FRAMEWORK

Labor Trafficking Through Forced Criminality

This training was produced by Framework under Grant No. 15POVC-23-GK-00930-HT, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this document are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

Framework: Tools to Combat Labor Trafficking

Increase **collaboration** of labor trafficking professionals

Improve **service delivery** to labor trafficking survivors

Enhance anti-trafficking programs by supporting intentional and sustainable **survivor engagement**

Dedicated to the creation of tailored, engaging, and user-friendly training, resources, and individualized support.

FRAMEWORK
tools to combat labor trafficking

Learning Objectives

Learning Objective 1

Recognize definitions and trends of labor trafficking through forced criminality

Learning Objective 2

Understand the challenges and opportunities of forced criminality

Learning Objective 3

Learn response and opportunities after identification

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How long have you worked with labor trafficking survivors?

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Describe your role with clients

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One form of trafficking should not be considered more severe or in need of services than another. The status of legislation that ignores the equally urgent needs of child labor trafficking survivors endorses cruelty and child abuse and wholly disregards the egregious torture of children.

- Sabra Boyd | Consultant, Survivor Leader

Forced Criminality Definition and Trends

Defining Labor Trafficking

Trafficking Victims Protection Act

U.S. federal law defines "severe forms of trafficking in persons"

- **Sex trafficking** is the recruitment, harboring, transportation, provision, or obtaining of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or *in which the person induced to perform such an act has not attained 18 years of age*, (22 USC § 7102; 8 CFR § 214.11(a)).
- **Labor trafficking** is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purposes of subjection to involuntary servitude, peonage, debt bondage, or slavery, (22 USC § 7102).

Forced Criminality: The use of force, fraud, or coercion to compel someone to commit a crime.

Trends on Forced Criminality

- Large intersection between sex trafficking and forced criminality
- Forced criminality can co-occur with other forms of labor trafficking
- Comorbidity with child abuse, sexual violence, gang violence, and other forms of trafficking
- Youth and children in the welfare system are frequently targeted
- 83% of victims faced arrest before 22
- 67% experienced periods of unsheltered homelessness
- 56% were under 18 during the trafficking (Youngest being 7)
- 47% were identified as a parenting youth

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Have you worked with survivors of forced criminality?

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Have you worked with men and boys?

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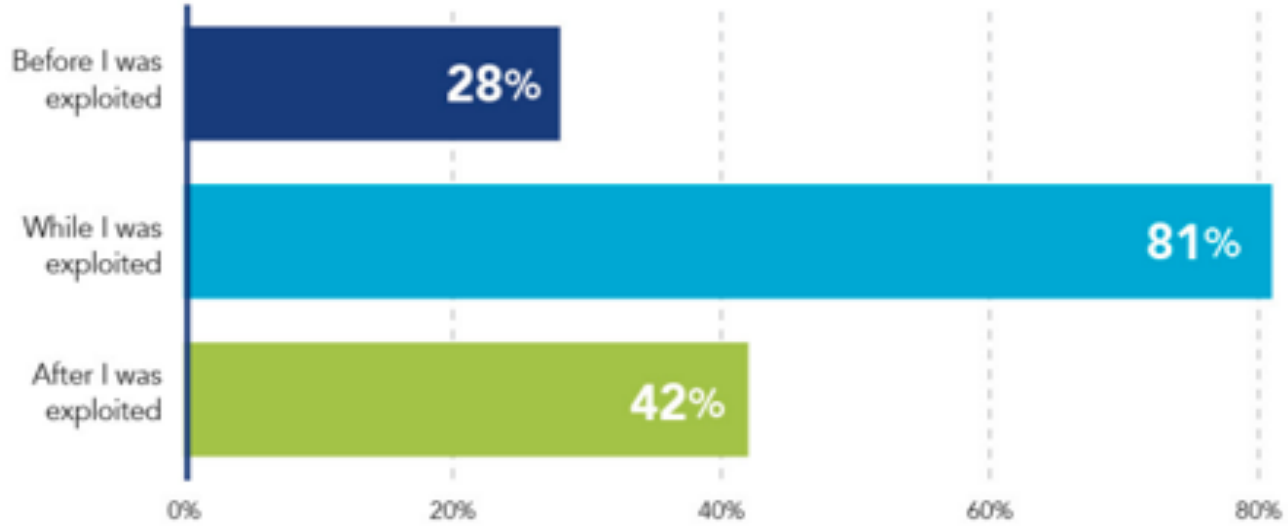
Criminalization of Victims



Polaris National Data 2023

Arrested During Exploitation

81%

All Arrests Related to Exploitation

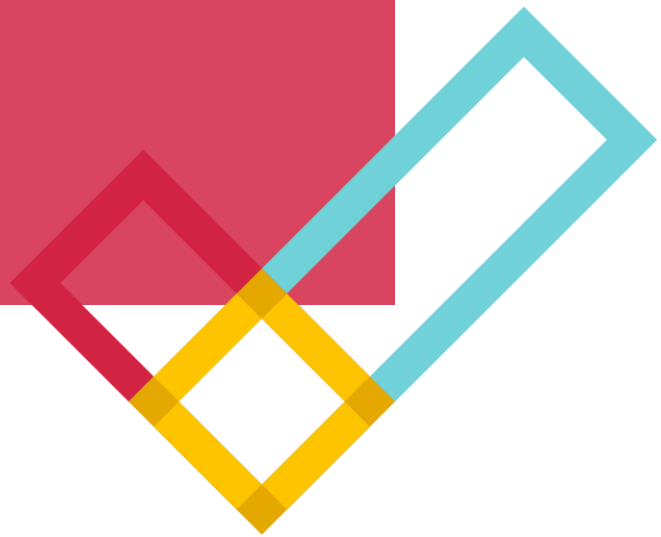
54%

Polaris National Data 2023

Types of Forced Criminality

- Theft
- Robbery
- ID Theft
- Forgery
- Weapon dealing
- Drug trafficking/sales
- Gang activity
- Illicit marijuana cultivation
- Recruitment for sex trafficking
- Online and Phone Scams

Challenges for Forced Criminality Survivors



Victims of trafficking should not be held liable for their involvement in unlawful activities that are a direct consequence of their victimization. Trafficked individuals who are forced to commit a crime are commonly mistaken for criminals—rather than being identified as victims

- U.S Office to Combat and Monitor Trafficking in Persons, June 2014

Protecting Survivors of Trafficking

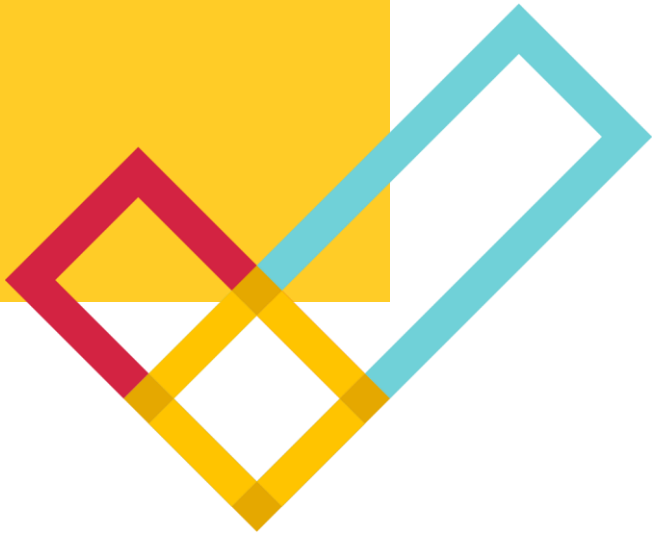
The Non-punishment Principle

Victims and survivors of trafficking should not be inappropriately penalized for unlawful acts they committed as a direct result of being trafficked

Challenges

- Trafficker control
- Absence of protection system for children
- Forced criminality is a lucrative, low-risk enterprise
- Treating victims as criminals
- Lack of identification/awareness
- Lack of clear legal definitions
- Trafficker manipulation
- Impunity
- Fear of authorities
- Police not believing survivors

Response and Opportunities



Key Opportunities

- Recognizing and responding
- Improve legal and administrative shortcomings
- Train and collaborate with partners
- Ensure relevant outreach
- Increase awareness of expungement
- Improve job and housing for those with a criminal history
- Alternative considerate programming
- Prepare staff to work with emotional regulation
- Make sure staff are relatable

Survivor Needs

- Housing Security
- Language Services
- Dependency on employers
- Home life
- Family/Cultural norms (intergenerational connections)
- Cognitive abilities
- Access to safety
- Access to economic opportunities
- Love/belonging/community
- Societal assumptions and opportunity gaps
- Trauma Bonds

Impacts of Criminal Records

Of the 174 survivors who reported having a criminal record, survivors reported criminal records prevented them from:	Yes
Getting or keeping a job.	69%
Getting training, education, or a professional license.	63%
Getting good housing.	59%
Maintaining custody of their children (of those with children).	35%

"There's so many needs that you can't get when you have a criminal record. It makes it more difficult to get your employment, it makes it more difficult to get housing, it makes it more difficult to get services. It affects everything."

-Research and Policy Team, Polaris (2023)

Recommendations

- Be authentic
- Encourage positive male relationships
- Promote healthy coping mechanisms
- Decrease isolation
- Use culturally and age-appropriate language and assessments
- Ensure staff is ready to navigate anger, shame, avoidance, stoicism, substance use, silence, and humor
- When possible, use creative and familiar interventions

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What vulnerabilities were present in Aisha's story?

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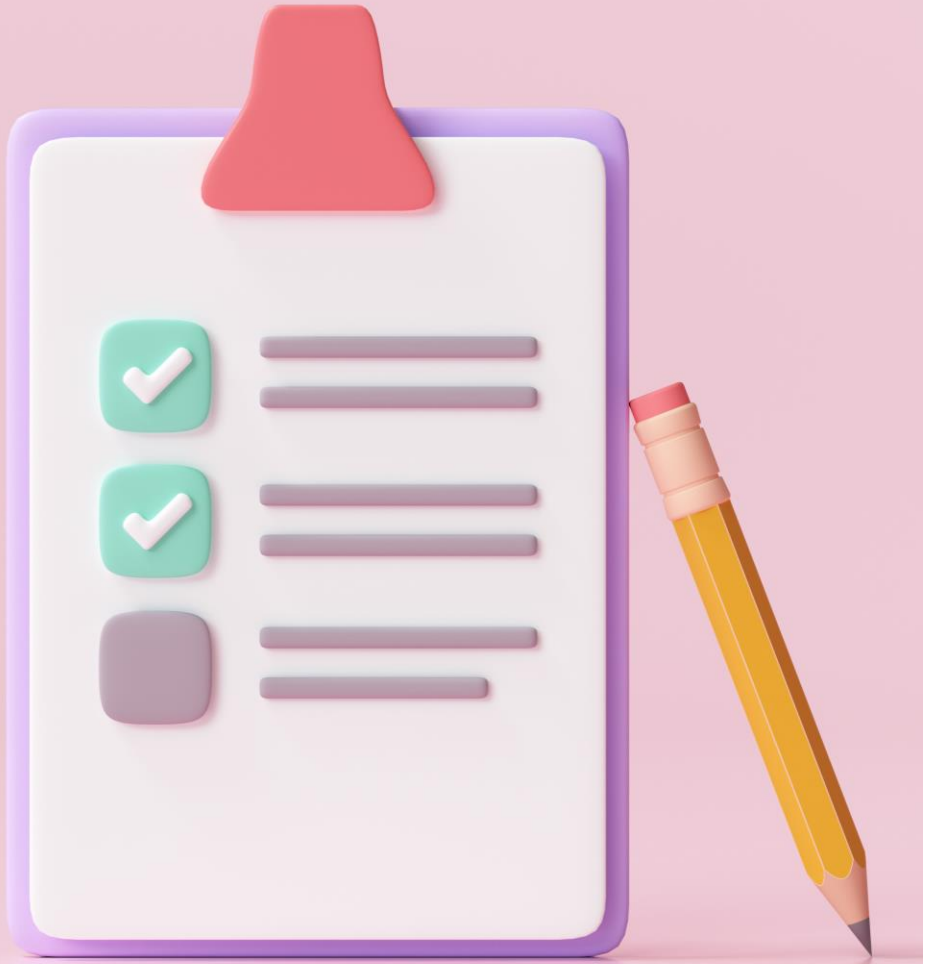

Satisfaction Survey

https://www.surveymonkey.com/r/postsurveyframework

Call To Action

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We invite you to continue the conversation on the opportunities to address forced criminality.

What can you do to educate, prevent, identify and properly respond to this issue?

Let's connect!

Questions?

Thank you!