2020 REPORT

LABOR TRAFFICKING ROUNDTABLE

GEORGIA'S STATEWIDE HUMAN TRAFFICKING TASK FORCE

TABLE OF CONTENTS

Introduction

Overview of Labor Trafficking

- Risk Factors 4
- Victim Identification 5
- Georgia Landscape 6

Discussion

- How do we increase awareness of labor trafficking? 8
- How do we better serve victims of labor trafficking? 10
- How can we capture data on labor trafficking? 12
- What can be done on the state level? 13

Next Steps 15

Acknowledgments 16

INTRODUCTION

Labor trafficking is defined as the recruitment, harboring, transportation, provision, or obtaining of 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 [United States Government, 2000]. It accounts for the largest form of human trafficking worldwide, and in 2016, it impacted nearly 24.9 million people around the world [International Labour Organization, 2017]. Of that staggering figure, 16 million were victims of forced labor exploitation in economic activities such as agriculture, construction, domestic work, and manufacturing [United Nations Office on Drugs and Crime, 2020].

Many private and publicly funded organizations and government agencies address the recognition, investigation, prosecution, and victim service needs of sex-trafficked persons. However, far fewer attend to the analogous needs of labor-trafficked adults and children [Bales & Lize, 2005].

State strategic plans for addressing forced labor are often lacking, and community efforts to serve exploited persons are fragmented and poorly funded [Bales & Lize, 2005]. Yet, victim needs are extensive, including housing, education and employment opportunities, medical and mental health care, and in many cases, immigration and legal support, language interpretation and support in adjusting to the host country culture [Caliber Associates, 2007].

Tools to measure the scope of human trafficking in the United States are being developed [Weiner & Hala, 2008], but these must overcome very significant challenges to reliability.

Measuring the prevalence of labor trafficking is particularly difficult, given the sheer number and diversity of occupational sectors involved, the often isolated populations of trafficked persons, frequent language barriers and victim fears of arrest and/or deportation [The Polaris Project, 2020].

Those most vulnerable to labor exploitation--including persons living in poverty, seeking to escape violence or persecution through migration, or belonging to a marginalized population--are often the hardest to reach in prevalence studies [United Nations Office of Drug and Crime, 2013]. This invisibility contributes to the profound lack of recognition of, and services for labor trafficked persons.

The labor trafficking spectrum is wide and its issues are nuanced. The contents of this report are based on a multidisciplinary roundtable discussion held on November 4, 2019. The convening - which was moderated by Susan Coppedge, former United States Ambassador-at-Large for the Office to Monitor and Combat Trafficking, brought together experts on labor trafficking to start conversations that we hope will yield actionable steps to better identify forced labor in Georgia and improve services for trafficked persons.

OVERVIEW OF LABOR TRAFFICKING

RISK FACTORS

Labor trafficking is a crime that is elusive and broadly misunderstood. It is less visible and severely under reported when compared to sex trafficking [The Polaris Project, 2020], and it often capitalizes on occupations where vulnerable workers are subject to wage/hour violations, inhumane working conditions, and threats of physical or psychological abuse [United Nations Office on Drugs and Crime, 2020].

Forced labor can affect any community, and victims may be of any race, age, gender, socioeconomic status, and nationality. However, trends overall indicate that victims have one or more risk factors at the individual, interpersonal, community or societal level [The Polaris Project, 2020]. These may include homelessness/runaway status, a history of family violence or abuse, abandonment or orphan status, extreme poverty, community violence, lack of family or community support, natural disaster or social upheaval, or belonging to a socially marginalized group (e.g. racial/ethnic minority; LGBTQ+, persons with disabilities) [The Polaris Project, 2020].

Migration is a key risk factor for trafficking and exploitation. In 2018, the International Labour Organization (ILO) reported that nearly one in four trafficking victims were trapped in forced sex or labor outside of their home countries [International Labour Organization, 2017]. Today, there are nearly 30 million people forcibly displaced from their countries by war and other humanitarian crises [International Organization for Migration, 2017].

Many migrants leave their homelands voluntarily in search of a better life, but all migrants, regardless of their reason for migrating, are vulnerable to trafficking during their journeys. They are away from their usual networks of support, have few resources with which to sustain themselves, and are often wholly dependent on others for their safe passage and travel.

Migrants remain vulnerable to traffickers even after they reach their destinations due to language barriers, the challenges of integrating into new and unfamiliar communities, anti-immigrant biases and discrimination, and unfair practices by employers and landlords who exploit their weaker position [International Organization for Migration, 2017]. As a result, migrant workers, according to the ILO, "may find themselves employed under substandard working conditions, being paid at wage levels below national standards and counterparts, and sometimes kept under these conditions due to their immigration status, difficulties in changing employment linked to restrictive visa regimes, and/ or debt bondage" [International Organization for Migration, 2017].

Research by the Urban Institute in 2014 found that the majority of labor trafficking victims in their study entered the U.S. on a lawful visa, but by the time they were able to escape their traffickers and seek help, the visas had lapsed for most and they were unauthorized to be in the U.S., further complicating their efforts to seek assistance safely [Owens et al., 2014].

OVERVIEW OF LABOR TRAFFICKING

VICTIM IDENTIFICATION

Very few victims of labor trafficking are known to come forward on their own [U.S. Department of Homeland Security, 2020]. They often rely on their traffickers for their livelihood and are too vulnerable to speak out against them. Traffickers exercise such control that there is little opportunity for victims to escape, and any attempt can be dangerous or deadly. [U.S. Department of Homeland Security, 2020]. Other factors that keep victims from coming forward include shame; fear of harm to themselves or their family, including deportation; and a lack of knowledge about their rights and how to seek help [U.S. Department of Homeland Security, 2020].

Indeed, many victims do not understand they are victims of a crime at all. To help identify cases of forced labor, the ILO has identified eleven potential indicators of trafficking: abuse of vulnerability; deception; restriction of movement; isolation; physical and sexual violence; intimidation and threats (against the victim or the victim's loved ones); retention of identity documents; withholding of wages; debt bondage; abusive working and living conditions; and excessive overtime [U.S. Department of Homeland Security, 2020].

In most cases, there are multiple indicators present, as victims often experience many different forms of coercion. According to the ILO, nearly one-quarter of victims (24%) had their wages withheld or were prevented from leaving their jobs by threats of non-payment of due wages. Seventeen percent experienced threats of violence, 16% experienced physical violence, 12% experienced threats against family, and 7% of women reported acts of sexual violence [International Labour Organization, 2017].

OVERVIEW OF LABOR TRAFFICKING

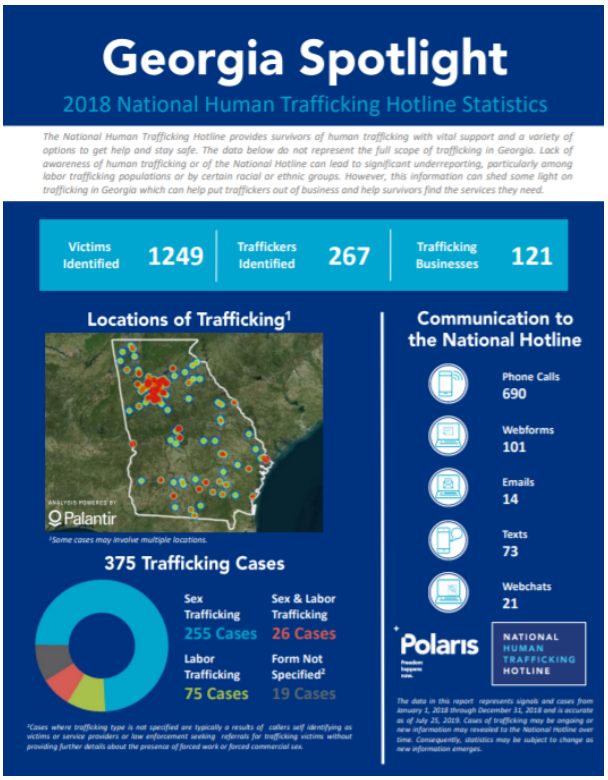
GEORGIA LANDSCAPE

The extent of labor trafficking in the State of Georgia is unknown due to the wide array of industries affected, complexities of the crime and mis-identification with other forms of abuse. We look instead to our State's economic landscape and the industries where trafficking and exploitation are known to occur.

Georgia has the ninth largest economy in the nation, with Atlanta contributing to 65% of the state's GDP [Georgia Farm Bureau, 2020]. Many of the state's employment opportunities and benefits can be found in Atlanta leaving the rest of the state in dire need of workforce. This includes the agriculture sector which in 2018 contributed to approximately $73.3 billion of Georgia's economy [Georgia Farm Bureau, 2020].

It is estimated that one in seven Georgians work in agriculture, forestry or a related field [American Immigration Council, 2020]. Due to shortage in workforce outside of the city of Atlanta, employers are turning to international recruiters to fill the need. In the first six months of fiscal year 2020, Georgia was rated second in the country for number of H-2A visas issued to foreign agricultural workers and tenth is the country for number of H-1B visas issued for high skilled labor [U.S. Department of Labor, 2020]. Vulnerabilities associated with H-2A and H-1B visa programs include incurred debt associated with recruitment as well as the inability to change place of employment due to visa restrictions [Freedom Network USA, 2018].

Another thriving industry in the State of Georgia is tourism, contributing $66.2 billion to Georgia's economy [Georgia Department of Economic Development, 2020]. This industry attracts J-1 visa applicants looking for work and cultural exchange opportunities in the United States. Many students often pay exorbitant recruitment fees to come to the United States to learn English through part time work and cultural experiences. The incurred debt associated with unregulated recruitment fees often leaves students vulnerable to workplace exploitation [Southern Poverty Law Center, 2014]. Less documented and rarely identified labor trafficking cases involve U.S citizen victims. Their cases are often dismissed and filed as minor wage and hour violations.



Source: Polaris Project, 2018 U.S. National Human Trafficking Hotline Statistics, available at: https://humantraffickinghotline.org/sites/default/files/GA-2018-State-Report.pdf

DOCUMENTED CASES OF LABOR TRAFFICKING IN GEORGIA

UNITED STATES V. JOHANNES DU PREEZ

Five defendants were charged in connection with a scheme to bring foreign nationals, primarily from South Africa, into the United States illegally and to provide them with employment at their granite and marble business. Once in the United States, the individuals resided in apartments leased by the granite company, and they were induced to provide labor for cash or for credit against the cost of their rent, furniture, utilities, and visa applications. The defendants threatened to report the individuals' illegal status to the immigration authorities as a means of keeping the victims under their employment. Four defendants pleaded guilty to conspiring to harbor aliens and were sentenced to terms of incarceration ranging from 24 to 108 months. In addition, Johannes DuPreez was ordered to pay $363,579.40 restitution and a $50,000 fine to the IRS , while Franciszka DuPreez was ordered to pay $182,036 restitution to the IRS. A fifth defendant who pleaded guilty was sentenced to eight months home confinement and fined $2,000 [University of Michigan Law School, 2006].

UNITED STATES V. BIDEMI BELLO

Bidemi Bello was charged in connection with enslaving two Nigerian females to work as nannies using physical force, false promises and threats of incarceration. The females were promised an education as well as salary. Instead, the victims were forced to care for Bello's child and conduct household chores. They were forced to endure degrading treatment such as showering out of a bucket and eating spoiled food. Bello was sentenced to 11 years and eight months in prison and ordered to pay restitution in the amount of $144,200. Bello was also ordered to be deported from the United States upon completion of her federal sentence [The Free Law Project, n.d.].

Q1: HOW DO WE INCREASE AWARENESS?

Victims of labor trafficking often face significant barriers to reporting and accessing the services they need to leave an exploitive situation. Promoting broader awareness of the issue and increasing outreach efforts to at-risk populations, will be critical to our efforts to combat labor trafficking in Georgia.

When developing messaging around forced labor, we need to curate common language that is informed by survivors and tailored to address its intended audience. It is helpful to go beyond an explanation of the signs and indicators of labor trafficking to utilize storytelling as a way to engage the community and develop a mutual understanding of what labor trafficking entails. Providing the public with narratives that are easy to read, understand, and share can greatly impact the rate at which information is shared within our community.

Critical to our outreach efforts is the ability to reach at-risk populations, including: persons experiencing homelessness; youth in foster care shelters, and detention centers with intellectual disabilities; and immigration and refugee populations [The Polaris Project, 2020].

By enlisting the help of faith communities, immigrant or refugee organizations, and trusted community leaders, we can expand the dialogue around forced labor, develop an understanding of protections under our labor laws, and connect potential victims to critical resources in our community. Venues such as schools, churches, and ethnic grocery stores - places where at-risk populations are likely to frequent - can serve as ideal locations for the dissemination of outreach materials.

KEY CONSIDERATIONS

Consistent, targeted messaging will improve our understanding of labor trafficking and help engage the broader community.

Establishing trust with at-risk persons requires an understanding of how their needs, their priorities and how that population receives and communicates information.

Outreach materials must reflect the actual lived experiences of survivors, be available in multiple languages, and designed to accommodate cultural and linguistic considerations.

Repeated outreach is often helpful as victims may not disclose their exploitative situation during the initial meeting, or feel ready to make changes.

Q1: HOW DO WE INCREASE AWARENESS?

ACTION STEPS

Create **Frequently Asked Questions (FAQ)** that can be shared and adapted for local communities, including:

- What are the common signs or indicators?
- What industries are affected?
- What makes someone vulnerable to labor trafficking?
- How does labor trafficking affect our community?
- What happens to the victims if there is a raid at their place of employment?
- What are the penalties for traffickers?
- What should I do if I suspect someone is being trafficked for labor?

Curate a list of common **Myths and Misconceptions**

Summarize key **Messages and Methods of Delivery** for the following stakeholders:

- General public
- Business associations/Chamber of Commerce
- Businesses (i.e. Employers/Employees)
- Federal, state, and local law enforcement
- Legislators/policy advocates
- At-risk communities (e.g. at-risk youth, persons with disabilities, refugee and immigrant communities)
- Legal/social service providers
- Government agencies
- State and local inspectors (e.g. health, safety, property)
- Transit services (e.g. airlines, public transit)

Q2: HOW DO WE BETTER SERVE VICTIMS?

To effectively serve victims of labor trafficking, we must first understand their lived experiences and incorporate their voices into our efforts on the ground. Through consistent outreach and collaboration with trusted community partners, we can understand strategies for communication, cultural nuances, commonly held beliefs and attitudes, and the perceived needs of those who have been subject to exploitation.

Informal discussions during outreach activities, semi-structured interviews, and focus groups involving workers, service providers and trafficking survivors, can be effective ways to learn how best to serve trafficked persons. We can identify trusted leaders in the community who are likely to come into contact with victims and those at risk for exploitation. These community leaders may provide valuable information about the needs of the population, and help to facilitate focus group sessions and interviews by adding legitimacy to the efforts and facilitating trust.

Culturally and linguistically appropriate screening tools and trauma-informed services are also needed, as trafficked persons are often reluctant to disclose their exploitative circumstances, or do not recognize them as such.

They may fear retaliation from their traffickers, arrest or deportation by law enforcement, shame and isolation from their community, or they may simply be unaware that help is available.

When gathering information to better serve trafficked persons, professionals should use questions that are culturally and linguistically appropriate, and adopt a trauma-informed approach. With permission of the trafficked person, insights gained may be shared between providers to maximize the reach of the work while following appropriate confidentiality protocols.

The implementation of survivor leadership opportunities within organizations serving trafficked persons can further inform best practices and provide a road map for future changes based on the survivor's lived experience.

Service providers should collaborate with trafficked persons and those at risk to design a reasonable safety plan for each individual. These plans should be re-assessed regularly as service needs change over time. Particularly important is access to appropriate housing as many victims of labor trafficking do not have access to emergency shelters. .

Additional challenges may arise in connecting trafficked persons to culturally specific services in remote areas and helping them gain stability through lawful employment - as some foreign-born victims may lack access to work authorization.

Individuals

Victims
1211

Traffickers
1210

Type of Trafficking

Labor Trafficking
93%

Sex and Labor Trafficking
7%

Trafficker's Primary Relationship to the Victim (Where Known)

1. Employer and/or Recruiter (604)
2. Familial and Intimate Partner (255)
3. Smuggler (128)
4. Landlord (6)

These statistics are from the U.S. National Human Trafficking Hotline data from January 2013 to December 2017.

Source: Polaris Project, Domestic Worker Fact Sheet, available at: https://polarisproject.org/wp-content/uploads/2019/07/Domestic_Worker_Fact_Sheet.pdf

Q2: HOW DO WE BETTER SERVE VICTIMS?

KEY CONSIDERATIONS

Truly providing for the needs of trafficked persons requires a shift from emphasizing their legal (immigration) status to focusing on their status as a survivor of a crime and a person in need of services.

Inter-agency collaboration is key: we need to identify and work with stakeholders, including survivors to ensure their voices are being heard.

Focus groups, semi-structured interviews and culturally and linguistically appropriate screening tools can be effective ways to learn how to serve trafficked persons.

Law Enforcement and other First Responders are critical to our ability to identify and serve survivors. Optimal provision of care for trafficked and at-risk persons requires:

- Training to help identify potential cases of labor trafficking and respond with an appropriate trauma-informed approach; specialized training is necessary to help identify coercion and fraud that lead to trafficking as distinct from labor exploitation
- A commitment to the practice of cultural sensitivity when interacting with victims
- A bilingual and racially, ethnically, and culturally diverse staff
- The ability to offer victims the option of choosing the gender of the serving professional whenever possible

ACTION STEPS

- Establish a multi-disciplinary coalition, specifically designed to identify and serve survivors of forced labor.
- Create a strategic plan to conduct focus groups, semi-structured interviews and surveys of workers, trafficked persons, and those at risk, and service providers to identify and characterize victim needs, and concerns.
- Develop a statewide model screening tool that can be adapted for use by various sectors in our community.

Q3: HOW DO WE CAPTURE DATA?

In order to create a strong infrastructure to support survivors, we need access to reliable data to better understand the scope and dynamics of labor trafficking in the state of Georgia. While limited data exists, additional efforts are needed to identify the risk factors, prevalence, and opportunities for successful prevention and intervention in targeted communities.

The effort will require a public-private partnership, incorporating rigorous academic research and a public health approach. This was the model used in 2005 when Georgia stakeholders first identified the problem of child sex trafficking in the state and faced similar gaps in data [Atlanta Women's Agenda, 2005]. Using a similar model, we can now expand our understanding of labor trafficking in the state. Early research might include a review of publicly-accessible databases that track relevant criminal, civil, and administrative actions. A review could be supplemented by informant interviews, field observations, case studies, employer and service provider surveys, and spatial mapping to identify labor trafficking "hot spots." The CJCC is currently collaborating with the University of Georgia College of Public Health to gather data on labor trafficking violations in the state of Georgia and develop a geospatial heat map of suspected trafficking using methodology shared by the Buffett-McCain Institute Initiative to Combat Modern Slavery.

By adopting scientifically based, public health strategies, we will gain insight into the extent of labor trafficking in Georgia, where it is occurring, what conditions contribute to it, what resources already exist to address the problem and what barriers must be overcome. Information on risk and protective factors will aid in development of primary prevention programs to reduce forced labor in Georgia.

KEY CONSIDERATIONS

Efforts to conduct research and identify service needs must address barriers to victim reporting, which may include (but are not limited to):

- Fear of job/income loss
- Fear of deportation and retribution
- Losing a network, sense of belonging and community
- Limited awareness of individual rights to freedom

Place-based research on labor trafficking "hot spots" can be helpful to focus and deepen data collection.

ACTION STEPS

Develop a centralized reporting system and database for identifying labor-trafficked persons in Georgia. This system will likely have varying degrees of privacy, from providing aggregate information to the public to private case management information about survivors and the respective professional support staff managing each victim's case.

Subject matter experts (SMEs) and funding are needed to create and integrate a shared database. University partners may be a helpful resource to develop an effective scope of work and milestone progress.

Q4: WHAT COULD BE DONE ON THE STATE LEVEL?

Labor trafficking cannot be addressed without cross-sector collaboration between institutions and organizations. Public - private partnerships, multidisciplinary teams and task forces, and inter-agency data-sharing agreements that define how organizations will capture and share data around labor trafficking, will most effectively harness the strengths of individual professionals and institutions and help us improve outcomes for trafficked persons.

At-risk populations need varied and long-term services, including comprehensive case management, job training, immigration assistance, childcare, medical and mental health assistance, literacy, and housing. Funding for these services is essential to a State's overall capacity to serve this vulnerable population, particularly in rural communities where existing resources are sparse.

Specific state actions can be taken to bolster our response to labor trafficking including the development of a statewide labor trafficking protocol, research into funding opportunities to support anti-labor trafficking initiatives, and the creation of standards and best practices to ensure that programs are effective and responsive to the changing needs of trafficked persons.

Efforts to combat Labor Trafficking must include initiatives to educate law enforcement and members and leaders in the business community about forced labor and exploitative practices. Systems should be implemented to hold businesses responsible for prioritizing legal hiring practices, and ensuring supply chains are free of exploitative practices. An emphasis on prosecution of traffickers and companies, rather than exploited workers, sends a strong message to victims that they have rights, and they will be assisted if they come forward.

Finally, during gaps in employment due to investigations or community crises, such as the current Covid-19 pandemic, support through temporary financial assistance including housing, monetary, and medical benefits will promote the stability of our workers and provide critical support to this particularly vulnerable population.

Within the state of Georgia, a multidisciplinary and collaborative response to combat labor trafficking is being prioritized through the development of the Coalition to Combat Human Trafficking Task Force. It is the state's first law enforcement based task force that partners with the Georgia Bureau of Investigation and identified service providers to combat all forms of trafficking. In conjunction with this effort, a new 24/7 statewide human trafficking hotline 1-866-ENDHTGA (1-866-363-4842) and website endhtga.org were developed. These resources will connect individuals from all forms of human trafficking with direct services based on their needs.

KEY CONSIDERATIONS

- Broad multidisciplinary collaboration is essential to combatting labor trafficking.
- A state's capacity to serve survivors of labor trafficking is directly tied to its ability to secure funding for those efforts.
- A shift in prosecutorial practices, focusing on holding traffickers and businesses engaged in exploitive practices accountable will benefit victims and investigations.

Q4: WHAT COULD BE DONE ON THE STATE LEVEL?

ACTION STEPS

Identify funding for research, direct services, and the creation of systems to bolster the state's ability to identify and serve victims (e.g. creation of labor trafficking hotline).

Empower business communities to engage in anti-trafficking labor practices:

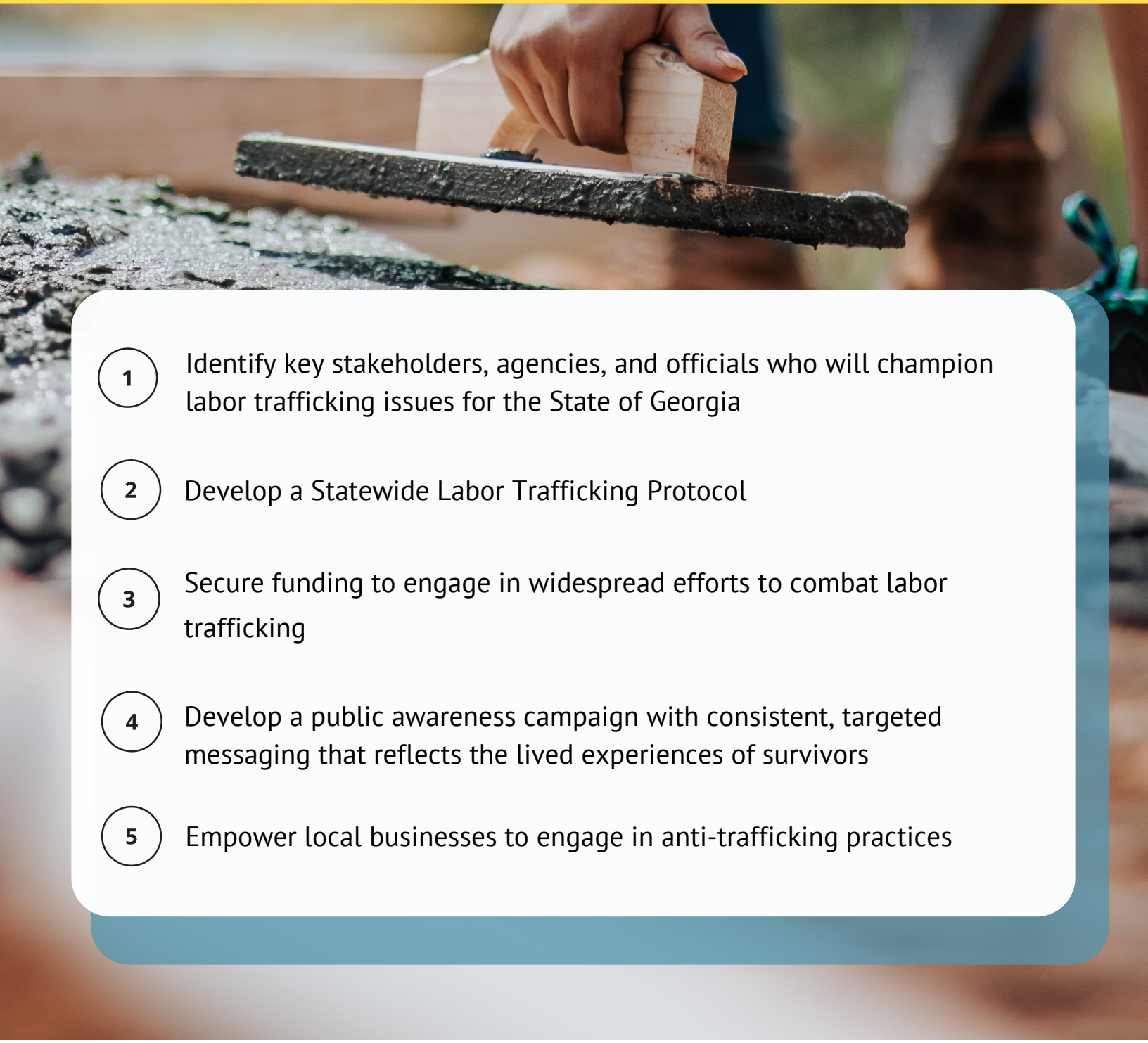
- Develop policies to hold businesses responsible for sound labor practices and fair hiring procedures
- Help businesses develop a code of conduct for supply chains; get stakeholders involved in compliance

State and Local Level Health Inspections:

- Provide inspectors with the requisite information and training on labor exploitation and trafficking
- Add mandatory criteria to the health inspection checklist that address potential signs of labor trafficking
- Explore mandatory reporting by health inspectors when labor trafficking is suspected (analogous to physicians, teachers, etc. within child sex trafficking cases) as they have the opportunity to observe locations where customers would not be permitted to go and to obtain firsthand knowledge from their inspections

NEXT STEPS

Based on the discussions of the 2019 Labor Trafficking Roundtable, Workgroup 6 of the Statewide Human Trafficking Task Force makes the following recommendations as next steps in our work towards better identification of labor trafficking victims, as well as improving services and addressing the ongoing needs of victims of labor trafficking in the State of Georgia.



1. Identify key stakeholders, agencies, and officials who will champion labor trafficking issues for the State of Georgia
2. Develop a Statewide Labor Trafficking Protocol
3. Secure funding to engage in widespread efforts to combat labor trafficking
4. Develop a public awareness campaign with consistent, targeted messaging that reflects the lived experiences of survivors
5. Empower local businesses to engage in anti-trafficking practices

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Caminar Latino
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Center for Victims of Torture
Children's Healthcare of Atlanta
Clarkston Community Center
Consulado General of Mexico
Criminal Justice Coordinating Council
Friends of Refugees
Gateway Center
Georgia Asylum and Immigration Network
Georgia Commission on Women
Georgia Department of Labor
Georgia Hispanic Construction Association
Georgia Legal Services Program
Global Frontier Missions (Clarkston)
Global Village Project
Homeland Security Investigations
Inspiritus
International Rescue Committee Atlanta
Latin American Association
Nardello & Co
New American Pathways
New Sanctuary Movement of Atlanta
Office of Mayor Keisha Lance Bottoms, City of Atlanta
Partners For Home
Partnership Against Domestic Violence
Raksha
Refugee Women's Network
Robinson Law Office, LLC
SAFE America Foundation
Ser Familia
Tahirih Justice Center
Tapestri
The Third Act
U.S. Attorney's Office, Northern District of Georgia
U.S. Department of Labor, Office of the Solicitor General
U.S. Equal Employment Opportunity Commission
University of Georgia School of Social Work
Viewpoint Health
youthSpark

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