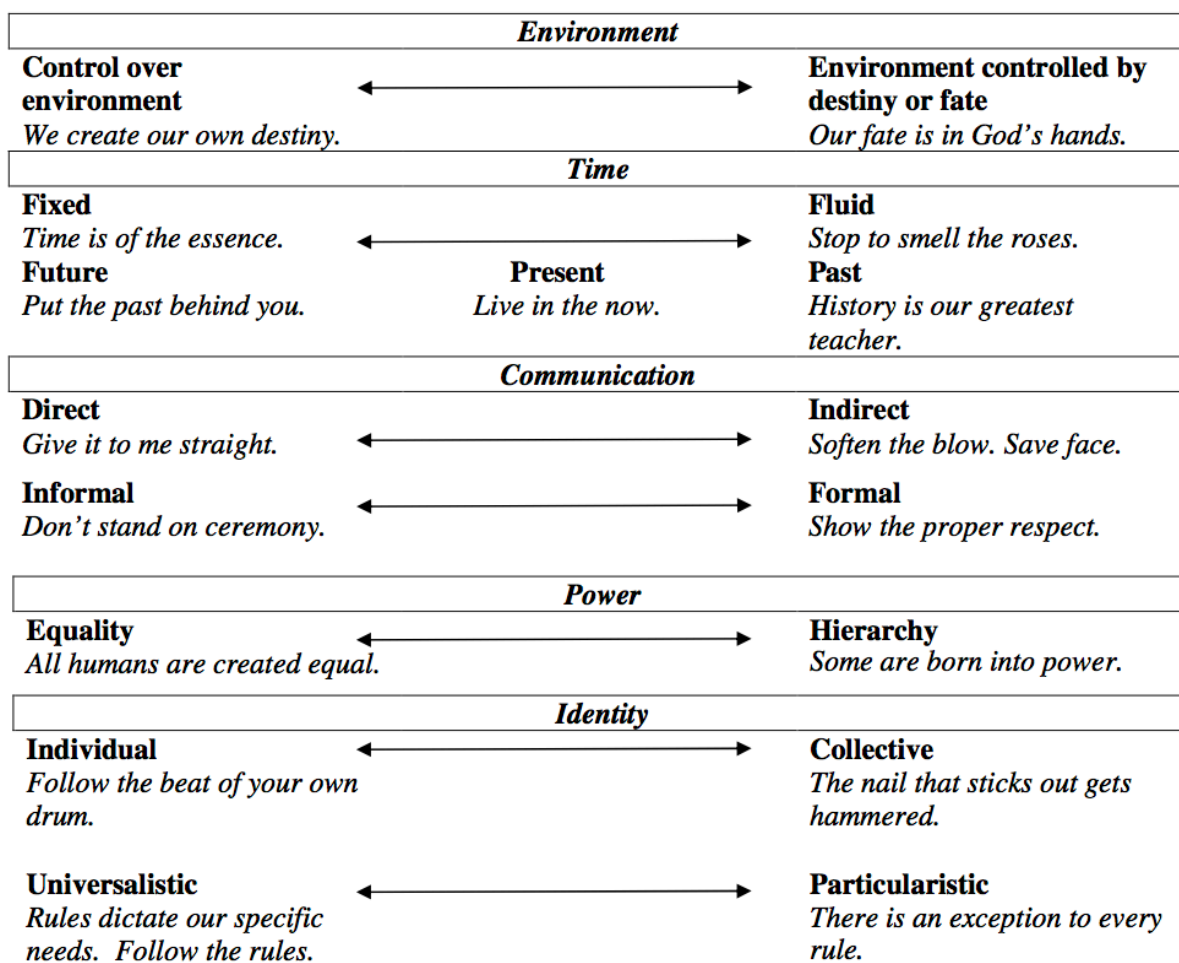
We all have values that guide our perceptions, our interactions, and our choices. These values are part of our “design for living” and they are determined, in large part, by the culture or cultures in which we were raised. However, we are often unaware of our own values, and they can be difficult to articulate. Many who have been trafficked come from cultural contexts that are very different from the context of their destination country, and their circumstances and imprisonment further isolate them from the dominant U.S. culture in which they are living. Because the United States is such a diverse nation, even U.S. citizens who are trafficked within the U.S. may feel alienated and marginalized. In order to effectively interview or provide services to trafficking survivors, and in order to communicate, manage conflict and solve problems across cultures, it is important to understand the different values at play in ourselves and others.

The cultural values continuum provides a useful tool for discerning cultural patterns of belief and behavior around the key themes of identity, communication, power, environment, and time. Placing oneself and others somewhere along each continuum can help to bridge gaps of understanding.

These values are not static or fixed in one place. We move along the continuum, depending on circumstances. Furthermore, the dichotomies are false in some ways. A particular culture may be very collective in one regard and very individualistic in another. Nevertheless, using these dichotomies to sharpen one’s thinking is useful, as long as we do not limit ourselves to a two-dimensional model. When using this tool, it is important to remember the difference between stereotypes and cultural patterns. While cultures do tend to have general shared patterns of value, there are always exceptions, and all individuals are influenced by multiple factors. Stereotyping freezes a member of a group, making harmful and counter-productive assumptions about the values s/he holds and the motivations that influence her/his behavior.

The case studies in this collection examine many of the values found on this continuum, while simultaneously challenging the assumptions that may be made about others’ values and beliefs.

## Cultural Values Continuum<sup>6</sup>



### The Power Triangle

In situations of oppression, exploitation, and violence, there are clear victims and abusers. While we all have the innate capacity to act as either a victim or an abuser, oppression renders these roles static, until either a victim extricates himself or herself, or a “rescuer” arrives to help the victim out of his or her victimhood. Then the slow process of recovery begins: a transition from “victim” to survivor, and beyond.

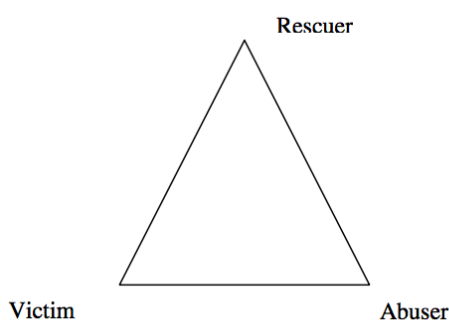
Many of those who are drawn into the helping professions hate to see injustice or suffering. Most who play these roles (police, social workers, health care providers, attorneys) care deeply about our clients; we are committed to doing our best to help clients to recovery or prevent

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<sup>6</sup> Adapted from Kohls, L. R. *Survival Kit for Overseas Living*. 4th ed. Yarmouth, ME: Intercultural Press, 2001.

others from being victimized. This compassion is crucial to the success of our interventions, although it can be difficult and even painful to invest emotionally in a client's welfare.

While an investment in our clients' welfare is paramount to our work, there is a danger that we become too attached to the idea of ourselves as "rescuers." When we feel helpless in the face of a victim's needs and trauma, we open ourselves up to secondary trauma and compassion fatigue. To guard against this, it is natural to inflate our own sense of agency and power. It is easier to handle the emotional challenge of working with trauma victims when we feel as though we are making a positive difference. However, rescuers and service organizations themselves risk becoming too invested in their role: in order to be a rescuer, one needs victims to rescue. Thus, the "savior mentality" can freeze service providers, traffickers, and survivors in an unhealthy power triangle<sup>7</sup>.



These dynamics are not restricted to individual interactions. They are often institutionalized through funding criteria and needs-based service delivery. When a victim is dependent (as they often are) on a service agency or provider for his or her food, shelter, legal status, clothing, and other basic needs, it is easy to unintentionally recreate the power dynamics that were present in the trafficking situation, thus re-victimizing the victim. A victim may feel as though she must testify or participate in therapy in order to receive these basic necessities. When this is the case, in effect she is prostituting her tragedy and manipulating her victimhood in order to obtain benefits.

This triangle exists, and it is the challenge of service providers to work in partnership with survivors to interrupt harmful dynamics which impede victim recovery. Skilled supervision within agencies, peer support groups, access to employee assistance programs, personal psychotherapy and overall wellness/lifestyle behaviors can help to guard against re-victimization of clients. Many case studies in this collection offer the opportunity to discuss tangible examples of this dynamic and to seek creative, empowering, and culturally competent strategies for change.

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<sup>7</sup> Adapted from Karpman, S. (1968). Fairy tales and script drama analysis. *Transactional Analysis Bulletin*, 7(26), 39-43.

# Chapter One: Identifying Victims

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The U.S. State Department estimates that 15,500 to 17,500 people are trafficked into the United States each year. Although it is widely acknowledged that these estimates are unreliable, most experts agree that the numbers of trafficked people in the U.S. far exceed the reported cases. Only “1,379 victims of human trafficking have been certified or issued eligibility letters since the Trafficking Victims Protection Act was signed into law in October 2000.”<sup>8</sup> According to the same report, “in Fiscal Year (FY) 2007, Department of Justice’s Civil Rights Division and U.S. Attorneys’ Offices initiated 182 investigations, charged 89 individuals, and obtained 103 convictions in cases involving human trafficking.” Since FY2002, 1,094 T-visas<sup>9</sup> have been issued, along with another 998 visas for victims’ family members. This falls far short of the allowed 5000 T-visas per year.<sup>10</sup> If the estimates of the influx of trafficking victims are correct – and many, including the Central Intelligence Agency, suggest that the numbers are much higher – then these statistics indicate an enormous gap in successfully identifying victims of trafficking.

The broad structural impediments to identifying victims are generally understood among those working in the field. Less understood is the subtle interplay of attitudes, economic hardship, cultural belief systems and social networks that compound these other barriers and weave an almost inescapable web for many victims.

This chapter tackles the provocative question of “cultural relativism;” it addresses the reluctance of victims of seek help when they don’t trust law enforcement or when they have been breaking the law themselves; it illustrates the obstacles to identifying victims posed by language and cross-cultural communication styles; it explores the distinction between trafficking and a merely abusive employer; and it challenges our assumptions about what may or may not help a hidden victim disclose her/his situation.

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<sup>8</sup> “Trafficking in Persons Report, 2008” (<https://www.state.gov/j/tip/rls/tiprpt/2008/>), United States Department of State

<sup>9</sup> A special nonimmigrant status visa available under TVPA to victims of trafficking.

<sup>10</sup> Seelke, CR and Siskin, A (August, 2008). Trafficking in Persons: U.S. Policy and Issues for Congress., Congressional Research Service (CRS) Report for Congress.

<b>Case Study</b>	<b>Summary</b>	<b>Type of Trafficking</b>	<b>Sector(s)</b>
<b>1 – Is it Slavery?</b>	A pastor accuses a victim advocate of cultural imperialism.	Domestic Servitude	Community Advocacy
<b>2 – Below the Law</b>	A victim does not seek help because she has broken the law.	Sex	Advocacy Law Enforcement
<b>3 – A Tripped Alarm</b>	A police officer responding to a tripped alarm finds a victim.	Domestic Servitude	Law Enforcement
<b>4 – A Fine Distinction</b>	An attorney struggles to determine whether a case is labor exploitation or trafficking.	Labor	Legal Services
<b>5 – Already in Hell</b>	A victim confides in an unlikely person.	Sex	Health Care
<b>6 – Lock Me Up</b>	An young man is not believed to be a trafficking victim because he is an American	Labor	Law Enforcement Community

## Case Study #1: Is It Slavery?

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William is a 15 year old boy from Uganda. He is an orphan – his mother died when he was 8 and his father when he was 11. After his father died, his mother’s relatives took him in to live with them in Kampala. They paid for him to go to school and provided him with room and board. In return, he worked for the family. He fetched water, cleaned the house, looked after the younger children, and cooked the meals. Sometimes, if he made a mistake, his uncle would beat him the way a parent often beats his child. He was not paid in money for his work and he never had a day off, but he felt blessed – many families in Uganda took in orphans in this same way, but there were still many orphans left without homes and without the chance of getting an education.

He lived with his relatives for three years and then an exciting opportunity presented itself. The family’s neighbors were going to America to work in the Ugandan embassy there. They wanted to take someone to work for them, and they knew that William was hard working and wanted to pursue his dream of going to college. They promised William and his relatives that if he came, they would send him to school and feed and clothe him better than he was in Uganda. He and his relatives prayed about it and finally decided that he should go.

When he arrived in the United States, his new family greeted him. The father took his passport to keep it safe and showed him where he would be sleeping – on the floor of a small room behind the kitchen. The family explained that it was too late for him to go to school this year because they had arrived after the school year began. They said that it was not safe for him to leave the house and said that the only time he should leave is when he was with the family going to church. His work was easier than in Uganda – he did not have to fetch water because there was running water. The family had a dishwasher, a washing machine, and a vacuum cleaner. The mother shopped for food herself, so all he had to do was prepare it. But William felt lonely and afraid of his new family. They were quick to beat him, and he felt that he made many more mistakes here than in Uganda. He thought he just needed to learn the ways of this new country. He waited and waited, hoping to start school soon.

One day the next-door neighbor saw William sweeping the back patio. The neighbor noticed a swollen eye and bruises on William’s arms. She asked him how old he was, and why he wasn’t in school. William explained. Two days later, there was a knock on the door when the family was away. It was a white, American woman who introduced herself as Lucy with the Anti-Slavery Campaign. She asked some questions of William and explained that she had come because his neighbor was worried about him and believed that he might be a slave. She offered to take him with her, but William decided to stay. Instead, she left her card in case he changed his mind. That next Sunday at church, he found a moment to talk with the pastor, to tell him what had happened and to seek his advice.

The next day, the pastor came to take William to Lucy’s office. William sat quietly as the pastor angrily confronted Lucy: “This boy is working to further his education. He is an orphan and the family that brought him here are good people, giving him an opportunity. In our culture, this is what we do for each other. We take orphans in if we have the means. We all look out for one another, even if we cannot pay to send all of these children to school, we do what we can. You come here telling this boy that he is a SLAVE? This is cultural imperialism. You are imposing



your own values on this child and on this situation. Leave him and his good family alone.”

### Discussion Questions

1. What are the issues in this case from each party’s perspective?
2. Do you think that William is a slave? Why or why not?
3. What should Lucy’s goal be in this situation?
4. What culturally competent strategies can she use to accomplish this goal?

## Key Issues – Case Study #1: Is It Slavery?

- 1) One challenge in identifying victims of human trafficking is that some victims do not view themselves as such. Often they have come from social and political contexts in which their living conditions were worse and there is little protection of basic human rights. In many contexts it is an economic necessity that some children work and orphans are particularly vulnerable to labor exploitation.
- 2) These realities come into conflict with not only U.S. legal restrictions on child labor and abuse but also with international child protection mechanisms. This raises an ethical dilemma: Is it right to change the basic awareness of victims? In other words, for the sake of healing, is it alright to help victims see that they have indeed been victimized? Or is it more fundamentally empowering to base interventions on clients' own understanding of their situation?
- 3) Cultural competence is not cultural relativism. Where there is violence and coercion, basic human rights are being violated. However, if Lucy's goal is to ensure William's safety and freedom, she will not be effective unless she can hear and understand the pastor's concerns as well as William's understanding of his own situation.
- 4) Interventions in the U.S. can have far-reaching consequences and can even impact William's family back home. For all of these reasons, William may be reluctant to accept help unless he feels that Lucy is sensitive to these complicated dynamics.

## Case Study #2: Below the Law

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Marisol was promised a secretary job in Los Angeles if she paid \$3000 to a man who came to her small town near the northern border of Mexico. Hiding underneath a cargo of fruit, she and 17 other young women illegally crossed the border into the United States and ultimately found themselves in Los Angeles. When they arrived, they were told that because of unforeseen expenses their debt of \$3,000 had now increased to \$15,000. The only way to make enough money to pay back the debt was to dance in a strip club. So Marisol started working in horrendous conditions. She was regularly raped by the strip club owner and clients. She received very little money each week and was not even sure how much she was making toward her debt.

One day, as she was walking to work from the small apartment where she lived, she noticed a sign in Spanish saying, “Are you trapped in your job? Are you being abused? We may be able to help you get a visa and get out of your situation.” She quickly tore off the number and kept walking.

That night, Marisol took out the number and looked at it for a long time. She wanted to call. She knew she needed help. But she was too afraid. She had broken the law in so many ways – crossing the border, working as a stripper, not paying income tax, even taking the drugs the owner had given her. She knew that police are no better than the others, that they too would demand money or rape her or simply arrest her and then take a bribe from the strip club proprietor. And this promise of a visa – that couldn’t be true. She had been told again and again that, if anyone found out she was here, she would be immediately deported. And after all that had happened, she just couldn’t face her family.....

Finally, Marisol crumpled up the number, threw it away and turned out the light.

### Discussion Questions

1. What are the cultural, social, and economic issues in this case?
2. What are the impediments to Marisol seeking help?
3. As the agency conducting outreach to people like Marisol, what might you do differently to be more effective in identifying victims of human trafficking?

## Key Issues – Case Study 2: Below the Law

1. When trafficking victims have been involved in something illegal – as many have been – this presents a powerful obstacle to seeking help. Most victims are told repeatedly that they are criminals and that the police will imprison or deport them. Although the manner in which they have been brought here entitles them to legal recourse and some protection, most victims do not know or understand this.
2. Victims' fear of imprisonment may be further compounded by negative experiences with police in their home countries. In some societies underpaid police officers are known for their corruption, and in conflict zones police themselves may be violent and dangerous. Thus, some victims may be particularly reluctant to trust any authority.
3. While some trafficking victims might be relieved at the prospect of being sent home, many, especially those who have been trafficked into the sex industry, have powerful experiences of shame and want to hide the truth from their families. Religious beliefs, gender roles, and family relationships can make this shame particularly pronounced for some victims, and they may choose to continue to endure the situation rather than shame their families back home.

## Case Study #3: A Tripped Alarm

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Police officer Margaret Shelley responded to a tripped house alarm in an affluent suburban neighborhood. She surveyed the house for any broken windows or forced doors and eventually approached the house to find a young woman inside. The woman appeared to be South Asian in origin. She kept her eyes to the ground, shook her head and said again and again, “Sorry, sir, mistake. Sorry, sir, mistake. I work here. Please help me.” She seemed afraid.

Officer Shelley decided that the young woman was telling the truth and so she filed her report and got back into her car. After driving 4 blocks, she pulled over and stopped. “Wait a minute,” she said to herself. “That woman was asking for help. How could she have tripped that alarm if she were already inside the house? Unless...she was locked in.”

She turned her car around and drove back to the house. As she walked back up the path to the front door, she thought she saw a pair of scared but hopeful eyes look out from behind the curtain.

### Discussion Questions

1. If the young woman is a trafficking victim, what cultural, social, and economic barriers might there be to successfully identifying her as such?
2. Keeping these challenges in mind, what strategies can Officer Shelley use to discover the truth and ensure the young woman’s safety?

## Key Issues – Case Study 3: A Tripped Alarm

1. Although the officer in this case study was alert enough to notice that there was something wrong, there are still many obstacles to overcome. First, the young woman does not seem to speak good English and so an interpreter will be needed. (See *Chapter 5: Working With Interpreters* for more issues that may arise).
2. Differences in non-verbal communication styles may also be an impediment. Although this police officer in this case believed her, others may be disinclined to trust someone who avoids eye contact.
3. It is likely that the family with whom she's staying is a highly esteemed family. In a culture where hierarchies are particularly respected, it may be very difficult for the victim to speak out and follow through with seeking help.
4. Her family back home may have been threatened, her papers may have been confiscated, and she might be feeling deep shame over what has transpired – all of which might make her reluctant to share the complete truth of what has happened.
5. Although the victim has taken the risk to ask for help, she may have a limited understanding of the justice system and not realize what will be expected of her if she is to extricate herself from the situation.
6. Upon encountering a possible trafficking victim, it is advisable to ask some basic screening questions (see Appendix 3). When asking these questions, keep in mind that some of them may frighten or intimidate the victim. The priority is to build trust first, and get information second.
7. Some strategies for building trust include:
  - Understand that the victim is wise to be slow to trust given her/his history
  - Always tell the truth
  - Never manipulate the victim
  - Be transparent about what you are doing and why
  - Do not assume that you always know what's best for the victim – check out your assumptions
  - Move through the process slowly and always with the victim's express permission
  - Make it clear that the victim does not have to answer any questions
  - Respect his or her choices without applying pressure
  - Offer aid unconditionally, rather than as a reward for cooperation

## Case Study #4: A Fine Distinction

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A middle-aged man walked into the legal services clinic and asked for help. He introduced himself as Sebastian, from Romania. Back home he was an engineer, and he had come to the United States because of a promise of a good job and a good salary. Now, he was in a terrible situation. He was doing manual labor on a construction site. His employer had taken his passport and other documents, and his pay was not so good. He wanted help getting a visa so that he could leave this job and pursue his dream.

The attorney began to suspect that this might be a trafficking situation, in which case, there might be the possibility of applying for a T-visa.

Attorney: You said that your employer took your passport? Did you give this over willingly?

Sebastian: Yes, yes.

Attorney: Why would you give your passport to your employer?

Sebastian: Because he asked for it. I think it is normal in this country, no? In my country if you are a visitor, you give your passport to the hotel.

Attorney: No, it's not normal. You should try to get your passport back. We'll talk more about that in a minute. You said your pay was low – how much are you getting paid?

Sebastian: I think that in one week, I get paid \$200. Attorney: OK – so that is around \$5/hour. That is not so bad – after taxes.

Sebastian: In cash, they pay me. No, no – more like \$2 or \$3/hour. I work maybe 70 hours in one week.

Attorney: Are you free to come and go? Sebastian: What do you mean?

Attorney: Does your employer make you stay all together? Does he threaten to hurt you or hurt your family?

Sebastian: No, he just yells all the time, mean ugly things. In this way, he is always threatening. And the pay is not what we were promised.

### Discussion Questions

1. What cultural factors might be influencing how Sebastian is explaining his situation?
2. Is this a trafficking case? What other questions can the attorney ask to get more information?



## Key Issues – Case Study 4: A Fine Distinction

1. It can be difficult to determine when a case has crossed the line from a terrible labor situation into trafficking and slavery. Compounding this difficulty are cultural factors that may make it particularly challenging to distinguish the two.
2. In this case, Sebastian may not be aware of certain labor protections and key rights he has in the United States. He does not seem to know that there is a minimum wage, although he knows that his pay is too low. He thinks that it is normal for an employer to hold his passport and by extension he may not feel free to travel or to look for another job.
3. Secondly, Sebastian may in fact feel threatened but may not want to tell the attorney the truth about this. Many trafficking victims feel extremely ashamed of having been tricked. He may believe that, as a man, he needs to present himself as strong and in control of the situation when approaching a lawyer.
4. He also may not realize that in order to qualify for a particular visa, his circumstances need to match the requirements. In many countries, obtaining papers or permission to work is linked to who you know or paying bribes rather than following a set of rules and regulations.

## Case Study #5: Already in Hell

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A young woman came into the emergency room saying that she felt sick “down there” and wanted to be checked. Things were slow that Sunday, so the nurse at triage – sensing that the patient was uneasy and frightened – assigned the case to a woman doctor from the same country, who happened to be on duty that day. She was known as being particularly comforting and even “motherly” to patients. The doctor and the attending nurse were very surprised when, after the physical examination, the patient shut down and refused to answer any questions about her concerns or what might have put her at risk. They assigned her a bed and moved on to their next patient, thinking that some time might make her feel more comfortable. The original doctor finished her shift without seeing the patient again, and the next doctor was a young American woman.

She stopped by the patient’s bed and looked at the results of the tests. “Has anyone talked to you about these results?” she asked.

The patient nodded.

“Can you tell me a little bit about your situation?”

The patient started talking quickly and quietly. “I am a slave here. I came here to be a teacher, but when I got here they made me become a worker in a terrible place – in a brothel. I must serve 30 sometimes 40 men a day. I am so sick down there. Now I got so sick no client even wants me. And so now they are angry and are beating me. So, today, instead of going to church I ran away to come here. Please do not tell anyone at all – I feel so ashamed. I have sinned so terribly, I know that I’m going to hell. But sometimes I feel as though I am already there.”

### Discussion Questions

1. What are the cultural, religious, generational and gender related issues in this case?
2. Why do you think the patient was so reluctant to share her situation with the older, female doctor and so quick to tell the young doctor?
3. In assigning a woman doctor from the same country, the triage nurse was trying to be sensitive and culturally competent. What might she do differently next time to get a better result?
4. What does this case suggest to us about how we might use our “insider” and “outsider” roles to build trust with survivors?

## Key Issues – Case Study 5: Already in Hell

1. In an effort to be culturally competent we can often assume that a patient or a survivor of trafficking will be more comfortable with someone who is just like him or her. However, in this case, the older woman doctor may have reminded the patient of her mother and she may therefore have felt particularly ashamed and embarrassed to talk about what had been going on. Although some women may feel more comfortable with women from their same region, or cultural group, others may feel afraid of being particularly harshly judged by these women doctors, nurses, attorneys, interpreters, and social workers.
2. In this case, the patient's religious convictions may have compounded the feelings of shame and self-judgment, and it may simply have been easier to talk to someone who seemed completely different and outside her world.
3. It is usually best to ask clients or patients their preference regarding their health care or service provider, rather than to assume that they will want someone just like them.

## Case Study #6: Lock Me Up

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Jason had run away from home at the age of 17 because his step-father regularly abused him. He had made a life for himself, moving from homeless shelter to homeless shelter, but he was always hungry and often cold. He regularly got beaten up and raped on the street or in the shelters. When Jason was 18, an older man befriended him and offered him some heroin. Quickly, Jason retreated into heroin as a refuge from the sharp edges of life. But with no income, Jason became desperate and couldn't support his habit. His friend then came to Jason with an offer: "I'll send you with this guy I know – he can get you work in Detroit, and you'll have all the money you need."

Jason agreed, and soon he was in Detroit. When he got there he quickly realized that he was to be simply begging on the streets. The first few days he made good money, but he was forced to turn over all his money to his "agent." On the third day, his agent made him shoplift from several electronic stores. On the fourth day, Jason protested: "What's going on here? I could have been doing this back home and kept all the chump change I got! I'm outta here."

"Oh no you're not, boy! I paid good money for you and you haven't even started to pay me back."

At that moment, Jason realized that his "friend" had literally sold him, and that, as far as everyone was concerned, he was a slave. That night, three men grabbed him and gave him a sound beating, "just so you know your place, boy."

He decided to try to get help. The next day, on the street, he whispered to a few people who stopped, "Please help me, I'm a slave!" but they kept on walking. A police officer came up to move him on. Again, Jason asked for help. "Please help me, they're forcing me to do this."

"Yeah, right, son. Move along now before I decide to lock you up."

"Fine, then," Jason said, grasping at this one opening, "Lock me up."

### Discussion Questions

1. Jason is a U.S. American citizen, and a young man who has been involved in many illegal activities. What are the obstacles to identifying Jason as a trafficking victim?
2. What screening questions should the police officer ask in order to determine Jason's situation?
3. What services are available for Jason?

## Key Issues – Case # 6: Lock Me Up

1. While people who have been trafficked across international borders face multiple challenges of culture and language, Americans who are trafficked face particular difficulties as well. They are often not thought of as the “typical trafficking victim” and therefore are often criminalized quickly. In this case, the police officer’s response will have a major impact on whether Jason is helped, or whether he is penalized.
2. The process of stereotyping – or seeing one or two characteristics above the surface and making assumptions about character, value systems and motivation – is at play in this case. Because of how Jason looks and sounds, many passers-by disbelieve that he is a trafficking victim. (See Appendix 1 for more information about stereotyping.)
3. Answers to a series of simple screening questions can provide clues as to whether a case is a trafficking case or not. For sample questions see Appendix 2.

## Chapter Two: Invisible Chains—Why Do They Stay?

Women chained to beds in dirty brothels; men locked into run-down dormitories at night; children kept in basements – these are the images that often come to mind when we think of human trafficking. Though physical restraints are used in some cases, most traffickers keep their victims bound through powerful, but invisible, chains of shame, fear, and misinformation. Sometimes those who come into contact with survivors of trafficking are mystified by why the survivors stayed in the situation. Often the reasons for staying are context-specific and culture-bound, making it particularly difficult for outsiders to understand.

This chapter illustrates how the political context of a country of origin can influence a victim’s perceptions of freedom in the U.S.; it examines the influence of religious belief on the choice to stay or flee; it reveals the depth of shame and its far reaching repercussions on family and community; it explores the role of social status in trapping someone in slavery; and it acknowledges the power of legitimate debt incurred by victims and its consequences on trust networks back home.

<b>Case Study</b>	<b>Summary</b>	<b>Type of Trafficking</b>	<b>Sector(s)</b>
<b>7 – Case Closed</b>	A judge does not understand why a victim did not leave without his passport.	Labor	Legal Services
<b>8 – My Next Life</b>	A victim who believes she is being punished for past wrongdoing is afraid of paying in her next life.	Sex	Advocacy
<b>9 – Photographic Evidence</b>	A trafficker keeps photographs of scantily dressed victims to blackmail them.	Sex	Law Enforcement Advocacy
<b>10 – A Grand Family’s Promise</b>	A victim does not want to challenge a family of high status.	Domestic Servitude	Community
<b>11 – People Have Trusted in Me</b>	A victim owes money to family and friends back home.	Labor	Legal Services

## Case Study # 7: Case Closed

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Judge Carner was getting frustrated. “Tell me again why you didn’t just leave?”

“I told you, your honor, they took my passport. I couldn’t leave.”

The immigration judge was listening to a 37 year old man named John. He and his attorney were claiming that he had been trafficked here under false pretenses and they were applying for a T-visa. John’s story was that, for a fee, a broker promised to help find him a good job in the United States. Instead, he claimed to have been enslaved by a company that hired people out to clean hotel rooms. He said he had never seen a single paycheck since he had started working there 11 months earlier. He went to the hotel during the day and back to a shared hostel where he and 14 others were locked in at night. When the company was brought up on charges of tax-evasion and fraud, they released John and the others without paying them.

“You don’t need your passport to walk away. Why didn’t you just walk away from the hotel one day?”

“I ... I couldn’t, your honor.”

“Why not? Did they threaten you? Did they say they would hurt you? Did they ever use violence against you?”

“No.”

“Did they threaten your family back home?”

“No. But I had no money, and I had no papers. What was I to do?”

“You could have walked out and walked to the police and told them what they were supposedly doing to you.”

“But then they would have arrested me.”

“Why? Are you telling me that you were breaking the law? Is there a reason that they should have arrested you?”

“Because I didn’t have my documents, your honor.”

Judge Carner sighed in exasperation. She paused. Then she said, “Visa denied. Case closed.”

### Discussion Questions

1. What are the political, cultural, and economic issues in this case?
2. What strategies could the attorney and the client use to be more effective with the judge?



## Key Issues – Case Study 7: Case Closed

1. In many societies, it is illegal or ill advised to travel without identification and documents. There are police check points along the road, and, if a traveler is caught without papers, he can be arrested or charged a large fine or bribe. Furthermore, it is often very difficult to obtain passports in the first place, and people may not believe that they will be able to simply ask for a replacement from the embassies. Traffickers know this and often exploit the fears of their victims, telling them that they will be arrested, imprisoned or deported without their papers.
2. Many advocates, attorneys, police and others working with survivors of trafficking do not understand how tied survivors can feel to their hard-won documents and how helpless and immobile they are without them. This case underscores how essential it is for all those working to help survivors to understand the political and legal contexts from which survivors are coming. These contexts of origin inform and shape choices in destination countries as well.

## Case Study #8: My Next Life

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When Seng crossed the river that forms the border between Burma and Thailand, she was starving, wet, alone and afraid. She was fleeing forced labor, rape and fighting in her home village. She had had to perform sexual favors for the border patrol on the Burmese side of the border or risk getting sent back, or killed. She had heard she should expect similar treatment from Thai authorities, and so she was incredibly relieved when a woman approached her, offered her food, dry clothes and a job. The woman said that she would find her a job in Bangkok, and that when she earned enough money she could pay her a finder's fee. Seng stayed for five days in a small hut with other women as they waited for transport to Bangkok. More women kept arriving and the hut got more and more crowded. Finally, a truck came to take them to Bangkok. They were instructed to lie on the bed of the truck, and then they were covered with produce – bananas, cabbages and bags of rice – to hide them from the authorities at the check points. Twice, the authorities found them, and they were delayed for hours as the truck driver negotiated the bribe he would have to pay to continue on his way. Furious, he screamed at the women that the bribes were now added to their debt.

In Bangkok the group of women was dispersed, presumably going to different places to work. Seng and two others were passed along to a Thai woman who promised jobs in America if they were willing to pay a higher fee. Seng was beginning to worry about her debt, wondering how she would ever pay it off. But how could she refuse the chance to go to America, where the pay was sure to be higher? That morning she prayed hard to Buddha, and she offered him flowers and rice. She hoped that going to America was the right decision. Soon, she and the others were given fake Thai passports and tourist visas to the United States. She was told that someone would meet them at the airport and take them to their new jobs. Sure enough, an older Thai man was there to greet them. He took them to a small room, gave them some noodles to eat and locked them in.

The next morning he came back. He said they were very lucky to be in America, and most girls did not get so far. He told them they made it this far because they are very beautiful and men will pay a lot of money for some time with them. He informed them that he had paid their debt for them and that they now each owed him a total of \$37,000. He said that the only way to pay him fast enough was to see as many men as possible each day – at least thirty. They were to start right away. One of the girls started to cry and he hit her, hard.

Many months later Seng was approached on the street by a young woman. She handed her a slip of paper and said that she should call if she ever needed to talk to someone about her situation. Two days later, Seng called. She told the woman everything that had happened, and the woman said that there were ways of getting her out of the situation, with no debt. She said her organization could help her. Seng refused: “But I still have so much debt to pay.”

“But the debt is illegitimate, and they’ve set it up so that you’ll never be able to pay it back. We will be able to get that debt forgiven.”

“No, you don’t understand. I know I am being punished for wrongdoing in a past life. If I don’t pay this debt now, I will only have to pay it in the next life. I will stay until my debt is cleared.”

## Discussion Questions

1. What are the cultural, political and religious issues in this case?
2. What strategies could the outreach worker use to help Seng reconsider her choice?
3. Would client confidentiality prevent the helper from going to the police to have the perpetrators investigated?

## Key Issues – Case Study 8: My Next Life

1. The Buddhist concept of karma can lead some victims of trafficking to believe that they somehow deserve the poor treatment they are getting because of bad choices made in a past life. Furthermore, like Seng in this case, some people might believe that if they do not endure their current suffering, it will only be postponed until the next life. Many Buddhist teachers and spiritual leaders do not agree with this interpretation of karma. The outreach agency might consider seeking the assistance or advice of a Buddhist leader in the community. Seng might be receptive to certain interpretations and might consider alternate ways of paying her “debt.”
2. This case points to the larger cultural difference between those who believe that they have control over their environment and those who believe that events are largely determined by fate or destiny. The dominant culture in the United States tends to value the power of people to influence their circumstances. This is reflected in the “American Dream” of rising from poverty to wealth and success. It can be bewildering and sometimes frustrating for someone with this value orientation to encounter a client who believes in “bending like bamboo” in the face of obstacles and oppression. One must be careful not to oversimplify this cultural dichotomy. Clearly, Seng has a sense of her own agency – she fled Burma and did her best to change her circumstances. But this personal agency is balanced with an acceptance that suffering is an inevitable part of life. Many who work to prevent human trafficking do not accept that suffering is inevitable, and thus it can be challenging to find common ground.
3. Seng has come from a broader context of extreme political oppression and human rights violations. When that is all a person has known, it can sometimes be difficult to envision an alternative. Any intervention on the part of the outreach agency should be extremely careful not to perpetuate the same dynamics of coercion and deceit. Ultimately, as hard as it may be for an outsider to accept, Seng alone can make the choice whether to stay in her situation or to leave.

## Case Study #9: Photographic Evidence

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Rosario was a teenager when she left Honduras to come to the United States. Her family was destitute – floods had washed out their crops and her younger brothers and sisters were literally starving. Determined to help, Rosario talked to her cousin who promised to get her a job in a restaurant in the United States so that she could send money home to her family. She joined a group of young people her cousin had organized and, unbeknownst to Rosario, “sold” to another trafficker. The group traveled together across the border. Rosario had incurred debt but she felt confident that if she worked hard and spent little to no money on herself, she would have money left over to send home.

When the group arrived at their destination they found that the “restaurant” was a bar and they were to be bar girls. They were taken shopping and given revealing, shameful outfits to wear. They were to dance with the men and get them to buy drinks. The owner of the club did not pay the girls fairly, keeping all the tips for himself as payment on the debt. By surviving mostly on leftover chips and peanuts from the bar, Rosario was still able to scrape together some money to send home each month.

One night, after one too many men had tried to grope her, and one had really scared her by pulling her into the back and trying to get her clothes off, she went to the owner and said, “This is ridiculous. This is not what we came here for. I want an honest job where I am paid fairly and treated well. I quit!”

“You can’t quit,” yelled the owner, enraged. “You still owe me money!”

“I’ll pay you from the money I get from my new job. I’m not trying to cheat you. I’m just not staying here any more.”

“If you quit,” the owner said, “then I’ll be sure to tell your family just how you’ve been making this money they are so happy to receive from you each month. How would you like me to send them this...and this!” From behind the bar he pulled out several photographs of Rosario and the others, with tight revealing clothing, dancing and flirting with the customers.

“You wouldn’t! Give those to me!” Rosario cried, angry tears running down her cheeks. She grabbed at the photos, but the owner kept them well out of her reach.

“Now get back to work.”

### Discussion Questions

1. What are the cultural, gender and religious issues in this case?
2. Neither Rosario nor her family was threatened with physical violence, and yet the photos are enough to keep her in a very abusive situation. Why?
3. Is this a case of human trafficking? Why or why not?
4. As a police officer or victim outreach worker, what are some strategies you could use to help Rosario extricate herself from the situation?

## Key Issues – Case Study 9: Photographic Evidence

1. Most people in Rosario’s situation would feel ashamed if their families were to see those photos. But in some cultural contexts, the shame goes particularly deep. In cultures that are more collectively oriented the family is the primary unit of society, rather than the individual. When this is the case, any behavior by a family member reflects on the entire extended family. Rosario might be afraid that it will not only be she who is shamed, but her parents and her siblings and her entire extended family. Her sisters or cousins might not find husbands because they, too, might be viewed as “whores.”
2. Religious conviction can compound the shame. If Rosario’s family is religious, they might view Rosario’s work as a grave sin and worry that she and they will be condemned to hell. Religious leaders in the community can reinforce and support this view.
3. Gender roles and expectations can also contribute to the power of those photographs. In many societies, girls and young women are expected to remain virgins until marriage. Even if Rosario has not had sex, the perception of her promiscuity might be enough to make it impossible for her to ever return home, much less find a husband and start a family.
4. In this case, the club owner uses blackmail, rather than the threat of physical violence, to keep Rosario in the bar. She is paid, but her wages are unfair. Some might wonder whether this case fits the definition of trafficking. See Appendix 2 to determine whether this qualifies as a trafficking case under the Trafficking Victims Protection Reauthorization Act (TVPRA). She was transported (process), coerced and deceived (means) into sexual exploitation and debt bondage with unfair wages (goal).

## Case Study #10: A Grand Family's Promise

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Imam Yassr is an imam at a mosque in a suburban community. His mosque serves many transient international families who have come to the United States as diplomats, business professionals, and economic development advisors. Very recently, he attended a workshop for community leaders conducted by a local agency. The workshop was designed to raise leaders' awareness of human trafficking and to help participants recognize warning signs and identify victims. As the workshop progressed, Imam Yassr kept thinking of a young man whom he had occasionally seen at the mosque over the last 9 or 10 months. He never seemed to make eye contact with anybody, he only mumbled a quick response when the Imam tried to introduce himself, and he was always very quick to rush out of the mosque after prayers. He often came with a middle-aged gentleman whom Imam Yassr knew to be a husband and father to three children. The Imam asked the gentleman about this young man, and he had answered that he was here with his family to study. But after this workshop, something pushed Imam Yassr to approach this young man again to hear more about his situation.

On a day when the young man came alone, Imam Yassr approached him after prayers and invited him to come back into his office for a quick chat. The young man looked reluctant, but, before he could refuse, the Imam ushered him back saying that he always liked to get to know each and every person who prayed at the mosque.

“So, tell me a little bit about yourself. What brings you here? I understand that you are here to study?”

“Yes, I came to study. I am very lucky that this grand family has agreed to bring me here and to help me get an education.”

“So, what are you studying?”

“Excuse me?”

“I asked what you are studying.”

“Oh, I would like to become a doctor.” There was a short pause. “But....but, I have not started studying yet. I am still waiting.”

“Waiting for what?”

“Well, the family I am with needs a lot of help. I cook and clean for them, and watch their children when they come home from school. I do not think there is any time for me to study at all.”

The conversation continued, and soon, Imam Yassr discovered that not only had the young man not been studying, but that he was not paid for his work, he was regularly beaten by the father of the household, and he was only allowed out for Friday prayers. After hearing the entire story, Imam Yassr said, “I think that I can help you. I can help you to leave this family and to get a visa to stay in the United States. I can help you to look for scholarships to study. Will you let me help

you?”

The young man looked suddenly very afraid. “No, no, please. This family tells me that I will study, but first I must learn about how to live here in the U.S. This is not the right time for me. They know what is best. I am happy, very happy to be here with them. Please do not tell them what I have told you. They will think that I am complaining. They know best and I know that they will take care of me. A grand family like this does not break its promises unless there is a very good reason.”

After the young man left the office, the Imam sat and thought. Finally he picked up the phone to call the agency who had offered the workshop. “Hello? Yes, I was at your workshop last week, and I think I need your help.”

### Discussion Questions

1. What are the social and cultural issues in this case?
2. What strategies could the Imam use to intervene successfully in this situation?
3. What could the outreach agency do to help?



## Key Issues – Case Study 10: A Grand Family’s Promise

1. Some societies have intrinsic hierarchical structures that are highly valued and stringently adhered to. This is in contrast to dominant U.S. culture which values equality (“All men are created equal”). Of course, the U.S. has many entrenched hierarchies, but it also has a strong history of common people’s movements and rebellion. In this case, the young man appears to revere the family which has brought him in spite of his poor treatment under their roof. In offering to help him leave the family, the Imam is asking him to challenge that power structure. It can be even more difficult and intimidating to challenge the power structure when you are far from home and without allies.
2. Challenging or denouncing a high-level family can have far reaching consequences back home. This young man might be worried that his own family will be shamed or alienated if word gets back that he was not grateful or obedient. This might have economic repercussions (in terms of job and marriage opportunities) as well as social costs.
3. Hierarchical structures such as this are not only external, community-enforced entities. They can also be internalized by all involved. The young man in this case clearly indicates that the family knows better than he does. Thus deferring to their authority, he is willing to put his own individual human rights and aspirations on hold.
4. When thinking about what to do in this situation, it is most important that the young man always make his own decisions. No matter how egregious the abuses, if this young man is over 18, neither the Imam nor the outreach agency has the right to pressure or push him to do something he does not want. However, the Imam has more cultural power than he is using. Presumably, within the young man’s hierarchical world view, the Imam is quite high up. How can he use the inherent respect afforded him due to his position to support and advocate for this young man?

## Case Study #11: People Have Trusted In Me

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As Abiyatou grew up in the capital city of Banjul in The Gambia, she began to dream big. She saw that there were not enough educated teachers in the schools, and she wanted to go to a good university and come home to start an independent boarding school for AIDS orphans. She talked to many people about this idea until, finally, a friend of her cousin said that he might be able to help her. This friend said that, if she could pay him 85,000 Gambia Dalasi (over US\$4,000), he would help her to buy an airplane ticket, get her documents and visa, and find her a place in an American University. That was too much money, and Abiyatou had not planned on going so far away, so she told her cousin's friend she would think about it.

As the years passed, Abiyatou began to feel more and more uncomfortable in her home city. President Jammeh had made several strong threats against gay and lesbian Gambians, and Abiyatou had secretly fallen in love with her neighbor, a woman. She began to be worried that everyone could look at her and tell what she was thinking and what she was feeling. Then, at a political rally in May, President Jammeh told all gay people they had 24 hours to leave the country, or he would “cut off the head” of any gay person found in The Gambia. Abiyatou was terrified.

The next day she sought out her cousin's friend to see if his offer still stood. It did, and Abi began to visit her family and her friends, telling them of her dream to start a school and asking for a small loan as a contribution toward the costs of her voyage. She was well liked and respected in her community, and it did not take long to raise the 85,000 GMD. When she presented it to the man who would help her, he asked, “And what about the money for the airline ticket? That will be another 40,000 GMD.”

“Oh no! I did not understand that. I thought this included everything! I have raised as much as I can. I know that I cannot borrow more.”

“Never mind. Because I think that you will do very well in America, I will personally loan you the money for your ticket.”

“Oh, thank you. I will not disappoint you. I promise to pay back everything, just as I will pay back my family and my friends.”

When Abi arrived in the United States, she discovered that she had been terribly deceived. She was informed by the woman who met her that she had “bought her” and that she needed to work for her in her hair braiding salon until her debt had been repaid. When Abi asked about her schooling and the secretarial job she had been promised, the woman harshly said, “Those things will have to wait.” Abi was stuck, braiding hair 17 hours a day, but she saw very little money. The woman she worked for claimed that she was taking money out for her food and lodging and debt repayment. The money Abi did receive she set aside, more and more worried about how she would pay her debts back home.

For winter clothes, she visited a local clothing closet at a church, and that is when somebody discovered what she was going through. An elderly woman volunteer asked her a few questions and, upon hearing her story, put Abi in touch with a friend who was an attorney. This attorney

was confident that he would be able to either get Abi a T-visa or that she would be granted asylum because of the threat to her life back home.

“But the application process is a long one, you’ll have to be patient.” “Will I be able to work while I wait? I have many debts to pay back” “For the moment, you will not be able to work. That’s the law.” “Then I can’t do it, sir. I have to work and pay back my debts.”

“But these debts you have will be forgiven. They are illegitimate to begin with.”

“No, no. You don’t understand. So many people have trusted in me. So many people are waiting for me. They need their money back. I must find another way.”

### Discussion Questions

1. What are the social, cultural, and religious issues in this case?
2. Abi has legitimate debt used to pay illegitimate fees. Are there strategies she can use to improve her situation?
3. What strategies could the attorney use to work with Abi in a culturally competent way to find alternate solutions?

## Key Issues – Case Study 11: People Have Trusted In Me

1. It is easy to assume that all the debt that trafficked individuals have incurred is illegitimate, when in fact it is very common for victims to borrow money from family and friends back home. To be effective, outreach and recovery efforts must recognize survivors' obligations to their trust networks and work in partnership to seek ways to pay back that legitimate debt.
2. In many societies, banks and state welfare systems are not relied upon. Instead, a network of lending and borrowing weaves and binds neighbors and family in a web of interdependence and mutual obligation. When this trust is betrayed, it can cause ripples of conflict, resentment and distrust that impact many more people than just the borrower and the lender. In this case, Abi has obligations not only to the people who lent her money, but to her family who will be shamed if she does not honor her debt.
3. In many cultures, action holds weight while words are empty. An outreach worker or attorney might think that if Abi simply were to explain the situation to her network at home, people would understand and forgive her debt. However, it can be just as difficult for people in countries of origin as it can be for those in destination countries to fully comprehend the extent of the trickery and coercion that trapped Abi in this situation. Words spoken over a poor telephone connection or in a letter – when face to face communication is so valued – hold very little weight. What is meaningful is being repaid.
4. In poverty-stricken societies, when someone has gone to a developed country, it is often assumed that that person has access to resources that are out of reach for most. Even with a story of trafficking and exploitation, many people have a hard time understanding that Abi, and others like her, literally have no money. In fact, Abi most likely not only feels an obligation to pay back her debt, but she probably is receiving many requests for help and loans from others in her community.
5. Abi, and most trafficking victims, come from situations of dire poverty. Those who make loans often have very little themselves and genuinely need the money back to buy food and clothes and to pay school fees and medical bills. Even if people believe and understand Abi's plight, that does not take away their need to be repaid.

# Chapter Three: Interviewing Survivors: Getting To The Truth

Whether they voluntarily seek help or are swept up into an ongoing investigation, trafficking survivors who come into contact with police, attorneys and social workers inevitably are asked to provide information about themselves and their circumstances. Conducting interviews can be extremely challenging. There are many forces at play that prevent interviewers from reaching a clear and coherent understanding of the trafficking dynamics and the issues faced by survivors.

This chapter shows how easy and destructive it is in an interview to re-enact the same power dynamics that were present in the trafficking situation by using threats and coercion; it explores traditional gender roles and how those can be exploited to prevent a survivor from speaking out; it illustrates the power of hierarchical social networks in preventing someone from denouncing his trafficker; it studies survivors’ perceptions of who is interviewing and links that to their level of disclosure; it reveals how powerless many survivors feel in the face of a large legal system they do not understand; and it illustrates the influence of trauma, communication style, and different cultural concepts of time on delivering a coherent story.

Several of the cases in this chapter are written from two or more perspectives and thus can be used for either discussion or role play.

Case Study	Summary	Type of Trafficking	Sector(s)
<b>12 – Free to Come and Free to Go</b>	A woman claims she is not a trafficking victim but the police think otherwise.	Sex	Law Enforcement
<b>13 – The Only Man Who Loves Me</b>	A woman is afraid of police and does not want to testify against her boyfriend/pimp.	Sex	Law Enforcement
<b>14 – The Reluctant Witness</b>	A survivor does not want to denounce a prominent and powerful family.	Domestic Servitude	Legal Services
<b>15 – Someone to Look Up To</b>	A survivor only wants to talk to a clinical supervisor who is older.	Labor	Social Services
<b>16 – Your System is a Big Machine</b>	A survivor is afraid to go to police because he doesn’t understand the legal system	Labor	Health Care
<b>17 – It Just Doesn’t Add Up</b>	A detective can’t get a clear story and suspects a survivor of lying.	Sex	Law Enforcement Advocacy

## Case Study #12: Free to Come and Free to Go

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Sue is a young woman from Korea. She was recruited by an agency that promised her a job overseas as a teacher. She borrowed money from friends and family to pay the US\$8,000 fee to come to the United States, but when she arrived she found that her “debt” to the recruiting agency had more than doubled, and she, along with 25 or so other women, was convinced to work in a massage parlor to make more money more quickly. At first she believed that it really was massage work, but quickly discovered that she was expected to perform sexual favors for her clients. After her first client, she felt so ashamed, and trapped. She told the proprietor of her massage parlor that she would try to get that promised teaching job, but she was told that no one would hire her to be a teacher now, not with her history of working here...

Now, months of investigation and undercover work have finally paid off. Detective Kim is part of a team that has just raided several Korean massage parlors in the city, rescuing 27 women and girls and arresting several proprietors and clients. The team is almost certain that these women are trafficking victims. Now the Detective is interviewing the women, and it is not going well. Sue is the third woman Detective Kim has talked to and she, like all the others, insists that she has not been enslaved.

Sue: Listen, the money is good. I’m addicted to the money. That’s why I stay. I am free to come and free to go. It’s my choice.

Detective: But we have very reliable information that tells us that you were probably brought here under false pretenses. Didn’t you think you were coming here to do something different?

Sue: Yes, I thought I would be a teacher. But then I found out the money is better in this business.

Detective: And no one forced you to do this? No one said it was the only way to pay back your debt?

Sue: Listen, I’m not stupid. I know that I could get more help if I told you that I am chained to my bed every night and that they beat me and force me to do this thing. But that is not the truth.

Detective: Well, I only want the truth, but I worry that you are saying these things because you are scared. You know, if things are as you say, you may need to go back to your family back home. Is that what you want?

Sue: No...no.... Please, sir, you will not tell my family? Please do not tell my family how you have found me....

### Discussion Questions

1. Is this a case of trafficking? Why or why not?
2. What are the cultural, social and economic issues in this case?
3. Detective Kim is sure that Sue is a trafficking victim. Why might she be presenting

herself as “free”?

4. If you were the detective in this case, what culturally competent strategies could you use to get to the truth?

## Key Issues – Case Study 12: Free to Come and Free to Go

1. As we saw in Chapter Two: Invisible Chains, there are many things which can limit freedom. While Sue may be free to come and go, she is clearly terrified that her family will find out and believes that she has no respectable option. Many people in Sue's situation would feel ashamed, but in some cultural contexts, the shame goes particularly deep. In cultures that are more collectively oriented, the family is the primary unit of society, rather than the individual. When this is the case, any behavior by a family member reflects on the entire extended family.
2. Although Sue once had aspirations of being a teacher, she may believe that, having worked in a brothel, there is no way back into mainstream society, certainly not in Korea. That being the case, she may be making a calculation that it is better for her in the long term to protect the traffickers and to stay connected to this line of work.
3. Out of frustration, Detective Kim has fallen into a common trap. He or she has indirectly threatened that Sue will be sent home if she does not cooperate. This may be the truth, but the way that it is said re-enacts the very dynamic that may have trapped her in the trafficking situation to begin with. It is unlikely that this tactic will work with a woman who has been systematically frightened and threatened and has developed sophisticated strategies to respond and resist.
4. The goal in any interview is not to get information at any cost, but to help remove any obstacles to telling the full truth. Once those obstacles are identified, and then removed as much as they can be, attorneys, police and victim advocates all must recognize and accept that it is the victim's choice about whether to speak or not. As tempting as it is, it is not ethical to trick, manipulate or threaten victims into speaking. Such tactics replicate the power dynamics of exploitation and do not guarantee accurate information.



## Case Study #13: The Only Man Who Loves Me

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### Service Provider

You are a U.S.-born law enforcement officer interviewing a 19-year old woman who was picked up in a police raid of a local brothel. You need to gather information from her to identify whether she is a victim of trafficking. You also need to convince her to testify against her pimp, whom she claims is her boyfriend. Your ability to prosecute the pimp relies primarily on this woman's testimony.

Conduct an interview with the woman to identify if she is a victim of human trafficking and, if so, convince her to testify against her pimp.

### Victim

You are a 19-year old woman from Mexico. Last year, your boyfriend, Carlo, told you he could get you into the U.S. to work as a waitress at a local restaurant where he also worked. He said he would help pay the expenses to get you into the country, and then you two would live together and get married. But when you arrived, and Carlo took you to the restaurant, you were told you would have to strip and table dance to pay back the fees you owed the *coyote* who smuggled you into the country. Carlo said that you had to pay him, and he would make sure to pay the *coyote* for you. He also said the money you earned would take care of food, clothes, and other necessities.

When you are taken to the police station, you are afraid to speak to the officer. Carlo has told you that the police in the U.S. are cruel to illegal immigrants, especially women. You also don't want to say anything bad about Carlo. You believe he is the only man who loves you, and he has bought you food and clothes since you came to this country. You avoid making eye contact, mumble, and slouch in your seat.

### Discussion Questions

1. What are the dynamics between Carlo and the 19 year-old woman? How might cultural and gender issues impact this relationship and the woman's willingness to talk to police?
2. Carlo tells his "girlfriend" that police are cruel to illegal immigrants, especially women. What are the political and social dynamics that make this threat believable?
3. What are some culturally competent strategies the police officer can use to get to the truth?

## Key Issues – Case Study 13: The Only Man Who Loves Me

1. It is common for traffickers to instill in their victims a fear of law enforcement. It is an extremely effective tool for control. This fear is easily exploited because, not only have many trafficked persons been involved in some illegal activity, but they often have had negative experiences with police in their home countries. In some societies underpaid police officers are known for their corruption, and in conflict-zones police themselves may be violent and dangerous. Thus, some victims may be particularly reluctant to trust any authority.
2. Though abusive relationships between men and women exist in every culture, entrenched gender hierarchies can compound and reinforce these dynamics. It is not uncommon in many cultures for women to hand money that they have earned over to their husbands or male partners. Dependency on men for basic needs such as “security,” housing and food can be the norm.
3. It can be particularly difficult for a person to extricate herself from this type of “intimate” enslavement, because it often involves profound emotional attachments and psychological abuse, related to the dynamics of domestic violence. The victim can believe that she is “loved” by her abuser, and can internalize the messages that she is nothing, and not lovable, without her “boyfriend.”

## Case Study #14: The Reluctant Witness

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### Provider

You are an attorney working for a local NGO to provide legal representation to immigrants, including trafficking victims. Your most recent case is an African woman who was forced into domestic servitude for several years by a prominent family in the U.S. When she was first interviewed, she told law enforcement that the family had promised her a good life and the opportunity to go to college, in exchange for caring for their children and helping the wife out with household chores. She was promised a certain wage for her work plus the family promised to pay for half her college tuition. However, when she arrived in the U.S., her visa and identification cards were taken. She was never paid a wage, as the husband and wife told her she had to first work off the expense of her flight and travel to the U.S., plus pay for her rent, food, and clothing. She said she was regularly beaten by both the husband and wife, and you suspect the husband may have sexually abused her.

You are guiding the woman through the criminal investigation process. However, lately she has seemed withdrawn and unwilling to cooperate with you or law enforcement. You know that in order to prosecute the traffickers and win her a T-visa, you need to convince her to testify against them.

### Victim

You have been living in the United States as a servant for a prominent family from your village for several years. Originally, the family had promised to provide you with an opportunity to go to college and make some money to send home to your family, in exchange for being a nanny to their children and helping the wife around the house. However, when you arrived in the U.S., they took your visa and identification documents. You have never had the chance to go to school, much less leave the house unattended. You were regularly beaten by both the husband and wife, and sexually abused frequently by the husband.

You finally were able to escape and have been assisted by a local agency. But now the authorities want to use you as a witness against the husband. You do not want to denounce the family. Although the husband beat you and sexually abused you, that is not considered a crime in your culture. Besides, the family fed and clothed you for years, and you think of their children as your own. You also fear that, if you testify, it will bring shame to your family, since your traffickers are a prominent and powerful family in your village. You do not answer many of the attorney's questions for fear of saying something that will get you or the family in trouble. You avoid looking into the attorney's eyes, and look at the floor or out the window.

### Discussion Questions

1. The victim in this case feels ambivalent about testifying against the family. What are the psychological, cultural and gender-related dynamics that make it difficult for her?
2. Nothing in this case suggests that the traffickers physically threatened the survivor's family back home, and yet the survivor is frightened of negative consequences. If not

- physical violence, what consequences might befall her family if she were to testify?
3. What culturally competent strategies can the attorney use to support the client?

## Key Issues – Case Study 14: A Prominent Family's Crime

1. Although victims of human trafficking may desperately want to escape an abusive situation, to actually testify against their traffickers requires another level of risk. Where established hierarchies give order and meaning to society, a person low in the hierarchy is expected not to challenge the elite. If she does, this could mean repercussions on her own extended family back home.
2. When trafficked persons worry about the wellbeing of their family back home, providers can often assume that they are worried about violence. Often the danger comes in more subtle but just as dangerous forms – family members may be ostracized from networks of crucial support in their community; they may find it suddenly difficult to keep their jobs, and be left with no one to ask for support for their children's basic needs.
3. Trafficking victims will wonder how they can explain the situation to their families back home when phones are not used commonly, email very rarely, and the mail is unreliable at best. When evidence is not available, the benefit of the doubt will go to the prominent family. Worse, lies could be spread about the victim: she stole, she was lazy, she is ungrateful, etc. In a collective society, that not only brings shame to the victim herself, but to her family as well.
4. Ultimately, the decision about whether to testify belongs to the survivor. Although the attorney is working to convince her, she must remember that the survivor is the expert in her situation, the survivor understands best the possible repercussions, and the survivor has the power to choose what to do. The attorney should be a partner – presenting all possible options, and helping her client think through the pros and cons to each. The attorney is an expert only in the way the system works, nothing more.
5. When a survivor is clear that he or she does not want to testify, the attorney and others can always offer to be available in the future, if the survivor changes his or her mind.

## Case Study # 15: Someone to Look Up To

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You are a clinical supervisor in a social service agency. Among a broad diversity of clients, your agency occasionally serves survivors of human trafficking. You are a woman who has been working in the field for over 30 years, but working with human trafficking victims is relatively new for you. Intake for one such suspected case of trafficking has been assigned to a young and very talented social worker who reports directly to you. The client, a young man who had been working in a factory until recently, was referred by a local homeless shelter.

When the young social worker comes into her weekly supervision with you, she is extremely frustrated. She says that she had gone through the intake procedure with this client and gotten no information. The client smiled, was polite, and repeated that he needed help, but he absolutely would not tell his story. The social worker says that the intake form is still almost completely blank.

You and your supervisee walk through all the possible reasons for the client's discomfort with disclosing. You know that your supervisee is gifted at encouraging people to open up, and so you are mystified. Finally, you both agree that you will attend the next session so that the two of you can work as a team.

At the next session, the client's face seems to clear with relief when he sees you. Although your supervisee asks all the questions, the client directs all his answers to you. He talks openly and cries frequently. At the end of the session he agrees that he would like the agency's help and then turns to you and asks, "Will you be here again next time?"

After the client leaves you and your supervisee debrief the session. "It must be something about the way I look," you say. "I hardly said a word in there."

"Honestly, I think it's because you're older," says your supervisee. "I think he just really needs someone who he can look up to right now."

### Discussion Questions

1. What are the issues from the supervisor's perspective? What are the issues from the supervisee's perspective? What are the issues from the client's perspective?
2. How would you respond to the client's request that you be there next time?
3. Clients often feel more comfortable talking with someone based on their age, their gender, their national origin, their race, their sexual orientation, etc. What are the challenges surrounding these client preferences? How should an agency respond to these preferences?

## Key Issues – Case Study 15: Someone to Look Up To

1. In hierarchical cultures, age is often particularly important, and the older one is, the more respect he or she is afforded. In egalitarian cultures, this dimension of diversity can often go unnoticed.
2. This case poses an ethical dilemma not only for social service agencies, but for any organization that comes into contact with survivors, from health care, to legal services and law enforcement. On the one hand, it is important to tune into a client's needs and world view. On the other hand, catering to a client's preferences for who helps him or her can be a slippery slope and can lead to discrimination based on age in this case, but based on gender, religion, sexual orientation, or national origin in other cases. What policies and practices take these varying needs into consideration?

## Case Study #16: Your System is a Big Machine

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Alexander is a trafficking survivor from Kazakhstan. He is in his late 50s. Attempting to help his family by getting a well-paying job in the U.S., he was tricked. He found himself on the streets of a big city, first begging and forced to give all his money over to the “boss,” then being “encouraged” to take small doses of heroin until he got hooked and sold heroin for the boss just to get an occasional fix. He and 47 others were in the same situation, and anyone who threatened or tried to leave got seriously beaten, and sometimes left for dead. One day, he too, tried to slip away. One of the boss’s henchmen caught him and that night they took him out into a back alley and beat him severely. He was found by a waitress taking out the trash in the early hours of the morning, and she called an ambulance.

When he recovered consciousness at the hospital, Alexander pours out his story to a sympathetic doctor. Then they have the following conversation:

Doctor: This is terrible, what has happened to you. Why don’t we call the police and you can tell them what you’ve told me and they will help you.

Alexander: Oh no, oh no. I have broken so many laws you see. I don’t have my visa, I have taken drugs, sold drugs. They will throw me in prison, beat me, demand money and I have no money, send me home in disgrace.

Doctor: Well, what if I ask the social worker to find you an attorney to help you. This boss of yours is a much bigger criminal than you. If you testify against him, I am sure that you will not be prosecuted.

Alexander: I don’t understand. If I tell what happened, they will put me in jail, or worse. They will do the same to my friends that I left behind there. I cannot inform on them to the police.

Doctor: But if you cooperate, I’m sure they’ll help. I don’t know, but a lawyer could tell you what is best to do.

Alexander: No, no, this system you have is a big machine. It will chew me up and spit me to my home country. Now, these bad men think I am dead. I will go to another city and try again.

### Discussion Questions

1. What are the cultural and social issues in this case from Alexander’s perspective?  
From the doctor’s perspective?
2. What culturally competent strategies could the doctor, or any other service provider, use to help Alexander make an informed decision?
3. What legal obligations does the doctor or social worker have to contact law enforcement?



## Key Issues – Case Study 16: Your System is a Big Machine

1. People who have been trafficked from other countries often do not understand the criminal and legal system in the United States. Thus, the idea that cooperation can lead to a reduced sentence or dropped charges may be a particularly foreign concept to a survivor.
2. Trafficking victims have been promised many things. Just because a doctor or attorney or police officer promises that cooperation will be rewarded, a survivor may see no reason to trust that it is so. The more a service provider urges a survivor to trust him or trust her, the more likely a traumatized survivor is to withdraw, because the dynamic is so familiar.
3. Alexander makes an allusion to the fact that he has no money with which to bribe the police. In many societies, police corruption is rampant and so it is natural that some trafficking survivors would rather avoid law enforcement than take the risk of being indebted once again.
4. Compulsory disclosure by doctors of patient information is generally governed by state law, and thus varies from state to state. However, doctor-patient privilege generally prohibits doctors from disclosing patient information to the authorities except in cases relating to crimes of violence, such as gunshot wounds, stabbing wounds, or child abuse.

## Case Study # 17: It Just Doesn't Add Up

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You are a detective working a multi-victim trafficking case. You have invited a victim advocate to attend your interview with a young man who claims to be a victim of human trafficking. He says he was brought to the United States when he was 17 years old and forced to prostitute himself, but much of his story is not adding up. You need to get all the details in clear chronological order, and you're not getting this. You decide to approach the victim advocate during a break to see if he can help you get to the truth.

Detective: Listen, this is not going well. It's as if this kid is talking in code, but he needs to understand that he needs to tell me exactly what happened if I'm going to help him.

Advocate: I just think it's going to take time to build trust with him. I've been working with him for a few weeks and only now is he starting to open up.

Detective: I understand that this is hard and he's been burned by everyone, so why trust me? But we don't have time. We need to get a warrant to bust these guys, and the more time that passes the less chance we have of succeeding. I know I'm pressing him hard, and I hate doing it, but he has to understand that if he doesn't cooperate he's going to get sent back home. That's not a threat, it's just the truth.

Advocate: I understand that, but I don't think he does. I don't think he understands why we're asking him to relive everything and give us all this gory detail. It's completely re-traumatizing him.

Detective: Well, I hate to say it, but right now it looks as though he's lying. First he tells me he came straight from Guatemala to the U.S. on a plane, then he tells me, no actually he came by truck and spent 6 weeks in Mexico first. Then he tells me he services 15 clients a day, then the next he says it's 7, then 30. He says he is locked in, but then he's telling me about times when he went out with his friends. He tells me he is 17 years old, and then he tells me he's 20. It just doesn't add up. I don't know if he's lying to protect someone or what he's afraid of, but I can't help him or those other kids until I get the story straight.

Advocate: I really don't think he's lying. I think he's confused and traumatized and so his memory of things is fuzzy. And we're working through an interpreter and I think that makes it harder. Can I talk to him to see if I can get him to understand better what we're trying to do here?

### Discussion Questions

1. What are the issues in this case from each person's perspective?
2. Why is it so difficult to get a "straight story" from the victim? What are the factors that might be at play?
3. What are some culturally competent strategies that the advocate or the detective could use to improve the situation?

## Key Issues – Case Study 17: It Just Doesn't Add Up

1. Trauma can blur and confuse memory. Many people who are severely traumatized will initially have difficulty telling a coherent story. Memory serves to protect the victims and some images are clear and crisp, while others may be completely blocked out.
2. In the dominant culture in the United States, the sense of time is very linear and stories are usually told in chronological order. In many other cultures, time is event-focused rather than linear. People may tell stories in a circular pattern, linking events and circumstances in a non-chronological order. This poses particular difficulty for an attorney or detective who is building a case in a U.S. court of law, in which a circular mode of storytelling can give the mistaken impression of lying and deception.
3. Some cultures are very direct in their communication, relying primarily on words to relay meaning. The dominant culture in the United States is like this, particularly in a court of law. Other cultures, however, are indirect with communication, relying more on symbols, metaphors, inference, and surrounding context to relay meaning. This tendency to indirect communication can become particularly strong when the conversation is about a difficult and painful topic, such as trauma and sexual exploitation. In this case, then, the client may indeed be speaking in “code” as the detective suspects.
4. Working through an interpreter can further confuse the story. Just because the client is from Guatemala does not guarantee that his first language is Spanish. Thus, vocabulary, tenses and tense conjugation can often be confused, thus further distorting the chronology and clarity of the story.
5. Aside from these cultural and linguistic obstacles, the client of course is likely to be operating in a climate of fear – fear of repercussions from the traffickers for cooperating and distrust of law enforcement based on past experiences in his home country and in transit.
6. The pressure and the hint of threats and coercion present in the interview with law enforcement echo uncomfortably of the dynamics of the trafficking situation. Given these dynamics, it is not surprising that the client is slow to trust, resistant about disclosing the full truth, or confused about the details and chronology of his story.
7. First, the client has to decide whether he wants to tell his story to the police. In order to make that decision, he needs to understand why he is being asked to do so and what the outcomes most probably will be. It is always his choice whether he talks or not.

8. If he decides to share his story with police, then a counselor or advocate can work with him to reconstruct his narrative so that he can tell it more clearly to the police. A variety of culturally competent interventions exist to help, including a mapping process in which the client literally draws his story like a river or road. This of course only works if the client is literate.
9. This type of process takes time to build trust and to recover from the initial fear and shock of just having escaped slavery. The difficulty is that often law enforcement does not have this luxury of time. Are there ways to build rapport and trust more quickly? Does the pressure being exerted in the interview help or hinder the process of getting to the truth?

# Chapter Four: Helping Survivors— Interventions for Recovery

Once victims have been identified they are often linked with social services, pro bono attorneys, and community organizations to support them as they recover from their negative experiences and begin to rebuild their lives. Intervening in positive, culturally competent, and effective ways is difficult. There are many common pitfalls, and some agencies report that survivors “disappear” after a short time. It is believed that some of these survivors get drawn back into the trafficking situation, but it is also possible that others drop away from those intending to help because the interventions are not helpful, and in some cases are harmful.

This chapter studies the cultural nature of “boundaries” between professionals and their clients; it explores gender dynamics and the challenge of designing interventions that are client-driven; it examines the dependence that some clients have on service agencies, and the resulting pressure to participate in intervention programs; it illustrates the negative and sometimes dangerous consequences of assuming what makes a client feel safe; and it discusses the somatization of trauma symptoms and the role health care plays in the holistic treatment of patients.

Case Study	Summary	Type of Trafficking	Sector(s)
<b>18 – The Only Friend</b>	A client wants to visit his attorney at her home and asks for a personal loan.	Labor	Legal Services
<b>19 – What You Need</b>	A client feels that his female social worker doesn’t understand his priorities.	Labor	Social Services
<b>20 – Stonewalled</b>	A counselor worries that a client feels forced to participate in individual therapy.	N/A	Social Services
<b>21 – The Group</b>	An agency incorrectly assumes that group therapy is a useful intervention with one client.	N/A	Social Services
<b>22 – The Best Intentions</b>	A community volunteer endangers a survivor by assuming she wants contact with her ethnic group.	Domestic Servitude	Community
<b>23 – Who’s the Boss?</b>	An attorney has a difficult time encouraging her client to give her true opinion.	Sex	Legal Services
<b>24 – Missed Message</b>	A doctor misses the somatic nature of a patient’s symptoms.	N/A	Health Care

## Case Study #18: The Only Friend

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### Attorney

You are an attorney who has taken on a trafficking victim case pro bono. Your client, Augustine, is a young man from Central Africa, and his story is heartbreaking. Much of his family was killed in war or by AIDS, and he was left on his own to make ends meet and to take care of his four younger siblings. He seized an opportunity to come to the United States for work, believing that he would be able to send money home to his brothers and sisters. But when he arrived, he was put to work in a factory in slave-like conditions, beaten regularly, and never paid. He is a part of a multi-victim case, and you are quite certain that you will be able to help him secure his T-visa and other benefits.

Over the past few months, you have grown very fond of Augustine, and you care tremendously about his future. However, you have started to feel uneasy about maintaining professional boundaries. Augustine drops by your office frequently just to visit, without a prior appointment. He has brought you gifts of fruit and talks to you about his siblings back home. A few weeks ago, he said to you, “I will come to visit you in your home!” Not knowing how to respond, you simply smiled and mumbled that that would be nice. Now, every time he comes to see you, he asks about a good time to visit you at home.

Yesterday, he told you that the new school year is starting and that he needs school fees for his younger siblings. He has asked you to loan him \$400 to send home for school fees. You feel upset and as though Augustine is taking advantage of you. You decide that the next time he comes without an appointment you will simply ask him to leave.

### Client

You are a 21 year old man from Central Africa. Most of your family was killed in war or by AIDS, and so, at the age of 15, you were left on your own to take care of your four younger siblings. When the opportunity arose to come to the United States for work, you seized it, believing that you would be able to send money home to your brothers and sisters. But when you arrived, you were put to work in a factory in slave-like conditions, beaten regularly, and never paid. A few months ago, the police broke up the operation, and you have been helped by your attorney, Jessica.

Jessica is the only friend you have in this country. She has been so kind to you and has listened to your problems. She has helped you to get your visa and to navigate the court system. And she has asked nothing in return. She is truly a good person. You have been looking for ways to thank her but she often refuses. You are sure to visit her frequently and, when you can find the money, you buy her some small fruit. You feel ashamed that all you can bring her is this fruit. If she were in your country, you would wait until your goat had given birth and you would bring her a small goat as thanks. You would like to pay her the proper visit in her home so that she can understand how much you honor and appreciate her.

Recently, you have been feeling very upset. You have been getting letters from your neighbors about the poor conditions in which your siblings are living. The oldest remaining sibling is working and the others will be expelled from school soon for lack of paying their school fees.

Your neighbors have been taking them milk and beans and potatoes every week so that they don't starve. The neighbors accuse you of forgetting your family, of stealing the money you are making and getting rich all alone. They say no one in the community believes your story, not even your brothers or sisters. They cry as though you have died.

You have no where to turn but to Jessica.

### Discussion Questions

1. What are the cultural and economic issues in this case?
2. What culturally competent strategies can Jessica use to address the situation?
3. How can Jessica maintain professional boundaries while at the same time not diminish her caring for or connection with Augustine?
4. What culturally competent strategies can Augustine use to address the situation?

## Key Issues – Case Study 18: The Only Friend

1. The idea of “professional boundaries” is quite unfamiliar in many countries, or boundaries may be drawn differently. People often have multiple relationships within their communities and play multiple roles for one another. Thus, an explanation that one has to maintain boundaries can be inscrutable and even hurtful.
2. Asking for loans is very common in Central Africa and in many other regions of the world where poverty is rampant, a communal orientation is common, and government welfare and aid systems are not well-rooted or reliable. Through loans and gifts, people with next to nothing help those with nothing. This dynamic often develops into a patron- type relationship, with wealthier members of the community earning esteem by supporting others’ education and providing food and housing when they are able. In a more prosperous and individualistic society such as the United States, being asked so directly for a personal loan can feel extremely uncomfortable, particularly when money exchange has not thus far been a part of the relationship. Furthermore, in Central Africa it is acceptable to say no to such a request, if you can offer a good and honest reason. In dominant U.S. culture, saying a direct no feels extremely rude, particularly when faced with the reality of the vast difference in means and resources between the asker and the person being asked. However, to say yes would feel wrong as well – as though somehow one was being taken advantage of.
3. While inviting someone to your home is the honor in some cultures, visiting another person’s home is the honor in Augustine’s culture. It is more polite to offer to visit than to invite someone to visit you. In Augustine’s home culture, afternoons and evenings are spent visiting neighbors unannounced and uninvited. A Rwandan saying says, “The home that is frequented by many visitors is a good home.”



## Case Study #19: What You Need

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### Provider

You are a female social worker assisting a man who was a labor trafficking victim. You are working to assist him to recover from his ordeal and to get his life back on track. The handful of times you have met with him, he has been quiet and unresponsive to your questions. He has also missed several appointments that you set up for him, including medical and dental check ups. When you asked him why he missed these appointments, he said he arrived, but they would not see him because he was late, or his appointment was for a different day than the one he arrived on. You also got him enrolled in a job training class, but you heard from the teacher that he did not show up to the first class last week. You are getting frustrated with this case. You feel like you are going above and beyond to help this man out, even though you have a very full caseload, and he does not seem to want or appreciate your efforts. You have a meeting set up with him today to talk about his needs.

### Client

You are a middle aged U.S. American male who was recruited to work on a migrant farm. Your family was desperate for the money, and you met a man who said he could get you onto a farm that would pay well if you paid him a fee. When you arrived, you were put in squalid conditions with twenty other men. You were told that you had to work off the debt you owed, as well as for your food, shelter, and other needs.

Although you are happy to be out of the terrible conditions within which you were working, you are frustrated that you cannot find work. You need to send money home to your family. Because you weren't able to find a job at home, you worry that your only chance of finding a job in this new place is through this agency. The social worker helping you is pleasant, but you don't think that, as a woman, she understands your obligations to your family. She has set up job training classes for you, and medical appointments, but what you need is a job.

## Key Issues – Case Study 19: What You Need

1. The social worker may or may not recognize that her client's first and perhaps only priority is earning money. Assuming that her client is not capable of finding well-paid work, she has tried to meet what she assumes to be his other needs – health and job skills. However, it is not clear from the case that she has asked the client himself to identify and prioritize his needs.
2. Not responding to the client's clearly expressed needs compounds the client's perception that this woman does not understand him. This perception is reinforced by his stereotypes of women and perhaps by his expectations of gender roles.
3. Thus far, the client feels helpless. He has been deceived and exploited by the traffickers. Now, he cannot help his family no matter how desperately he wants to. The social work intervention is very subtly reinforcing this powerless position – the social worker herself is setting the agenda and making assumptions about secondary needs. It is understandable, then, that the client will passively resist by not showing up to appointments and classes. Yet, in another re-enactment of the trafficking situation, he may feel forced to stay engaged with the social service agency in order to begin to work.
4. Many trafficking victims have been profoundly disappointed. Often, as a self-protective mechanism, they will expect to be disappointed by those who promise to help them. This disappointment, then, can become a self-fulfilling prophecy.
5. In many cultures, time is fluid and the concept of fixed appointments is unfamiliar. Thus, it is quite common for clients from different cultures to arrive early or late for appointments, or even to arrive on a different day. Often, they are willing to wait for hours in the waiting room, because this is how things happen in their home countries. People who live in poverty in the U.S. often have the same experience. The only way they can access health care is to show up at the emergency room, where they often wait for hours. They spend hours in government offices to collect benefits or get their paperwork in order. These experiences can also impact expectations about scheduled appointments.
6. This fluidity of time is often due to the unreliability of transportation or the expense of telecommunication and many clients have limited resources to call in advance. Furthermore clients may not be comfortable talking on a phone or leaving a message. An automated system can be particularly daunting, even when language itself is not an obstacle. Many clients may have to catch one or more infrequent buses to arrive at the agency or hospital, and some may not be familiar with reading bus timetables or navigating this public transport system.
7. When a client is chronically late or absent from appointments, it is important to not only explain the cultural expectations and consequences around punctuality, and but

also to ask the client about the obstacles to arriving on time and work with him or her to manage or overcome those obstacles.

## Case Study #20: Stonewalled

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You are a counselor at Charles County Youth and Family Services and you are frustrated. This is the fifth session you've had with a victim of human trafficking, and you have been talking about the same few things again and again. You feel stonewalled. This individual therapy is going nowhere. You understand that the client's attorney has pushed for this because it will help your client's immigration case to see that she has been in therapy. And you understand that your agency receives its funding based on the services it provides. But you are starting to feel distinctly uncomfortable.

Now that you think about it, the client never really made the choice to participate in individual therapy. The attorney has told her she needs to go to counseling, and you worry that she thinks that she'll be denied a T-visa if she doesn't come. You have tried to give her the choice, and to explain the purpose of the therapy, but it doesn't seem to be sinking in. You feel as though the client obediently shows up and endures the sessions, but nothing more.

She has made a few comments about the process. She has said that other people might think that she is crazy. You tried to assure her that in the U.S. many people come to counseling and that it doesn't mean you're crazy. She has also said that she wants to forget the whole thing and move on. She has complained to you about how difficult it is to recount to her attorney everything that happened, and she doesn't understand why that is necessary.

You start to doubt yourself and the whole process. Are you doing something wrong? Is it something about you – your gender or your age? Does the client feel forced to participate in these sessions? If so, aren't you and the agency simply reproducing the very same coercive dynamics that landed her here in the first place?

### Discussion Questions

1. What are the cultural and clinical issues at play in this case?
2. What might be going on for the client?
3. What culturally competent strategies can the counselor and the agency employ to improve the situation?
4. How can the counselor and agency work more effectively with the attorney to ensure the client's welfare?

## Key Issues – Case Study 20: Stonewalled

1. Individual therapy is a very culture-bound concept, and thus is often stigmatized in many cultures as a Westernized health intervention for “crazy” people.
2. Although therapy is culture-bound, most cultures have formal and informal mechanisms for seeking help and confiding in a respected member of the community. Thus, although it might feel foreign to go to a stranger in an office at a prescribed time, confiding in a trusted and uninvolved party is a part of recovery in most cultures. Therefore, how one describes and explains therapy is paramount to its success.
3. When trauma has been experienced, there is an inherent and universal tension between needing to remember and wanting to forget. Different cultures, then, have different belief systems about how to handle that tension and about what is best. Most therapeutic approaches assume that a degree of remembering is important and inevitable, while there are some cultures which put a much higher premium on forgetting bad things that have happened.
4. Therapists and other service providers have an ethical responsibility to avoid a continuation of the exploitative and coercive dynamics of the trafficking situation. Though of course much more subtle, pressuring someone into therapy for whatever reasons is asking them to prostitute their story in order to earn the basic needs of food, shelter, clothing, and legal documents.

## Case Study # 21: The Group

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You are a trafficking survivor and you have recently been referred to an agency that has been helping you find a place to live, get clothes, communicate with your family back home and begin to recover from the terrible experience you have had. At the intake, the agency assigned you to a case worker, an individual therapist and group therapy. You really like your case worker and your therapist. You feel free with them and you can talk openly. But you dread going to the group. Some of the men in the group had experienced the same thing as you. Some are from your country. The group therapists always ask you to talk about what you're doing now, and how you are recovering from your bad experience, but you are too afraid to talk in this group. They could be spies, or word could get back to your family about what has been going on. Perhaps your family will be hurt or threatened. You want to tell your case worker or your therapist that you hate the group, but you are worried that you will offend them, or that you will not be welcome at the agency any more. Sometimes you skip sessions or you come late. When you feel you must talk in the session, you often lie about your circumstances or say as little as possible.

### Discussion Questions

1. What are the cultural and social issues in this case?
2. Why do you think the intake coordinator recommended a group intervention for this client? Might stereotypes have been at play?
3. Think about the client's fear of expressing his displeasure to his other helpers. What might be at the root of this fear?
4. By not clearly seeking out the client's preferences for intervention, the agency is unwittingly mirroring the dynamics of coercion and pressure that were present in the trafficking situation. Talk about other instances when this might be happening in your agency.

## Key Issues – Case Study 21: The Group

1. While research has shown that group interventions are often very helpful for clients coming from a more collectivist cultural orientation, it is important to never assume what will be most helpful but rather give a client the choice. In this case, the group context was threatening and detrimental to recovery.
2. In the early stages of recovery, a survivor may still see him or herself as a victim. Thus, it is very easy to recreate similar unhealthy patterns of coercion because the survivor may be afraid and therefore very slow to challenge these patterns. In fact, victims may behave as though the abuse of power and coercion exist, even when they don't. But by perceiving these patterns and behaving accordingly, they can unwittingly create a dynamic that is similar to the trafficking dynamic. Social service agencies must be particularly vigilant if they are to interrupt this unhealthy pattern.
3. In this case, the agency is perceived as controlling the things the client needs: food, housing, clothes, communication with family, legal documents, etc. Therefore, the client goes along with other interventions in order to get those basic needs met. This is a similar dynamic to what happened in the trafficking situation. Invite participants to think about examples of this happening in their own agencies, ask them to look at the structural forces which make this difficult to change, and challenge them to develop realistic strategies for shifting these dynamics.

## Case Study # 22: The Best Intentions

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An agency that works with survivors of domestic enslavement has just matched a survivor with a volunteer family in the suburbs. This family's role is to help the survivor, Rashmi, improve her English, learn how to navigate the city, and develop some friendships. The family invites Rashmi to dinner once a week. They invite her to come to Synagogue with them on Saturday and to attend the children's baseball and soccer matches.

Over time, Rashmi becomes particularly close with the mother of the family, Janice. She and Janice go clothes shopping. They teach each other how to cook different dishes, and over coffee in the kitchen, Rashmi begins to open up. She tells Janice about the abuse she suffered at the hands of her past employers. She talks about how terribly she misses the children she cared for in their home. She tells Janice how homesick she is for India, but how she feels she can never go back. She tells Janice how she is not happy where she is living and she would like to make a change.

Hearing all that Rashmi has been through, Janice cannot stand to sit back and simply listen. She feels as though at least her life should be easier now and determines to do something to help Rashmi feel less alone and less isolated from her own culture and country. On her next visit to her favorite Indian restaurant she seeks out the owner, with whom she has exchanged pleasantries and conversation for the past 6 years. She confides the problems Rashmi is having and asks advice. The owner says that he knows of a room in a house that is opening up. Rashmi could probably move in and share the house with three other young women from India.

Excited at this development, Janice calls Rashmi immediately and asks her to come to meet the owner of the restaurant. When Janice and Rashmi walk in, Rashmi's entire demeanor changes dramatically. She looks down at the ground and becomes extremely quiet. Janice thinks she might even seem a bit afraid. After leaving the restaurant, Janice turns to Rashmi and says hopefully, "Well, what do you think?"

Rashmi looks out the car window. "I am so grateful to you," she mumbles.

### Discussion Questions

1. What is going on in this case?
2. Rashmi's nonverbal cues send a clear message that something is wrong. However, she does not tell Janice anything directly or verbally. Why not?
3. Janice is motivated by a genuine desire to help. However she may have unintentionally endangered Rashmi. What assumptions underlie Janice's actions? What could she have done differently?
4. Have you ever tried to help and got it wrong? What could you do differently next time?



## Key Issues – Case Study 22: The Best Intentions

1. Trafficking victims often face a dilemma. If their traffickers are well connected within their ethnic community, it may now be physically dangerous to be a part of that community. So to protect their physical well-being, many clients remain extremely lonely and isolated outside of their own ethnic community. Different survivors have different circumstances, and thus it is best not to assume but rather to ASK a survivor, trusting that he or she is the best judge.
2. In this case, Janice made a series of assumptions and stereotypes about what would feel comfortable and safe for Rashmi. Whether the help comes from a concerned community member, an attorney, a victim advocate or a social worker, when the survivor is in control, rather than the helper, it is less likely that inaccurate stereotypes and assumptions will endanger the client.
3. In this case, class, caste and social status may have had an impact on Rashmi's reaction to the restaurant owner. The owner may know the abusers, or certainly he may be in the same class as them. Due to this perceived similarity, Rashmi assumes that his loyalty is to the abusers rather than to her. She may or may not be correct in this assumption, but it impacts her behavior nevertheless.
4. Janice's approach did not empower Rashmi. Rather, Janice was invested in her own role as rescuer and thus, inadvertently kept Rashmi in her role as victim. It might have been far more helpful if she had helped Rashmi brainstorm other living situations and supported Rashmi in taking action herself.
5. If Rashmi comes from a cultural context in which it is inappropriate to directly verbalize her needs or her negative reactions, she is unlikely to tell Janice directly that there is a problem. The case indicates that Janice is sensitive to Rashmi's nonverbal and indirect cues. What could Janice do to improve the situation?

## Case Study #23: Who's the Boss?

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“I can't tell what you what to do,” said Lisa, an attorney for an underage sex trafficking client from Malaysia. “You have the choice about whether you talk to the police. No one is forcing you, but if you do, it will help your case and help the others who are still in the same situation.”

Lisa's client, Mai, kept her eyes to the floor. “I think that you know best. You are the attorney. Please tell me what I should do.”

“Well...it's your choice, but I think that you should talk to the police.”

Mai nodded, her eyes still down.

Lisa felt unsure about this. Last week, Mai had said she wanted to talk, but then in the interview with the police she had said next to nothing. She is not sure what Mei really needs or wants. She is not sure whether all safety issues have been adequately considered. She is finding it nearly impossible to strike a balance between giving Mei advice and ensuring that she has the room to make her own decisions.

“OK, Mai, we'll do whatever you want. But I want to be sure that you understand that you are my boss. I can tell you what I think is best, but you need to tell me what to do.”

Mai smiled and looked up briefly. Then down at the floor again and nodded.

Lisa continued. “Talking to the police is better, but you don't have to. You are under 18 and that means that you have rights, and you can stay here and go to school even if you don't talk. Do you understand that?”

“Yes.” “So, what would you like to do?” “What do you think? I will do what you advise me to do.”

### Discussion Questions

1. What are the cultural, gender and age issues in this case?
2. What are the challenges from Lisa's perspective?
3. What are the challenges from Mai's perspective?
4. What culturally competent strategies could be used in order to work more effectively together?

## Key Issues – Case Study 23: Who’s the Boss?

1. While the attorney in this case is verbally communicating very directly, the client is sending non-verbal, indirect messages. Thus, the two are missing one another’s points, with Mai trying to read the attorney’s indirect meaning and the attorney listening for Mai’s words to tell her what she needs, rather than watching her behavior with the police and her body language in the interview.
2. In Mai’s cultural world view, it may not be considered polite for her to name her own needs so directly. In fact, in her family and community, someone else is supposed to name your needs. This way of communicating is particularly prevalent in very collectivist cultures. If someone is to directly name her own desires, opinions, or needs, it can be viewed as self-centered, arrogant, disrespectful, and ungrateful. While Mai comes from this perspective, her attorney is steeped in an individualized culture of self- advocacy. Thus, both Mai and Lisa feel distinctly uncomfortable and worried about disrespecting or violating the other.
3. These dynamics are compounded by the age difference between the client and her attorney. In Mai’s culture, she is expected to defer to any one who is older than her, and she views Lisa as an older sister. Thus, she needs to show Lisa that she respects her advice and her opinion. When Lisa tries to shift these power dynamics, Mai smiles. This could mean a number of things – ranging from appreciation to distinct discomfort.

## Case Study # 24: Missed Message

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“I have headaches all the time.” Jacob is talking to a general practitioner. His case worker referred him to the doctor after he complained of his physical difficulties. He is a survivor of human trafficking, and has endured extreme violence and threats to his wife and children back home for the past three years. He finally escaped and sought the help of a social service agency that helps slavery victims.

“I also have stomachaches. I have no appetite. My sleep is terrible. I hope you can give me some medicine for my sleep.”

The doctor takes notes and then examines his patient. Finally he says, “Well, I can’t see anything particularly wrong that could be causing these problems. This is a hot climate, so you need to be sure you are drinking enough water. This will help with your headaches. If that does not help, you should take some ibuprofen to help with the pain. For the stomachaches, it seems like a generalized digestive issue, so I’ll ask you to bring in a stool sample and we’ll send it to the lab for some tests. I’m not sure what to tell you about the sleep. I could prescribe you some sleeping pills, but I am hesitant to do this because they can be habit-forming. I think that once you begin eating better and feeling better, you will be able to sleep better. Be sure to get some exercise, at least three times a week. OK? Why don’t you take this paperwork with you and make an appointment with the receptionist to come back in a month.”

### Discussion Questions

1. What could be going on this case?
2. As the physician, is there anything you would do differently to help Jacob?
3. As the referring case worker, is there anything you would do differently?

## Key Issues – Case Study 24: Missed Message

1. It is common around the world for trauma to take on somatic symptoms, and for trauma survivors to particularly describe their trauma, depression, and anxiety in terms of physical complaints. Thus, health care providers are often the first to come in contact with trauma and trafficking survivors.
2. Many cultures do not have the same distinctions between psychological well-being and physical well-being that is so prevalent in Western medicine. Thus, helping physical symptoms is an integral part of trauma recovery, but it is most effective when it is well integrated into more holistic interventions. This can pose a challenge in a system that is based on specializations.
3. In this case, the doctor would have been more effective if he had asked more about the patient's history and about the circumstances surrounding his physical complaints. Another easy and culturally competent strategy is to ask the patient for his own explanation of the problems he is having. The answer to this simple question can often reveal other problems and point the way to more appropriate interventions.

# Chapter Five: Working with Interpreters

Identifying victims, interviewing survivors, and designing interventions for recovery all often require the assistance of an interpreter. Even when the resources exist to work with well-trained and highly experienced interpreters, bringing an intermediary party into an already complex dynamic can be an added challenge. Interpreters often come from the same national, political and cultural context as the survivors for whom they are translating. This can further complicate the communication, but it can also be an opportunity: interpreters can offer cultural insights and guidance as well as linguistic translation. Working effectively with interpreters is often a key to success with a client.

This chapter looks at a variety of challenges that can be posed by working through interpreters. Often, trafficking survivors have been victimized by others from their country or by those from a different ethnic group; thus, they may be particularly wary of trusting someone from a group that has hurt them in the past. In other instances, an interpreter may feel uncomfortable translating in detail the sexual nature of assault or other culturally taboo topics. Interpreters working with clients from their same culture may feel trapped between the professional boundaries they have been trained to uphold, and the strong cultural expectations of more informal friendship and sponsorship. Lastly, clients often need to operate in a second or third language because an interpreter is not available in their mother-tongue, or the incorrect assumption is made that a person from a particular country speaks the dominant language of that country. All of these challenges can, in turn, impede collection of evidence and effective service delivery.

<b>Case Study</b>	<b>Summary</b>	<b>Type of Trafficking</b>	<b>Sector(s)</b>
<b>25 – Divisions</b>	A client distrusts an interpreter who is from her country but from a different ethnic group.	Sex	Law Enforcement Advocacy
<b>26 – Is That All She Said?</b>	An interpreter does not translate all the detail that the client shares.	Sex	Legal Services
<b>27 – Boundaries</b>	An interpreter is caught between professional boundaries and cultural expectations of friendship.	Organ Transplants	Health Care
<b>28 – Making Do</b>	Police have to make do with a Spanish interpreter though the victim does not speak it well.	Labor	Law Enforcement Victim Assistance
<b>29 – What Language Do You Speak?</b>	A victim is held for hours at the airport because a translator for the wrong language is first brought in.	Labor	Law Enforcement

## Case Study # 25: Divisions

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### Survivor

Your name is Lawbeh, and you fled fighting, rape, and forced relocation in your home, Karen state in Burma. Deceived by a Burmese-speaking trafficker, you ended up sold to a brothel in the United States where you regularly had to service over 40 men a day. When your brothel is raided as part of an ongoing investigation, you are horrified to find that your translator is an ethnic Burman. You speak Burmese because you were punished in school if you spoke Karen. But as a Karen woman, your only experience with Burmans has been with the soldiers who invaded your village, raped you and your sister, and then tricked you into this current slavery.

When the police and the victim advocate try to talk to you, via the interpreter, you keep your eyes on the table, speak very softly, and offer very little information.

### Police Officer/Victim Advocate

Lawbeh is one of 57 victims that were rescued as part of a raid on a series of brothels. You strongly suspect that Lawbeh has been brought to the United States against her will. She speaks little to no English, and you have worked hard with local resources to find an interpreter. You understand that although Burmese is her second language, she can function well in that language. You have checked, and there are no Karen translators in your area.

You have worked with this interpreter before. She is extremely compassionate and professional, and you trust her judgment completely.

However, your conversations with Lawbeh are not going too well. She avoids eye contact and speaks very softly. This, you assume, is her cultural way of indicating respect for your authority. But she also seems to offer very little information. The interpreter has told you, “Lawbeh is not so comfortable in Burmese.” You begin to wonder whether she does not understand Burmese that well, and whether some of the details are getting lost.

### Interpreter

You are an exiled democracy activist from Burma. You put your own life in danger for many years working to dismantle the military junta that oppress the Karen and other ethnic minorities in your country. You are now in the United States, and you are doing everything that you can to still work for your people.

When you first meet Lawbeh, a trafficking victim who has been terribly traumatized, you can tell that she does not trust you at all. You believe that, given time, you will begin to build a relationship with her and that she will realize that you are not like the Burman soldiers or traffickers she has encountered in the past. But, in spite of all your efforts, you feel feared and distrusted. You are beginning to feel offended and frustrated, and you try to explain the situation to the police and victim advocate. It is not right to tell them directly what is happening, and so you tell them, “Lawbeh is not so comfortable in Burmese.” They do not seem to understand, and

they continue with the same strategy.

### Discussion Questions

1. What are the cultural, ethnic, political and linguistic issues in this case?
2. What assumptions are being made by each party?
3. If you were Lawbeh, what could you do to improve the situation? If you were the police or the victim advocate? If you were the interpreter?



## Key Issues – Case Study 25: Divisions

1. The police officer or victim advocate misinterprets Lawbeh's non-verbal signals. He or she assumes that Lawbeh is not making eye contact and speaking softly because that is what Asians do to show respect. Perhaps the officer or advocate has learned this cultural pattern in past workshops, but it is an excellent example of how an understanding of cultural patterns can be mistaken for a hard and fast stereotype. Because of this assumption, those working with Lawbeh miss very important information which could lead to terrible consequences, including deportation, or in another case, endangerment. When working through interpreters, service providers must be particularly sensitive to nonverbal language and find ways to check with the victim to make sure that he or she feels safe.
2. Communication patterns vary dramatically from culture to culture. In the U.S., the dominant culture tends to value more direct and explicit language, while in Burma and many other countries, communication about negative things, especially, tends to be careful and cloaked in smiles, metaphor, or non-verbal signals so as not to cause offense. Exacerbating the officer's difficulty with reading non-verbal cues is the tendency of both the interpreter and Lawbeh to communicate their concerns indirectly. If the police officer or victim advocate is accustomed to direct, explicit communication, as they both are in this case, they will miss the subtle implication that Lawbeh is uncomfortable with the interpreter.
3. Limited resources limit practical solutions, however. Even if it was clarified that Lawbeh does not trust the interpreter, one can't simply change interpreters. So, what can the people in this case do?
4. Service providers and law enforcement should use a translator as a cultural and political interpreter as well. It is appropriate to have a side conversation, outside of the presence of the client to ask the interpreter questions such as: What is going on? What might Lawbeh be feeling? How are YOU feeling about this case? What might we be able to do together to change the dynamic? A series of questions such as these are more likely to yield more nuanced information than simply accepting the first explanation (discomfort with Burmese) at face value.
5. Interviews can be confusing for victims. There are often many people in the room and the roles and function of each person can be unclear. Keeping the numbers of people in the room to a minimum can help, but it is mostly important to take the time in the beginning to introduce each person and to clearly explain his or her role. How chairs and tables are oriented in the room can serve to reinforce and clarify these roles.

## Case Study # 26: Is That All She Said?

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“I know that it is going to be difficult, but I need you to tell me exactly what happened, with as much detail as possible.” Jane, an attorney working for an agency that assists survivors of sex trafficking, paused while the interpreter translated to her 15 year old client. The client had indicated that she wanted to help in the prosecution of her victimizers and was willing to tell everything that happened.

“The last time we met, you told me generally what had happened, and you said that the traffickers used violence against you. Can you tell me more about that violence?” Jane paused again as the interpreter translated. Then the young girl began to speak. She spoke for a long time and began to cry. Although Jane didn’t understand a word, she kept eye contact with her client and showed compassion in every way she could.

“I was beaten and tied up,” said the translator. “They forced me to do many things I think you know.”

Jane, turned to the interpreter. “Is that all she said? It sounds to me as though she gave much more detail.”

The interpreter said, “Yes, in our language the words are much longer and it takes more words to explain the same thing.”

Jane continued. “You said that they forced you to do many things. Would you be willing to tell me specific details about those things?”

The interpreter translated and the client began to tear up, look confused, and frustrated.

### Discussion Questions

1. What may be going on in this case?
2. What strategies can Jane use to ensure that the interpretation is thorough and accurate?

## Key Issues – Case Study 26: Is That All She Said?

1. Sometimes interpreters are not comfortable translating certain details, particularly details of a sexual nature which may be taboo. In a case such as this one, the client is probably aware of the interpreter's discomfort and may edit her story.
2. Specific words may not exist or may be difficult to translate. When that is the case, sometimes the client tells a story in a culturally-appropriate way (that is often longer and more contextualized) but it is difficult to relate the exact meaning of the story by translating the exact words.
3. Adding a third party to an interview is always difficult. The client can feel more exposed and more vulnerable. This too, may affect the content of the client's narrative.
4. In all cultures, though in some more than others, women can be blamed for their sexual victimization. If the client blames herself or senses that the interpreter blames her for what happened, she will naturally be reluctant to speak openly.
5. An important tip for working effectively with interpreters is not to allow the client to speak for a long time without translation. The interpreter should translate sentence by sentence, and all parties – including the interviewer – will need to be reminded of this several times throughout the session.
6. If the information to be gathered is particularly sensitive in nature, it is a good idea to work with the interpreter in advance to ensure she understands the importance of translating each detail.

## Case Study #27: Boundaries

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You are a trained and highly professional translator from Nigeria. You can translate in a number of languages, and this time you have been translating for a young Yoruba man who had been trafficked for organ transplants. He escaped just hours before he was to be cut open. He has come to a hospital to be examined by a General Practitioner and you have been employed by the hospital to translate.

After the examination, as you and the doctor are walking out the door, the young man calls you to stay behind. He starts talking, telling you about everything that had happened to him. He talks and talks and talks. You feel overwhelmed and untrained to handle such potent details. And yet, you can sense that he desperately needs to talk and that you are the first person in whom he has felt safe enough to confide. You don't have the heart to interrupt him. He tells you that he is depressed, that he is afraid, and that he is alone. Before you realize it, you make a plan to meet with him the next day.

That night, you toss and turn. Images from all the horrible things he has endured flash through your mind. You are anxious and uncomfortable about your lapse in professional judgment, and yet you know that in your shared culture, these kinds of "professional boundaries" are non-existent. You know from your training you should not have made this follow-up appointment, and yet your culture tells you that you did the right thing.

### Discussion Questions

1. What are the cultural, social, and clinical issues in this case?
2. What would you do in this situation if you were the interpreter?
3. What would you do in this situation if you were the doctor or a hospital administrator?
4. Is it wrong to become "friends" with clients? If so, why? If not, why not? Who decides?

## Key Issues – Case Study 27: Boundaries

1. Interpreters, social workers, victim advocates and health professionals who are originally from countries where so-called “professional boundaries” are a foreign concept all have to struggle with a conflicting set of values and logic, particularly when encountering a client from their own culture. In this case, who decides? Whose judgment is paramount? What is in the best interest of the client?
2. Whether one maintains professional boundaries or not, the issue of secondary trauma is common among service providers working with trafficking victims. Interpreters may have less training and support than mental health workers in dealing with issues such as secondary trauma and compassion fatigue. One might argue that if this interpreter were to pursue a relationship with the client outside of the hospital context, s/he would have little to no support to handle her reactions to the intensity of his case. However, this assumes that s/he doesn't have a community which can lend support to the interpreter as well as to this young man. Perhaps this community support is what he needs, more than a clinical intervention. Again, who gets to decide?

## Case Study # 28: Making Do

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Local police, in collaboration with the FBI, recently broke up a trafficking ring. Suddenly the victim assistance unit has 67 Spanish-speaking victims who have been forced into commercial exploitation and now have multiple needs. Many of the victims have a low level of education, and Spanish is their second language. Many don't read or write in Spanish, let alone English. Victim assistance staff is scrambling to find safe and comfortable placements for these survivors, but the local resources are extremely limited. There are not enough available beds in nearby safe houses, and not nearly enough Spanish-speaking staff at referral agencies. The team of interpreters has been working around the clock, as police and attorneys interview these victims to build a strong case against the traffickers.

Now, a frustrated team of three police officers comes through the door of the victim assistance unit.

“Do you have any interpreters who speak K’iche’? Spanish is not working with most of these victims, and at least a few speak K’iche’.”

The victim assistance coordinator looks up. She is on hold with a social service agency to see how many new clients they can accommodate. She sighs, widens her eyes as if to say, “I have NO idea where we’d find that!”

Another officer begins to explain, “Look, the interpreter is telling us that the victim is not understanding the questions, and when the victim talks it’s very difficult to understand him.”

The third officer chimes in: “And then when we ask him to repeat what he just said it seems like he thinks we don’t believe him. And then we backslide. We don’t have time to deal with this – we have to get this information quickly.”

The coordinator finishes her phone conversation and hangs up, looking tired and resigned. “Look, it’s all I can do to find enough Spanish interpreters, much less places for these people to sleep tonight. I can look for a translator who speaks whatever language you need, but it’s going to have to be in a few days once things calm down. Can’t you make do for now?”

### Discussion Questions

1. What are the issues in this case?
2. What strategies can the interpreter and the police use to improve the situation?
3. In the face of limited resources, what strategies can the victim assistance coordinator use to better meet the diverse needs of the victims?

## Key Issues – Case Study 28: Making Do

1. The reality of limited and overstretched resources can make it particularly difficult to help victims and to build credible cases against traffickers. Think creatively about how they can make the most of the resources they do have. What would you do in a situation like this?
2. Think about how you might facilitate communication in this case. Asking the interpreter to speak very slowly, to use simple words, and to augment with sign language and non-verbal cues can be first steps to improving communication.
3. While it is pragmatic to develop creative strategies to function with limited resources, what could you do in your role to prevent this problem in the future? Has there been widespread outreach in the community for interpreters? Is there a centralized, user-friendly contact list of all interpreters in the area, or is the information scattered throughout various agencies? Within their roles, what could each discussant do to streamline and enhance the resources that exist?

## Case Study # 29: What Language Do You Speak?

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Hardik was interrupted at the airport on his way from India into the United States. Interrupting his entry to the U.S. was part of an ongoing investigation into an entrenched labor trafficking operation which brought people from South Asia to work in restaurants and factories. Hardik was confused and frightened when questioned by immigration authorities. He understood only a few isolated words of English.

Immigration and Customs Enforcement took him to a room. They gave him a sandwich and something to drink, and asked him to wait. He waited from 6 am in the morning until 2:00 pm. At 2:00, a woman from India walked into the room, and began talking to him in Hindi. He did not understand more than just a few phrases. He could only say, “I speak Gujarati” to her. She sighed in frustration and spoke to the ICE staff, who also sighed impatiently. Hardik was brought another sandwich with a filling he did not recognize and was afraid to eat. He was brought a soda and told to wait again.

It wasn't until 10 pm that night that a translator arrived who spoke Gujarati.

### Discussion Questions

1. What are the cultural and linguistic issues in this case?
2. What assumptions were made by the ICE staff?
3. When there is a language barrier, it can be difficult to even figure out what language a victim speaks, but mistakes like this can make things much more difficult for everyone. What culturally competent strategies could be used to avoid such mistakes in the future?



## Key Issues – Case Study 29: What Language Do You Speak?

1. Hardik is a victim, and yet he is treated like a criminal in this case. He is confined to a room, the food he is offered is foreign and he understands little to nothing of why he is being held and what will happen. Are there other examples of when victims are treated as though they are the criminals? Talk about the structural and cultural forces at play in those instances. Despite the language barriers, are there ways that the ICE officials could have signaled to Hardik that he was not a prisoner, but that they intended to help him (if that was their intention)?
2. ICE assumed that Hardik spoke Hindi, or they did not realize that multiple languages are spoken in India. It is not difficult, despite language barriers, to determine what language a victim speaks. Resources are wasted when assumptions are made, or officials do not take the time to do an initial assessment.
3. Many people are frustrated and intimidated when faced with someone who speaks little or no English. What kinds of training programs exist to prepare service providers and law enforcement for these types of encounters?

## Chapter Six: Collaborating Across Sectors

Prosecuting traffickers and serving survivors requires coordinated collaboration among law enforcement, victim services and advocacy groups, attorneys, health care and social service agencies. Though the parties share similar goals of eradicating trafficking and supporting and protecting survivors, each has its own function, professional training, and organizational culture. This and structural obstacles can lead to misunderstanding, miscommunication and poor coordination between agencies which leaves victims caught between competing agendas.

This chapter looks at the tension between the goal of protecting victims and the goal of prosecuting traffickers; it examines the interactions between attorneys and social workers as they work within their larger legal and clinical systems; it illustrates the often taboo subject of conflicting values around sex work and how that influences collaboration and service delivery; and it places modern day slavery in a broad historical context, posing questions about recruiting allies and learning from those whose ancestors were also slaves.

<b>Case Study</b>	<b>Summary</b>	<b>Type of Trafficking</b>	<b>Sector(s)</b>
<b>30 – Our Hands Are Tied</b>	An anti-trafficking task force discusses prosecuting traffickers versus protecting victims	All	All
<b>31 – “I’m NOT Crazy!”</b>	An attorney asks a case manger to strongly encourage a client to go into individual therapy.	Labor	Legal Services Social Services
<b>32 – Your Choice</b>	Police blame an attorney for dissuading a child survivor from talking to law enforcement.	Sex	Law Enforcement Legal Services
<b>33 – True or False?</b>	Participants at a workshop disagree about whether legalized prostitution causes trafficking.	Sex	Community Social Services Advocacy
<b>34 – Lessons from History</b>	A white activist considers reaching out to African-Americans about modern day slavery.	All	Advocacy Community

## Case Study # 30: Our Hands Are Tied

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A local task force on human trafficking is conducting its monthly meeting. Today, the topic is communication, and representatives from police and FBI are present along with staff of victim advocate groups, legal clinics and social service agencies.

Police Officer: The thing is, there is a serious breakdown in communication. All of you here say you are working with clients, working on T-visas, etc. Then, why don't we have more cases? You must be getting referrals from sources other than law enforcement. There has to be some mechanism for reporting so that we can hear about it. We rely on all of you to help us with our information.

Victim Advocate: We do report our information!

Social Worker: We spend literally hours filling in reams of paper work and sending it in.

FBI Agent: Well, we're not seeing any of it.

Victim Advocate: Anyone who gets federal funding as a trafficking victim is reported.

Attorney: But we face difficulties, sometimes. Even when it's clear that the client is a trafficking victim, she or he doesn't want to talk to the police, for a variety of reasons. We can't force them.

Police Officer: But you can strongly advise them, can't you? Isn't it ultimately in their best interest to cooperate? Otherwise there are just more and more victims. You want to help these people, but we want to make sure the bad guys are busted so there ARE no more victims.

Attorney: We can advise, but we can't force them. Ultimately, it's their choice.

FBI Agent: Well, that ties our hands. We can't do anything.

### Discussion Questions:

1. What are the issues in this case?
2. What are the cultural factors that underlie some of these dynamics?
3. There are clear gaps in the chain of communication. Who is missing at the table? What strategies can the task force employ to improve collaboration?

## Key Issues – Case Study 30: Our Hands Are Tied

1. There is a tension within policy and amongst key players between prosecuting traffickers and protecting victims. These two priorities need not be in conflict. In fact, the more protected victims are, the more likely they are to come forward to testify against their traffickers. Task forces such as the one in this case are excellent settings in which to begin to reframe the discourse, examine assumptions and stereotypes about the other, and develop strategies for genuinely cooperating to stem and ultimately stop human trafficking.
2. The issue of communicating and reporting human trafficking is essential to the successful prosecution of traffickers and protection of victims. Do participants know the policies and practices of reporting human trafficking to the authorities? Do they have a shared understanding of these policies? How do client privacy protection laws (such as HIPPA) intersect with the reporting requirements of the federal government?
3. There are organizational cultural differences between social workers and attorneys, between different law enforcement agencies, between victim advocates and police. Their training is different and their work is informed by different values, professional standards, and role expectations. These differences are inherent, inevitable, and valuable – because a client has a wide range of needs that can only be met by a wide range of agencies. The differences are negative only when they lead to working at cross-purposes to the detriment of the client. This happens far too often and too easily. Task Forces such as the one in this case are opportunities to develop an understanding and appreciation of how others work.

## Case Study # 31: "I'm NOT Crazy!"

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You are a case manager for a man who is a survivor of labor trafficking. You and your client have been working together with his attorney to apply for a T-visa. The attorney recently called you to urge you to encourage your client to go into individual counseling.

"It will help his case," the attorney told you. "If he attends therapy and there is an affidavit from the therapist, it will go a long way to prove that there was force and coercion at play. He's also very reluctant to cooperate with the police. The police have been telling me that he needs help opening up. They really want a statement from him and think therapy might help."

"We talked to him before about going into therapy, but he refused. He thinks therapy is only for crazy people," you said.

"Well, maybe he'll change his mind. I'll talk to him too, but please strongly encourage him to reconsider. You can tell him it's just for the papers and once he gets his visa he can stop."

"I'll talk to him again," you promise.

Later that week, when your client comes in for his appointment with you, you tell him what the attorney said.

"I am NOT crazy!!!" the client says. "I am not crazy. What will the judge think when he sees that all of you think I'm crazy?"

You try your best to explain that it doesn't mean he is crazy, that it is his choice and no one will force him into anything, but he is very quiet for the rest of the session.

Next week, he misses his appointment with you and does not call.

### Discussion Questions

1. What are the cultural, legal, and clinical issues in this case?
2. What culturally competent strategies could the case worker use to address the situation?
3. What could the attorney do differently?
4. How could the case worker, attorney, police, and client work together more effectively?

## Key Issues – Case Study 31: “I’m NOT Crazy!”

1. It is clear in this case that the attorney does not understand therapy’s ethical considerations and its intimate process. The case worker may need to let the attorney know that one cannot do therapy just for “show” and that pressuring the client to do so is not in his best clinical interest even if it may be in his best legal interest.
2. The case worker seems reluctant to voice his or her concerns to the attorney. There is an internalized sense of hierarchy among different professions and the case worker may feel intimidated by or deferent to the attorney.
3. Individual therapy is a very foreign concept in many cultures. Could the case worker have framed therapy differently or explained it differently? There are also differing values around remembering and forgetting. Some cultures believe that the best way to heal is to name and speak out about the trauma, while others believe that it is best to bury it and forget. Those who suffer post-traumatic stress exist within the tension of these two extremes, often wanting desperately to forget but unable to.
4. Trauma survivors often secretly worry that they are crazy and that everyone can tell. Post-traumatic stress symptoms can make any survivor question his or her sanity. Thus, the suggestion that the client participate in therapy may have touched upon this closeted fear and provoked a particularly strong reaction.
5. Regardless of the client’s reasons for refusing therapy, pressuring him into a therapeutic relationship and asking him to relive his experiences is a re-enactment of the type of coercion that was present in the trafficking situation. One is asking him to prostitute his own private tragedy and recovery process for the right to stay in the destination country.

## Case Study # 32: Your Choice

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### Attorney

You are an attorney for a child who has been trafficked for sexual exploitation. You have been working for some time, doing your best to ensure that your client understands her rights. At first, your client seemed quite willing to talk to the police, but, when she understood that she might be called to go to court to accuse the traffickers, she balked. You encourage her to talk to the police, saying that it will help others in the same situation. However, understanding how painful it will be to tell her story, and how frightened your client is of repercussions, you say:

“Remember that no one can force you to talk to the police. That is your choice. You will get benefits anyway. You will still have a safe place to live and food to eat and clothes to wear, whether or not you talk to the police. You’re my boss – you tell me what you’d like to do and I’ll support you whatever you choose.”

### Law Enforcement

You are a detective working on a large sex trafficking case. Your department recently raided several brothels in the area, rescuing just over 70 victims, many of them children. You referred these victims to social and legal services, and you are now in the process of interviewing each victim.

One child had appeared very eager and ready to cooperate the first time you met her. But since she connected with her attorney, she has become silent and uncooperative. The attorney has told you that her client does not want to talk to the police. You don’t understand what has changed. You strongly suspect that the attorney has scared her away from talking.

Frustrated, you talk to another police officer in the division: “I don’t understand these victim advocate folks. Don’t they get that the best way to protect their clients is to nail their victimizers? They want to set up protection plans, but they don’t want to give us the information we need to lock these guys up.”

### Survivor

You are a 15 year old girl who was trafficked into prostitution. You were treated terribly and were very relieved when the police raided your brothel and rescued you. At first, you wanted them to know everything. But when you realized that you would have to go to court and tell everything that happened to you, including all the sexual abuse you have sustained, you changed your mind. You don’t want to talk to anyone.

Sometimes the people who try to get you to talk are in uniform, and that frightens you because those in uniform also helped to traffic you from your home country and one of them raped you. There is a woman who is never in uniform who also tries to get you to talk. She told you that you didn’t have to talk, but that if you didn’t you would still have a place to stay or food to eat. You are not sure, but you think that she was threatening you, indirectly. You are worried that she was

really saying that you wouldn't be safe unless you talked. But you have no one to ask. You are worried because you have no money and no way to survive unless this woman helps you, and you don't want to make her angry.

### Discussion Questions

1. What are the issues from each person's perspective?
2. What are the assumptions each person is making about the others and how do these impact the investigation? How do they impact efforts to protect the client?
3. What culturally competent strategies can be used to improve the situation?



## Key Issues – Case Study 32: Your Choice

1. There is a pervasive tension between protection of victims and prosecution of traffickers both in policy and in practice. Is this a real or a false dichotomy? Is there a way to have both as a priority?
2. While those working with survivors of trafficking have their separate roles and functions, and these sometimes clash, the victims themselves often don't distinguish between all of the different people, especially in the beginning.
3. Dependence on police, attorneys and social service agencies exists even after a victim has been "rescued". While dependence exists, so does the possibility of coercion and exploitation. In this case, even though the attorney does not intend to threaten the client, the client, who has only known abusive relationships, still perceives a possible threat. The attorney is trying to make sure that the client has choices, but in so doing is actually sending the opposite message, in part because that is all the client knows. Think about strategies to build trust between all parties.

## Case Study # 33: True or False?

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An anti-sex trafficking agency received federal funding to do a series of outreach workshops in the community to raise awareness about the problem of trafficking and to enlist the help of community leaders in identifying victims. The police recommended that a workshop be offered at local places of worship because they had found that many sex trafficking victims are religious and are allowed to worship regularly.

The agency organized an interfaith workshop, hosted at a Catholic church which had a number of trafficking survivors in its congregation. At the workshop, there were participants from a number of secular agencies, including a homeless shelter, a job training center, and an association of sex workers. After an overview of trafficking, agency trainers gave participants a “quiz” to enhance their knowledge of human trafficking, its root causes, and the policies in place to protect victims. After participants took the quiz, the trainers went through each question, giving the correct answer and leading a discussion.

Question number 7 stirred some controversy: Legalized prostitution in some regions of the world is one reason why there is widespread human trafficking. True or False?

The trainer asked the group what the correct answer was, and most people said false. The trainer agreed and started to move on to the next question, when a pastor in the back interrupted.

“Excuse me, but I STRONGLY disagree. I think that legalizing prostitution will only increase the demand for the sex slave trade.”

“There is nothing wrong with sex work,” a woman participant said. “There is nothing shameful about it, and the women doing it should be respected, empowered, and legally protected. The problem comes when people are forced into it against their will. That is what we are talking about here.”

A nun from the host church raised her hand. “I can appreciate the message that this young woman has just shared, about respecting the rights of prostitutes. But I think that we can all agree that if you have gone into this, you probably have suffered abuse in the past, and every woman who is stuck doing this must have terribly low self esteem and need some guidance and love.”

“First of all, I’d prefer it if you could say ‘sex worker’ instead of prostitute. And secondly, I don’t think you can assume that every sex worker is out on the street because she is the victim of sexual abuse. I think that simply perpetuates this idea that they are all victims and “WE” are the high and mighty and moral rescuers.”

As the conversation got more heated, several participants looked expectantly toward the trainers.

### Discussion Questions

1. What are the issues in this case?
2. How do the differing views about sex work impact collaboration, funding, advocacy, and service delivery?

3. What is the common ground shared by those with differing views on this subject?  
How can agencies and activists collaborate on this common ground to strengthen their interventions and advocacy work?

## Key Issues – Case Study 33: True or False?

1. Difference in perceptions of commercial sex is a “hot button” that is often avoided at conferences, workshops and coordinating meetings, and yet it is a driving force of current policy. These differences can lead to professionals undermining each other’s work. However, ALL sides of this debate should be careful about imposing their own values onto survivors. Some survivors will respond best to faith-based interventions, while others may feel judged and disempowered by those same interventions, preferring secular services. Still others may need both approaches and the flexibility to move between them. Survivor self-determination is of the utmost importance when there is a history of trauma and exploitation.
2. Moral concerns about commercial sex and sexual exploitation shape the political climate in which much of current trafficking legislation has been put in place. How does this impact program design and practice? How does it influence law enforcement and prosecution of traffickers?

## Case Study # 34: Lessons from History

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You are a white victim advocate who has been working on the issue of human trafficking and modern day slavery for the past several years. You work internationally as a researcher and policy analyst, and recently you have focused your attention on the legal protections and service provisions for survivors in the United States.

You have been thinking that you and others working in the anti-slavery movement might have a lot to learn from people whose ancestors were slaves. You wonder whether reaching out to African Americans in your community and nationally might result in a powerful alliance.

You are not sure if this is a good idea and you're uncertain about how to broach the topic with others. You don't want to "compare suffering" or say that what is happening today is happening to the same extent or is equally devastating as the trans-Atlantic slave trade. However, you also believe that suffering is suffering, and that being conscious of the perspective of African Americans is crucial to combating slavery today. In this work, you and others are grappling with an issue that the United States has faced before, and African Americans may have a lot to offer and a lot to teach people like you.

### Discussion Questions

1. What are the issues in this case?
2. What are your reactions to this idea?
3. What is your advice to this victim advocate?

## Key Issues – Case Study 34: Lessons from History

1. A part of advocacy is raising awareness, reaching out to knowledgeable segments of a community, involving key stakeholders, and expanding the base of support and activism. Thus, reaching out to African-Americans on this issue might be particularly powerful.
2. The history of racism and slavery in the United States is long and painful. There has never been an official apology or reparations offered at a national level. Thus the reality of slavery remains raw, and century-old trauma is carried down through generations – for those whose ancestors were slaves and for those whose ancestors were slaveholders. Perhaps because of this, the white victim advocate is unsure of how to broach the topic; he or she may feel paralyzed by the lack of national dialogue and reconciliation.
3. The victim advocate worries that some people might think she is equating modern-day slavery with the trans-Atlantic slave trade. This worry may stem, again, from the fact that enslavement of Africans in the United States has not been wholly and fully acknowledged, nor has it been denounced by a President, on a national level. When someone's suffering is recognized, it becomes far easier to recognize the suffering of others.

# Appendix 1: Increasing Cultural Competence

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This appendix contains key concepts and information about cultural competence intended to be used as a foundation for the debriefing of the preceding case studies. It covers the following topics:

## Culture and Cultural Competence Tools for Culturally Competent Service Delivery

Much of the material included here has been excerpted or summarized from training curricula developed by the National MultiCultural Institute (NMCI). For more detailed information, see NMCI's list of publications in the front of this manual.

## Culture and Cultural Competence

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**Definition of Culture:** a “learned, shared and symbolically transmitted design for living.”<sup>11</sup>

Culture is a pattern of values, beliefs, customs and world view shared by a group of people that guide relationships, behavior and perceptions. Culture can fall along geographic, ethnic, religious, gender, sexual orientation, and other lines.<sup>12</sup>

**Definition of Cultural Competence:** a lifelong learning process that results in knowledge, skills, behaviors and attitudes which allow us to work effectively with others from different cultural backgrounds. Cultural competence increases individuals' or organizations' ability to effectively provide services to diverse clients. It includes knowledge of other countries, beliefs, practices and world views, but does not involve memorizing a list of “do's and don'ts”. It involves understanding our own culture and how it affects our interactions with others. Cultural competence implies openness to other cultures and a willingness to learn from our clients. It requires that we both recognize and challenge internalized, externalized and institutionalized oppression.

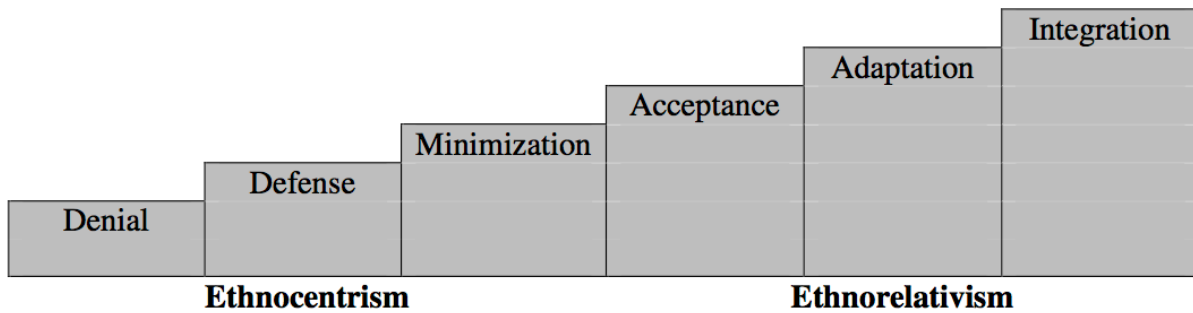
**Bennett Model of Cultural Competence:** Several models of cultural competence have been developed, most of which suggest that cultural competence is a journey rather than a final destination. Bennett offers a stage- based model which looks at the move from “ethnocentrism” (Denial, Defense, and Minimization) to “ethnorelativism” (Acceptance, Adaptation, and Integration).<sup>13</sup>

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<sup>11</sup> Kluckhohn, C and Kelly, WH (1945) “The concept of culture” *Science of Man in the World Crisis*, 78- 106, Linton, R. ed. Columbia University Press, NY

<sup>12</sup> Original source unknown.

<sup>13</sup> Bennett, M. J. (1993). Towards ethnorelativism: A developmental model of intercultural sensitivity. In R. M. Paige (Ed.). *Education for the intercultural experience*. Yarmouth, ME: Intercultural Press.



1. In the first stage, **Denial**, an individual denies that cultural differences exist. This belief may reflect either physical or social isolation from people of different cultural backgrounds.
2. In the second stage, **Defense**, an individual acknowledges the existence of certain cultural differences, but, because those differences are threatening to his or her own reality and sense of self, the individual constructs defenses against those differences. Bennett offers three commonly used defense mechanisms.
  - (a) The first method of defense is *denigration*, or negative stereotyping, of another group.
  - (b) The second defense, *superiority*, is where an individual places his or her group above another.
  - (c) The third method, *reversal*, is less common. It involves the denigration of one's own culture and the idealizing of another.
3. The third stage in Bennett's model is **Minimization**. An individual in this stage acknowledges cultural differences, but trivializes them, believing that human similarities far outweigh any differences. The danger of this stage is that similarity is assumed rather than known. As Bennett writes, "In general, people who have experienced cultural oppression are wary of the 'liberal' assumption of common humanity. Too often, the assumption has meant 'be like me.'"
4. In the fourth stage, **Acceptance**, an individual recognizes and values cultural differences without evaluating those differences as positive or negative. This stage moves an individual from ethnocentrism to ethnorelativism. First comes a respect for cultural differences in *behavior*, and then a deeper respect for cultural differences in *values*.

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5. In the fifth stage, **Adaptation**, individuals develop and improve skills for interacting and communicating with people of other cultures. The key skill at this stage is perspective-shifting, the ability to look at the world “through different eyes.”
6. The final stage of Bennett’s model is **Integration**. Individuals in this stage not only value a variety of cultures, but are constantly defining their own identity and evaluating behavior and values in contrast to and in concert with a multitude of cultures. Rising above the limitations of living in one cultural context, these individuals integrate aspects of their own original cultural perspectives with those of other cultures.

Other models can be used which offer different insights. For example, Terry Cross’s model of cultural competence<sup>14</sup> includes as its first phase a stage called “Cultural Destruction.” In its most extreme this stage can lead to genocide, but also can serve as the structural justifications for ongoing exploitation, enslavement and oppression of certain groups; this has a direct connection to trafficking, and providers must be wary of this broader context so that their interventions interrupt rather than perpetuate ongoing oppression.

## Cross-Cultural Communication

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Communication is the product of culture. Our culture determines the tone of voice, topics that are considered appropriate or inappropriate, how far we stand from the person with whom we are communicating, etc. Health care workers and consumers with different cultural norms are at risk if managers, co-workers, or providers have little knowledge of and sensitivity to different communication styles.

### Barriers to Cross-Cultural Communication

Some of the things that get in the way of effective cross-cultural communication include assumed similarity, nonverbal communication, language itself, people’s tendency to evaluate, and preconceptions and stereotypes. We will look at each of these hindrances in turn.

1. **Assumed Similarity:** We often assume that words and gestures have a set meaning. We assume that if both parties speak English, the message we send is the same message that is received. (Use examples to illustrate that this is often not the case.)

2. **Nonverbal Communication:**

- (a) Approximately 70% of our communication is affected by nonverbal cues.
- (b) We communicate nonverbally through smiling, silence, gestures, nodding, eye contact, body language, touch, etc.

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<sup>14</sup> Cross, T. (1988). “Services to minority populations: Cultural competence continuum.” *Focal Point*, 3.

- (c) Because nonverbal cues mean different things in different cultures, we need to be cautious of the interpretations we attach to these behaviors. For example, some people might assume that, if a person refuses to make eye contact, this implies that he or she is shifty or untrustworthy when, in fact, in some cultures it is considered rude and aggressive to make eye contact.
- (d) Many cultures are context bound. Much is communicated in the physical context of the situation, rather than in words.
- (e) We must be aware of our own nonverbal language as well as our comfort levels with different nonverbal communication patterns.
- (f) We also need to be aware of our own interpretations of others' nonverbal behavior and realize that wrong assumptions can lead us to misinterpretations and miscommunication.

### 3. Verbal Language:

- (a) Language itself is the most obvious barrier to cross-cultural communication.
- (b) Language misunderstandings may result from use of nuances, slang and idioms (e.g., “run that by me,” “cut the check,” etc.), technical jargon (Fed Ex, the Hill, “tubes tied”), and accents.
- (c) Frequently, the assumption is that accent reflects intelligence. For example, a person with a British accent might be assumed to be intellectual.
- (d) Assumptions are also made about pacing and timing. For example, it may be assumed that a Southerner who speaks more slowly is less aggressive than a New Yorker who speaks more quickly.
- (e) It is important to take responsibility for the fact that the message sent is not just heard, but understood.
- (f) A “yes” or a nod of the head is not enough of an indication that the message has been understood. In some cultures, the meanings of head shake motions are different from Western meanings.

4. **Tendency to Evaluate:** A difference in values, which may result in a different communication style, can result in negative judgments about another person. This can cause communication shut-off so that a message is not even heard. For e.g., a person who talks emotionally may be judged as being aggressive, while someone who speaks slowly may be seen as being unmotivated.

5. **Preconceptions and Stereotypes:** Preconceptions and stereotypes are other barriers to cross-cultural communication. We tend to prejudge based on our mental tapes. This blocks our ability to fully hear an individual who is different from us.

- (a) A clear distinction needs to be made between cultural patterns and stereotypes. **Cultural patterns** can be used to understand groups of people. These patterns are not frozen or static, but open to exceptions, since many individuals have experiences that are not shared by their group.
- (b) **Stereotypes**, on the other hand, are short cuts. We see what we expect or want to see, even if reality differs from this.

(c) We can bridge the barrier of preconceptions and stereotypes by:

- Acknowledging the existence of our preconceptions
- Understanding how they impact us
- Knowing our labels and to whom we relegate them
- Slowing down, checking it out, and getting information

## Strategies for Effective Cross-Cultural Communication

1. An important element in bridging communication barriers is **self-awareness**. We should be aware of our own assumptions and preconceptions about other cultures, as well as of our own comfort level with different styles of communication.
2. We can decide consciously **not to act on our own stereotypes** and assumptions. We can make an effort to maintain open-mindedness and avoid using our own cultural values or beliefs as a standard by which to judge others.
3. Listen with **respect**, even when the other person has different values than you.
4. Increase **culture-specific awareness** without stereotyping. There may be patterns of cultural behavior of which you need to be aware.
5. However, **treat each person uniquely**. Remember that each individual is different and may not fit the pattern for the group. Don't assume that because an individual belongs to a particular group, she or he is bound to communicate and behave in a particular way.
6. **Seek out information**. If things are confusing, ask colleagues or cultural informants for information, read, and observe. Seek out information to dispel your stereotypes. Also be willing to change your perceptions in accordance with new knowledge and experiences.
7. **Tolerate ambiguity**. Situations may not be as clear-cut as you'd like them to be.
6. **Establish trust and show concern and empathy**. Building a trusting relationship is the foundation to effective cross-cultural communication.
7. **Show sensitivity to face-saving needs**. Being aware of people's need to protect themselves from embarrassment and showing sensitivity to that need can go a long way to bridging communication barriers.
8. Have a **sense of humor and patience**, because it is not always easy to communicate effectively across cultures.
9. Be aware of **nonverbal messages**, because often much is communicated in the context of the situation. Do not assume that you understand someone's nonverbal communication. If you are unsure, ask for clarification. If a nonverbal message is

offensive to you, don't take it personally. Also, be aware of your own nonverbal messages.

10. Listen intently for **hidden meanings**.

11. **Avoid language with questionable connotations** that might confuse a person from another culture.

12. **Walk in the other person's shoes**. Try to see things from his or her perspective.

## Tools for Culturally Competent Service Delivery

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### Engage in Continuous Self-Awareness

- Be aware of your own biases and stereotypes and work at controlling them.
- Reduce ethnocentrism and respect the survivor's world view, even if it does not mesh with yours.
- Recognize your limitations and ask for help from the survivor, his/her family, and cultural informants.
- Break the Power Triangle - Reassure the survivor that you will do your best to help him/her, but also work toward making the individual independent.

### Discern Cultural Patterns

- Recognize and work within gender norms, when appropriate.
- Elicit the survivor's concept of trafficking, safety, grief, and healing.
- Acquire cultural knowledge which will enable you to react positively to unfamiliar practices.
- Be careful of stereotypes. Treat each case uniquely.
- Identify sources of disagreement between you and the survivor.
- Manage the discrepancies by educating yourself and the survivor.
- Develop skills to understand the issue from another's perspective and to recognize and reduce resistance.

### Suspend Nanosecond Assumptions

- Validate the survivor's explanation of the crime and its repercussions.
- Be flexible and negotiate a compromise wherever possible. Wherever possible, alter an action plan to fit the survivor's cultural framework.
- Know and manage your hot-buttons.

### Break the Power Triangle

- Avoid the "savior" mentality
- Continually reassess your interactions with the survivor to ensure you are

empowering that individual rather than re-victimizing.

### Practice Effective Cross-Cultural Communication

- Engage in active listening
- Practice effective verbal communication
- Practice effective non-verbal communication
- Engage and train culturally- and linguistically-appropriate translators

### Build Relationships

- Take time to build trust and rapport.
- Build a relationship with the individual and, when possible and appropriate, with the main decision-maker in the victim's family or community.
- Work within the victim's system, or negotiate/compromise.

# Appendix 2: Human Trafficking Fact Sheet—

## Terms, Policy and Current Statistics

### Terminology

**Human Trafficking:** Trafficking in human beings is the illegal trade of human beings, through abduction, the use or threat of force, deception, fraud, or “sale” for the purposes of sexual exploitation or forced labor.<sup>15</sup>

In order for a case to meet the definition of human trafficking one condition from each category below must be met. For adults, victim consent is irrelevant if one of the Ways/Means is employed. For children consent is irrelevant with or without the Ways/Means category.<sup>16</sup>

PROCESS	+	WAY/MEANS	+	GOAL
Recruiting OR Transporting OR Transferring OR Harboring OR Receiving		Threat OR Coercion OR Abduction OR Fraud OR Deceit OR Deception OR Abuse of power		Prostitution OR Pornography OR Violence/Sexual Exploitation OR Forced Labor OR Involuntary Servitude OR Debt Bondage (with unfair wages) OR Slavery/similar practices

**Slave:** A person held against his or her will and controlled physically or psychologically by violence or its threat for the purpose of appropriating their labor.<sup>17</sup>

<sup>15</sup> Definition based on the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children* (2000)

<sup>16</sup> Chart developed by the Solidarity Center, and reproduced, with explanation in “Trafficking in Persons Report, 2008” (<http://www.state.gov/g/tip/rls/tiprpt/2008/>)

<sup>17</sup> Free the Slaves online glossary

**Chattel Slavery:** One person assumes complete legal ownership over another. Chattel slavery is the only type where the slave is considered the legal property of the slaveholder, and it exists today primarily in Mauritania and other parts of Northern Africa. (Slavery is technically illegal in these countries, but law enforcement there often returns escaped slaves to their slave holders based on the asserted ownership just as if the practice was legal.) This is the type of slavery that existed in the antebellum American South.<sup>18</sup>

**Coercion:** Threats of serious harm or physical restraint against any person; any scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or threatened abuse of the legal process.<sup>19</sup>

**Commercial Sex Act:** Any sex act on account of which anything of value is given to or received by any person.<sup>20</sup>

**Contract Slavery:** A relatively modern form of slavery, where a worker is deceived into slavery through the use of a false employment contract. Slave holders create contracts to lure individuals with promises of employment, yet once they arrive at the workplace they are forced to work for no pay and cannot escape. The false contracts are used to avoid criminal charges or to prove that a “debt” is owed to the slaveholder.<sup>21</sup>

**Debt Bondage:** The most common method of enslavement in the world today, accounting for nearly 20 million of the world’s slaves. It begins when a person accepts a loan from a moneylender, often in order to purchase basic necessities such as food or medicine. The person (and often his or her family as well) are held as collateral against the loan. Because they are collateral, their work does not repay the debt but ‘belongs’ to the moneylender. Unable to earn money independently, the family is unable to repay the illegal debt, and it is passed down from generation to generation, creating hereditary enslavement. This system is well-entrenched in South Asia, and can trap entire families in slavery for illegal debts as small as \$40.<sup>22</sup>

**Human Smuggling:** Helping someone to illegally cross country borders, often without identification or papers, for financial or material benefit. Smuggling ends with the arrival of the migrants at their destination, whereas trafficking involves the ongoing exploitation of the victims in some manner to generate illicit profits for the traffickers.<sup>23</sup>

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<sup>18</sup> Free the Slaves online glossary

<sup>19</sup> Midwest Immigrant and Human Rights Center 2003

<sup>20</sup> Ibid

<sup>21</sup> Free the Slaves online glossary

<sup>22</sup> Ibid

<sup>23</sup> New Jersey Anti-Trafficking Initiative at the International Institute of New Jersey 2006

**Involuntary Servitude:** Includes a condition of servitude induced by means of (a) any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition that person or another person would suffer serious harm or physical restraint; or (b) the abuse or threatened abuse of the legal process.<sup>24</sup>

**Sex Trafficking:** The recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.<sup>25</sup>

## Legislation and Policy

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### The U.S. Trafficking Victims Protection Act of 2000 (TVPA) and The U.S. Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA)

The TVPA was passed IN 2000 to “combat trafficking in persons, a contemporary manifestation of slavery whose victims are predominantly women and children, to ensure just and effective punishment of traffickers, and to protect their victims.”

The TVPA defines severe forms of trafficking in persons as:

- sex trafficking in which a commercial sex act is induced by force, fraud or coercion, or in which the person induced to perform the act is under the age of 18.
- recruitment, harboring, transportation, provision or obtaining a person for labor or services through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

### Relevant International Conventions

- UN Protocol to Prevent, Suppress and Punish Trafficking in Persons
- ILO Convention 182, Elimination of Worst Forms of Child Labour
- Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
- Optional Protocol to the Convention on the Rights of the Child in Armed Conflict
- ILO Convention 29, Forced Labour
- ILO Convention 105, Abolition of Forced Labour

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<sup>24</sup> Midwest Immigrant and Human Rights Center 2003

<sup>25</sup> Ibid.



## Statistics and General Information

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- Approximately 800,000 people are trafficked across national borders each year. This does not include millions trafficked within their own countries.<sup>26</sup>
- The ILO estimates that 12.3 million people are held in slavery worldwide<sup>27</sup>
- According to the ILO, there are currently 200,000 people who have been trafficked into the U.S. at the present time
- It is big business
  - linked to organized crime
  - growth of the internet and technology
  - global poverty

### Major Forms of Human Trafficking<sup>28</sup>

- Forced Labor
- Bonded Labor or Debt Bondage
- Involuntary Domestic Servitude
- Forced Child Labor
- Child Soldiers
- Sex Trafficking and Prostitution
- Children Exploited for Commercial Sex/ Child Sex Tourism

### Who are Trafficked Persons?<sup>29</sup>

- Men, women and children
- Varying ages
- Varying levels of education
- Some are voluntary migrants seeking to improve their situation and/or to escape poverty, war, gender-based discrimination, or political persecution

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<sup>26</sup> “Trafficking in Persons Report, 2008” (<http://www.state.gov/g/tip/rls/tiprpt/2008/>)

<sup>27</sup> Forced Labour, Child Labour and Human Trafficking in Europe: An ILO Perspective. (2002) International Labor Organization Technical Paper for the EU/IOM STOP “European Conference on Preventing and Combating Trafficking in Human Beings”  
[http://www.ilo.org/public/english/standards/ipecc/publ/policy/brussels\\_traffpaper2002.pdf](http://www.ilo.org/public/english/standards/ipecc/publ/policy/brussels_traffpaper2002.pdf)

<sup>28</sup> “Trafficking in Persons Report, 2008” (<http://www.state.gov/g/tip/rls/tiprpt/2008/>)

<sup>29</sup> Adapted from Freedom Network Training Institute, 2008

## What factors lead to trafficking?

- Pressure from population increases in the developing world that lead to extreme poverty and desperation
- Rapid advances in internet and communication technology make information easily accessible to predators and traffickers worldwide
- Huge growth in networks of stateless illicit traders working “underground”
- Promises of good jobs, economic opportunity, travel
- Corruption among government, law enforcement

## People are Trafficked For:<sup>30</sup>

- Domestic service
- Commercial sex acts
- Servile marriage
- Factories
- Begging
- Agriculture
- Criminal Activity
- Restaurant work
- Construction
- Hotel/motel housekeeping
- Other informal labor sectors

## Who are the Traffickers?<sup>31</sup>

- Organized crime
- Neighbors, friends, family members, village chiefs, returnees
- Agricultural operations
- Owners of small or medium-sized businesses
- Families (including diplomats)
- Police, government authorities, military

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<sup>30</sup> Ibid.

<sup>31</sup> Ibid.

# Appendix 3: Identifying and Interviewing Trafficking Victims

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## Clues for Identifying Victims of Trafficking

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- Multiple people in cramped space
- People living with employer
- Inability to speak to individual alone
- Employer holding identity documents
- Evidence of being controlled
- Unwillingness to obtain medical treatment
- Inability to move or leave job
- Bruises or other signs of battering
- Submissive, fearful, or depressed demeanor
- Little or no pay for labor
- Recent arrival from Asia, Latin America, Eastern Europe, Canada, Africa or India

## Suggested Screening Questions

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- Are you allowed to leave your place of work?
- How many hours do you work a day?
- Have you been paid for your work or services?
- What are your living conditions?
- Have you been physically or sexually abused?
- Have you been threatened?
- Do you have a passport and/or other documents?
- How did you find out about this job?
- Who organized your migration?
- What would you like to see happen?

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<sup>32</sup> Zarembka, J. Freedom Network Training Institute, 2008

# World Health Organization Ethical and Safety Recommendations for Interviewing Trafficked Women<sup>33</sup>

*Note: Although this list was developed for interviews with women, the same guiding principles ought to be applied when interviewing all trafficked people – men, women, or children.*

1. **DO NO HARM**  
Treat each woman and the situation as if the potential for harm is extreme until there is evidence to the contrary. Do not undertake any interview that will make a woman's situation worse in the short term or longer term.
2. **KNOW YOUR SUBJECT AND ASSESS THE RISKS**  
Learn the risks associated with trafficking and each woman's case before undertaking an interview.
3. **PREPARE REFERRAL INFORMATION – DO NOT MAKE PROMISES THAT YOU CANNOT FULFILL**  
Be prepared to provide information in a woman's native language and the local language (if different) about appropriate legal, health, shelter, social support and security services and to help with referral, if requested.
4. **ADEQUATELY SELECT AND PREPARE INTERPRETERS, AND CO-WORKERS**  
Weigh the risks and benefits associated with employing interpreters, co-workers or others, and develop adequate methods for screening and training.
5. **ENSURE ANONYMITY AND CONFIDENTIALITY**  
Protect a respondent's identity and confidentiality throughout the entire interview process – from the moment she is contacted through the time that details of her case are made public.  
*Note: Confidentiality is not always possible, given the legal obligations of interviewer.*
6. **GET INFORMED CONSENT**  
Make certain that each respondent clearly understands the content and purpose of the interview, the intended use of the information, her right not to answer questions, her right to terminate the interview at any time, and her right to put restrictions on how the information is used.
7. **LISTEN TO AND RESPECT EACH WOMAN'S ASSESSMENT OF HER SITUATION AND RISKS TO HER SAFETY**  
Recognize that each woman will have different concerns, and that the way she views her concerns may be different from how others might assess them.
8. **DO NOT RE-TRAUMATIZE A WOMAN**  
Do not ask questions intended to provoke an emotionally charged response. Be prepared to respond to a woman's distress and highlight her strengths.
9. **BE PREPARED FOR EMERGENCY INTERVENTION**  
Be prepared to respond if a woman says she is in imminent danger.
10. **PUT THE INFORMATION COLLECTED TO GOOD USE**  
Use information in a way that benefits an individual woman or that advances the development of good policies and interventions for trafficked women generally.

<sup>33</sup> Zimmerman, C. and Watts, C. (2003), *WHO Ethical and Safety Recommendations for Interviewing Trafficked Women*, World Health Organization

## Tips for Using Interpreters

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1. Make sure the interpreter is culturally appropriate in terms of gender, age, class, and socio-cultural experiences and sensitivity, etc. If possible, use two interpreters to offset bias.
2. Ensure that the selection of the interpreter maintains the victim's privacy.
3. DO NOT use family members as interpreters.
4. Spend time with interpreters first to screen their expertise and to identify any prior relationship with the survivor.
5. Review interpreter roles/ procedures and provide in-service training on the issue of human trafficking.
6. Encourage the interpreter to translate literally rather than paraphrase, although sometimes paraphrasing is necessary for cultural understanding.
7. Avoid colloquialisms, idioms, and slang.
8. Speak in short, simple, jargon-free sentences, so interpretation is easier. Ask the same questions in different ways.
9. Look and speak directly to the victim, not the interpreter, even though the victim does not understand.
10. Listen, even though you may not understand the language.
11. The provider should look for non-verbal cues.
12. Have the interpreter ask the victim to repeat the information communicated, to see if there are any gaps in understanding.
13. Practice patience with all parties involved.
14. Debrief with interpreters, as they may experience trauma or distress after an interaction with survivors.

## Appendix 4: References and Resources

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## Selected Additional Websites

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American Anti-Slavery Group

[www.iabolish.org](http://www.iabolish.org)

Amnesty USA

<https://www.amnestyusa.org/>

Anti-Slavery International

[www.antislavery.org](http://www.antislavery.org)

Break the Chain Campaign, Institute of Policy Studies

<http://www.endslaverynow.org/institute-for-policy-studies-break-the-chain-campaign>

Childtrafficking.com Digital Library

[www.childtrafficking.com](http://www.childtrafficking.com)

Coalition to Abolish Slavery and Trafficking (CAST)

[www.castla.org](http://www.castla.org)

ECPAT International

<http://www.ecpat.org>

Free the Slaves

[www.freetheslaves.net](http://www.freetheslaves.net)

Freedom Network USA

[www.freedomnetworkusa.org](http://www.freedomnetworkusa.org)

Global Alliance Against Traffic in Women (GAATW)

[www.gaatw.org](http://www.gaatw.org)

International Labour Organization

<http://www.ilo.org/public/english/region/asro/bangkok/child/trafficking/>

International Organization for Migration (IOM)

[www.iom.int/](http://www.iom.int/)



International Rescue Committee

[www.theirc.org/trafficking](http://www.theirc.org/trafficking)

Human Trafficking Search

[www.HumanTraffickingSearch.net](http://www.HumanTraffickingSearch.net)

Organization for Security and Co-operation in Europe (OSCE)

<http://www.osce.org/>

Polaris Project

[Polarisproject.org](http://Polarisproject.org)

Project Hope International

<http://www.projecthope.org/?referrer=https://www.google.com/>

Protection Project

[www.protectionproject.org/](http://www.protectionproject.org/)

Shared Hope International

[www.sharedhope.org](http://www.sharedhope.org)

Stop the Traffik

<http://www.stopthetraffik.org/usa>

United Nations Office of Drugs and Crime (UNODC)

<https://www.unodc.org/unodc/en/human-trafficking/>

Vital Voices

[www.vitalvoices.org](http://www.vitalvoices.org)

## U.S. Government Resources

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### Rescue and Restore Victims of Human Trafficking

**[www.acf.hhs.gov/trafficking](http://www.acf.hhs.gov/trafficking)**

A U.S. Department of Health and Human Services Administration for Children and Families Campaign intended to increase the number of identified trafficking victims and

to help those victims receive the benefits and services needed to live safely in the U.S. This website provides information and resources for health care providers, social service providers and law enforcement officers which includes fact sheets, training and resource tools, educational brochures

and posters, assessment cards for healthcare providers and law enforcement officers and Trafficking Information and Referral Hotline information. Hotline is 1-888-373-7888.

### U.S. Department of Justice

**[www.usdoj.gov](http://www.usdoj.gov)**

Provides information about trafficking in persons and links to reports including Assessment of U.S. Government Activities to Combat Trafficking in Persons 2005 and the Report to Congress from Attorney General Alberto R. Gonzales on U.S. Government Efforts to Combat Trafficking. This website also provides information about how to report trafficking crimes, prosecution, protections for victims, information about the Trafficking in Persons and Worker Exploitation Task Force, Prevention Through Outreach and Research as well as U.S. government-related trafficking web links.

### U.S. Department of State

**<https://www.state.gov/j/tip/>**

Provides national and global information about human trafficking, links to the *Trafficking in Persons Reports*, e-journals, publications, resources, fact sheets and online readings about human trafficking.