

HUMAN TRAFFICKING IN AMERICA | Government promises action

CHANGING VIEWS



KEITH MYERS | THE KANSAS CITY STAR

Many immigrants enter the United States through the border fence with Mexico. At the fence on the beach at Tijuana, Mexico, this man said he was waiting for an opportunity to enter the U.S. — something he said he'd previously done, but been deported.

Solving the problem will take renewed efforts of lawmakers, agencies and law enforcement — and public pressure, too.

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The Kansas City Star

The Obama administration is weeks away from announcing a new surge — this one aimed at escalating the war on human trafficking in America.

“In January we are going to be announc-

ing a major set of initiatives,” Janet Napolitano, secretary of the Department of Homeland Security, told The Kansas City Star.

Napolitano disclosed the administration’s plans at the conclusion of The Star’s six-month investigation exposing numerous failures in America’s anti-trafficking battle.

Although details of the plan were not released, advocates and other experts said they’re cautiously optimistic that this is the best chance in years to address many of the problems revealed in the newspaper’s five-part series. They’re also hopeful

that the administration, which has reached out to them and asked what changes are needed, will correct structural flaws in the broken system.

“It is time to go back to the drawing board and promote a more seamless, coordinated plan,” said Florrie Burke, a nationally known advocate for trafficking victims.

Other experts said it’s also time for congressional oversight hearings on the flagging decade-long struggle, and time to centralize an anti-trafficking effort that is thinly spread across a vast bureaucracy plagued by inter-agency wrangling

and a lack of coordination.

Others contend what's also needed is a top-to-bottom overhaul of ineffective immigration policies that infuriate those on both sides of the politically charged debate.

"The series that ran this week in The Star is a horrible reminder of the price of codes without compassion or common sense," said U.S. Rep. Emanuel Cleaver, a Kansas City Democrat. "In our quest to make our borders unbreakable and our laws unforgiving we have driven some of the most poor and desperate seeking the promise of America into unthinkable situations."

Kansas state Rep. Mike Slatery, a Mission Democrat, said reading the series convinced him that changes across the system are desperately needed.

"It has been on people's radar on the federal level," Slatery said. "Yet there seems to be no coordinated effort to make things better...I think it's about making this a priority."

The series also sparked a grassroots response that many argue is key to regaining America's moral authority to preach the human trafficking doctrine around the world.

One Kansas City area man contacted The Star wanting to know how to help a human trafficking victim he knows. One area woman said she planned to approach her Lenexa pastor to see if area churches could create a safe house for sex trafficked women.

A local small-business owner wanted to know how to find out if the personnel service she uses employs legal immigrants and treats employees properly. Others planned to call Congress and request better oversight of trafficking and more money funneled into the effort.

"It is hidden, ignored, denied, shuffled around and overlooked at the expense of thousands of lives," said Jane Mailand of Lincoln, Neb. "I was so sad to find out that the Midwest is right in the middle of this huge human tragedy."

Experts told The Star that the federal government needs to concentrate on core issues, such as reaching a consensus on how to define human traf-

ficking. They include:

- μ Launching initiatives to find more victims. Better trained police officers and public information campaigns need to be aimed at new arrivals and U.S. citizens.

- μ Appropriating money for services Congress promised years ago for American-born victims. Most are girls — some as young as 12 — sex trafficked in the United States.

- μ Eliminating fraud in work visa programs that make trafficking easier.

- μ Screening for victims before they arrive in the United States or are swept up in workplace raids and deported.

- μ Avoiding built-in conflicts for officers who are now responsible for both arresting illegal immigrants and identifying victims.

Advocates concede that, even with such changes, it will be a long fight.

"If you want to change the direction of a goldfish, that's pretty easy," said Bill Bernstein, deputy director of Mosaic Family Services in Dallas, which works with victims. "If you want to change the direction of a whale, it takes a lot of water. And it takes time."

Training and awareness

Top anti-trafficking officials agree that more law enforcement training to identify and respond to human trafficking is critical.

A police officer, state trooper or federal agent who focuses on a crime such as prostitution — without asking how the person in the back seat of the patrol car got there — could be missing a much larger offense.

While training was a focus of the Bush administration, experts said that it should be broader and become a standard part of the law enforcement curriculum for every officer in a position to encounter human trafficking.

Napolitano suggested that her initiative could take such an approach.

"The problem is it is a very difficult crime to find," she said. "We are revisiting how law enforcement officers are trained to detect human trafficking at



Janet Napolitano

the federal, state and local levels."

Many survivors of human trafficking said they didn't know there are laws in the United States against what they experienced.

They didn't have a clue that they have rights in America.

"So many people with relatives being held hostage and sold don't feel comfortable coming forward," said Rocio Gonzalez Watson, a victim's advocate. "They think they are going to get in trouble. If people feel they're not going to be punished for telling the truth, they will open up."

That's why education is vital, according to advocates. They're calling for educational programs in countries that are a source of U.S.-bound trafficking victims, such as Mexico, China and Guatemala.

"If you come from a country where people make 10 cents an hour or \$1 an hour, you may think a few dollars an hour is good. Under the laws of the U.S., you must be paid at least the minimum wage regardless of where you come from or what your immigration status is," said Ivy Suriyopas, staff attorney for the Asian American Legal Defense and Education Fund.

"They also need to know that here in the U.S., they're not required to work 80 hours or 100 hours a week. If they do work such hours, they are entitled to receive the appropriate overtime pay."

Also needed is a campaign to educate immigrants and their families that U.S. law enforcement will help them and that authorities aren't corrupt like in some countries where they protect the trafficking ring.

Eliminating a built-in conflict for law enforcement authorities who must sort out illegal immigrants from trafficking victims is another challenge.

Although federal immigration officials maintain that their agents are trained to identify human trafficking victims, advocates such as Sonia Pararas Konrad noted there is an "inherent conflict of interest" when the same officers searching for illegal immigrants are also trying to identify trafficking victims.

Visa fraud, improved screening

The Star's investigation found that the U.S. Department of Labor had returned \$200 million it was supposed to use to detect fraud in the nation's work visa program.

☒ Last Thursday, the U.S. House of Representatives finally passed a measure giving the Labor Department authority to spend that money. President Barack Obama signed the bill into law Wednesday.

The bill also adds more money for combating human trafficking, including some services for American-born victims. But more needs to be done to prevent traffickers from misusing the visa program, experts say.

Laura Abel, deputy director of the Justice Program at the Brennan Center for Justice, said guest workers should have more freedom to legally change jobs. "If the employer says work for pennies a day and sleep in this pigpen, they have to. They have no negotiating power," Abel noted.

Catherine Ruckelshaus, legal co-director of the National Employment Law Project, suggested allowing H-2B visa holders access to the same kind of federally funded legal services to which migrant farm workers are entitled.

Other experts suggest cracking down on businesses, such as national hotel chains, that profit by contracting with unscrupulous labor brokers who exploit vulnerable guest workers.

Topeka criminal defense lawyer Pedro Irigonegaray said investigators should look

at large companies that create the economic incentive for human trafficking.

"When was the last time you saw the head of a large hotel corporation or a large manufacturing company or one of these plants where undocumented workers are made to work ... go to prison?" he asked.

As for improved screening and public education, Napolitano said, those should be part of the Obama administration's new initiatives.

"We want to go at the whole deal, about people making money off of other people's miseries, with particular focus on child sex exploitation," she said.

"We had the Hidden in Plain Sight campaign, designed to alert the public and local law enforcement about victims of human trafficking. And we are going to increase our efforts there ... We are going to be doing some things at the border itself, where victims may be brought across."

Focus on sex trafficking

Young American-born girls can't be forgotten in the war against human trafficking, say experts and advocates who work with domestic sex trafficking victims.

First, fund services for victims, something advocates say lawmakers should have done four years ago. Then, create safe houses and shelters where authorities can take girls who were forced into prostitution.

Many girls are currently put

in jail.

"We must have a secure environment where they can stay safe," said Linda Smith, founder of Shared Hope International, which rescues victims of sex trafficking. "... We have to protect that child."

Studies show that as many as 100,000 American-born girls are sex trafficked each year, Smith said. That compares with an estimated 17,500 foreign-born victims trafficked into the United States each year. Yet most federal grant dollars go toward international victims.

"Why in heaven's name isn't 90 percent of the money going to our girls?" Smith said.

The United States needs to make a concerted effort to reduce the demand for sex trafficking, said Laura Lederer, a former senior adviser on human trafficking at the U.S. Department of State. The country needs programs targeted at arresting and prosecuting not only the pimps and traffickers, but also those buying sex.

Through her new organization, Global Centurion, Lederer reviewed innovative programs aimed at reducing demand. Good examples, she said, are the "Dear John" campaign in Atlanta, and the First Offender Prostitution Program in San Francisco, which diverts those who buy sex into a weekend program about the harm of human trafficking.

"Yes, it's important to have shelters and fund services," Lederer said. "But it's also important to turn off the spigot,

turn off the flow."

"It's that man out there buying the sex," she said. "He's creating a market for this."

Prosecution and commitment

While prosecutions in trafficking cases are increasing, the United States still convicts relatively few traffickers.

"I think we have to understand the difficulties here," Napolitano said. "It's not as if victims are coming forward saying, 'I am a victim of a crime.' They don't come to the attention of law enforcement."

In its latest budget request to Congress, the Justice Department asked for money to almost double the number of human trafficking prosecutors.

Yet as the Obama administration prepares to roll out its new anti-trafficking initiatives, politics could cloud the issue.

Administration officials maintain that under President George W. Bush, the Justice Department overemphasized human trafficking prosecutions and shortchanged traditional civil rights cases, such as vote fraud and race discrimination.

Former Bush officials counter that Obama's Justice Department will end up de-emphasizing human trafficking in its zeal to re-emphasize more traditional civil rights cases.

Whatever the new administration proposes, there is guarded optimism among advocates that progress is possible, even in Washington's politically

charged atmosphere.

Recent history has shown that the depravity of modern human slavery — universally decried as a scourge on civilized society — has made strange bedfellows of a wide range of political and social activists.

When Congress passed America's landmark Trafficking Victims Protection Act in 2000, the sponsors could not have been more different: Kansas Republican Sam Brownback, a stalwart social conservative, and the late Minnesota Democrat Paul Wellstone, one of the leading liberal voices in the party.

Brownback said that he and Wellstone found broad support for the law by avoiding politically sensitive minefields that could have derailed the entire effort. Progress on human trafficking can be made, they discovered, when it isn't tied to the incendiary issue of illegal immigration.

For example, some lawmakers became suspicious that the plan to create a special visa for human trafficking victims was just a back-door way to expand immigration. Brownback defused that, in part, by linking the visa to cooperation with law enforcement in prosecuting traffickers.

Experts insist that whatever progress is made in the United States will be limited until lawmakers — and the American public — finally accept that human trafficking is but one dimension of illegal migration.