



Photo courtesy Southern Poverty Law Center

# **Dismantling the Business of Human Trafficking**

**Analysis of Six U.S. Cases**

# Six Human Trafficking Cases in the United States—Analyzed

**HUMAN TRAFFICKING** is largely thought of as an illicit activity that takes place abroad or in the hidden corners of society. It is also a crime that frequently goes undetected and unreported, and as a result, it can be difficult to trace the process by which victims are recruited, transported, and ultimately exploited for labor and sex work.

In reality, human trafficking is a pervasive crime that exists in a variety of public-facing industries. Research shows that human traffickers range from solo operators, to loosely connected networks of associates, to well-organized criminal enterprises. Traffickers also tend to rely on “facilitators”—a wide range of individuals and entities that knowingly or unknowingly facilitate trafficking schemes, and sometimes profit from them.

Here, Human Rights First closely examines six cases of human trafficking from the moment of victim recruitment to the moment of trafficker apprehension, in order to illustrate each step in the trafficking process and each of the actors

## Trafficking Prosecutions in the United States [2014]

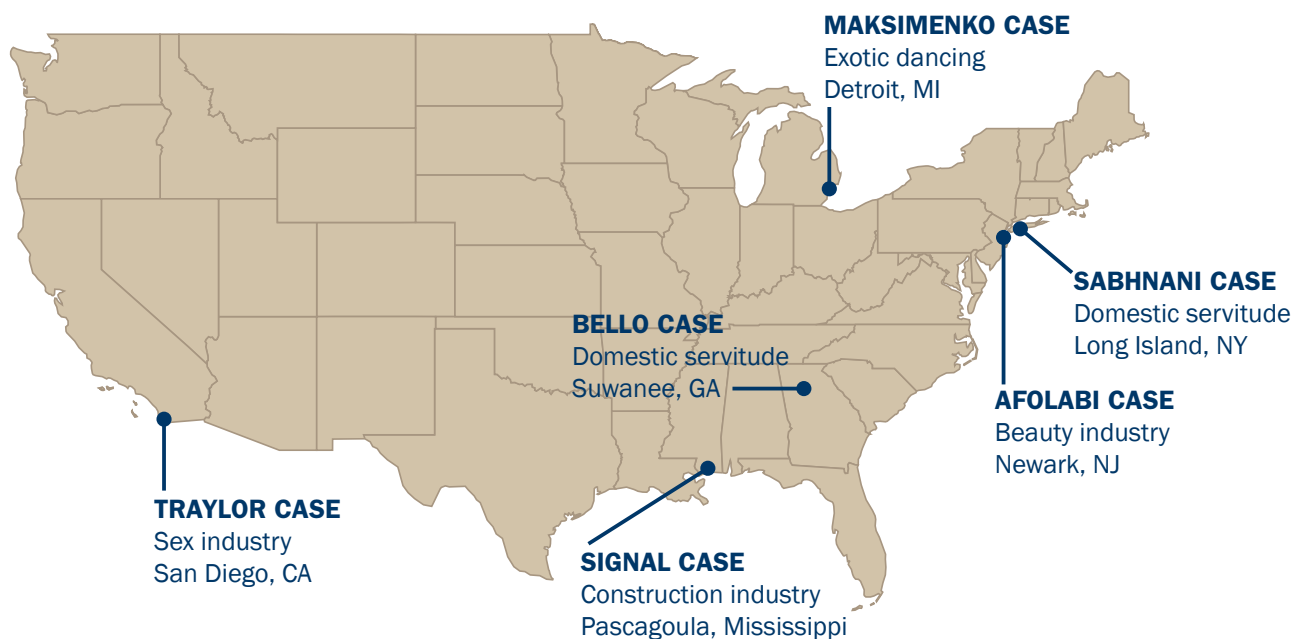
208	<b>Initiated</b> (9% labor cases, 91% sexual exploitation)
335	<b>Defendants Charged</b>
184	<b>Convictions Secured</b>

who played a role in these cases. We also describe the key methods and strategies employed by traffickers, and the key areas of risk to traffickers, including opportunities for third-party

intervention.

The cases profiled here range from situations of domestic servitude involving one trafficker and one or two victims, to a large-scale labor trafficking scheme in which a corporation systematically exploited over 500 workers through debt bondage. It is our goal to assist practitioners, advocates, and industry leaders in identifying the ways in which they can each help detect and prevent this shockingly common crime.

## HUMAN TRAFFICKING OCCURS ALL OVER THE U.S.





One of the victims in *U.S. v. Sabhnani*, in the Long Island mansion where she was severely abused and forced to work for no pay. Law enforcement eventually conducted a search of the home and found her hiding in a closet. (AP photo)

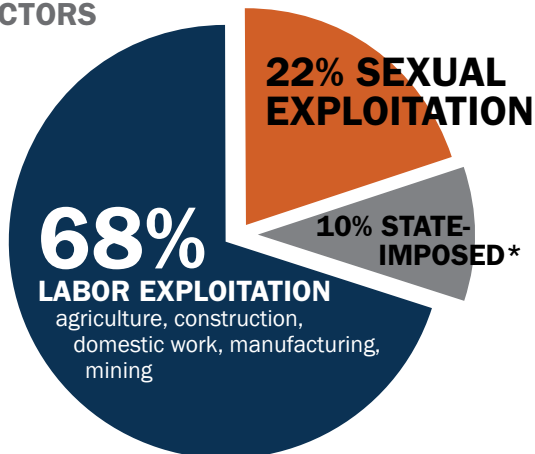
One of the overcrowded trailers in which Signal International housed victims who were forced to work in the Gulf Coast following Hurricane Katrina. The company deducted \$1000/month from the workers' wages for rent. The company-run "man camps" were overcrowded, unsanitary and heavily guarded. (Southern Poverty Law Center photo)



### TRAFFICKING GLOBALLY [2014]

**VICTIMS: 20.9M**

#### SECTORS



\*Labor, military or paramilitary forces (including child soldiers and the like)

**PROFITS/YR: \$150B**

**\$99B SEXUAL EXPLOITATION**



# BELLO CASE: DOMESTIC SERVITUDE

## RECRUITMENT OF VICTIM 1

While visiting Nigeria, Trafficker recruits the first victim to move to the United States to take care of the trafficker's infant, promising to pay her, allow her to attend school, and send money back to her family.

## CHILDREN'S SERVICES INFORMED

An acquaintance writes anonymously to Children's Services that victim is being abused.

2002

### EXPLOITATION

Using a fake passport the trafficker brings her to the United States, where the victim works seven days a week, sleeping only a few hours a night. She is not allowed to go to school and she is severely physically abused.

2003

2004

### INVESTIGATION

Child Services visits Trafficker. Victim is hidden. Trafficker says that Victim is her cousin, performed only basic chores, and has returned to Nigeria.

### ESCAPE

An acquaintance overhears Victim being beaten and arranges to help her escape.

**A GEORGIA WOMAN induced two young Nigerian women to enter the U.S. illegally to care for her child, and then used physical violence and threats to force victims to work long hours without pay or adequate food.**

## Traffickers' Methods and Strategies

### Recruitment

A Nigerian-born U.S. citizen, the trafficker used family connections to recruit the victims from her home country and promised them both the opportunity to receive an education in the United States.

### Exploitation

She encouraged the victims to lie to immigration officials. Once in the United States, the trafficker used several common tactics to intimidate the victims: she restricted the victims' contact with other people, both in Georgia and back home in Nigeria; she claimed to have influence in the victims' home country and threatened to punish the victims' families; she used the victims' undocumented status against them by threatening them with arrest and deportation; and she threatened to, and often did, physically assault and torture the victims.

The trafficker abused the immigration process by using photos of the victims to procure fraudulent passports for both of them, changing Victim 1's last name and giving Victim 2 a British passport with an entirely fictional name. The trafficker had prior experience creating false identification, initially entering the United States with a falsified Belgian passport, obtaining two Georgia drivers' licenses and three social security numbers for herself,

and purchasing a home under a false name. Neither victim went through the process of procuring a work visa.

The trafficker had both victims "try out" for the job by working for friends who later assisted in bringing both victims to the United States.

The trafficker also employed calculated tactics to ensure the subservience and humiliation of her victims. In addition

### PEOPLE INVOLVED

- 1 Trafficker
- 10+ Bystanders
- 2 Victims

to taking care of the trafficker's baby at all hours, cooking, and cleaning the house, both victims were forced to cut the grass using a knife, wash the backyard fence with bleach each morning, and wash every

bathroom in the house daily. They also had to sweep with a dust pan and brush even though the trafficker owned a vacuum cleaner, wash dishes by hand even though there was a dishwasher, and do laundry by hand even though there was a washing machine.

## Case Resolution

The trafficker was convicted by jury of two counts of forced labor, two counts of trafficking with respect to forced labor, unlawful conduct with respect to documents in furtherance of slave trafficking, harboring undocumented immigrants for financial gain, and, two counts of unlawful procurement of naturalization. She was sentenced to 11 years in prison, and was ordered to pay \$144,200 in restitution. The case was brought jointly by the U.S. Attorney's Office for the Northern District of Georgia and the Civil Rights Division of the DOJ.



## EXPLOITATION

Victim 2's living/working conditions are the same as Victim 1's but she is told that she must work for at least three years before she can attend school.

## ESCAPE

Using money given to her by friends of the trafficker, Victim 2 escapes by cab to a church, where the police and then the FBI are alerted.

## ARREST

Trafficker is charged with multiple trafficking-related crimes.

2005

2006

2010

## RECRUITMENT OF VICTIM 2

Trafficker recruits another young woman from Nigeria. Victim's parents agree that she will not be paid, but that she will attend school.

## FBI INVESTIGATION

FBI interviews Victim 2 and tracks down Victim 1.

## Opportunities for Intervention and Key Sources of Risk to Traffickers

In the most frustrating failed intervention, several neighbors became suspicious after seeing Victim 1 working outdoors in the winter, and one neighbor reported the trafficker to the Gwinnett County Department of Family and Children's Services (DFACS). DFACS opened an investigation, interviewed neighbors, and even interviewed the trafficker in her home while Victim 1 was there. The trafficker falsely told the DFACS investigator that Victim 1 was a relative who had returned to Nigeria. The investigation was closed due to lack of evidence.

Victim 2 dropped the trafficker's daughter off at preschool each morning, where she regularly interacted with preschool employees. One employee noticed her bruises and saw her crying, and Victim 2 described the abuse. However, the employee did not call the police because she was a friend of the trafficker.

The trafficker went on vacation three times while Victim 1 was working for her, leaving Victim 1 to work for two friends and the trafficker's sister. Though the sister and one of the friends spoke Victim 1's language and heard of the abuse, neither reported the matter to the police. The trafficker's sister was also aware of Victim 2, helped Victim 2 secretly develop photographs of her injuries, and encouraged her to report the abuse to the police, though she did not call the police herself.

## Conclusion

This case demonstrates the combined effect of a close-knit cultural community and the victimization of individuals who do not know their rights. On many occasions, Victims 1 and 2 had opportunities to call the police or reach out for help, but they were made to believe that they could not trust law enforcement. Their fears were also confirmed to them when bystanders—including at least 10 of the trafficker's friends and acquaintances—saw the victims in a state of servitude and yet failed to provide concrete assistance.

Though bystanders may observe the warning signs of trafficking and may even be informed about the trafficking directly by the victim, they are sometimes hesitant to act because of personal ties to the trafficker. Therefore in addition to noticing warning signs of human trafficking and exploitation, communities should be encouraged and incentivized to report abuse to the appropriate authorities, rather than expecting vulnerable victims to seek out help themselves.

Additionally, this case stands to illustrate the challenges that face victims even after they escape their traffickers. Victim 2 ran away from the home without knowing where she could find help, but fortunately was connected quickly to a non-profit that provides services to trafficking victims. Victim 1, in contrast, lived in fear of her trafficker until she was discovered by the FBI and assisted in the prosecution. Providing victims' services such as housing, legal assistance and counseling should be priority for local governments. ■

# SABHNANI CASE: DOMESTIC SERVITUDE

## RECRUITMENT OF VICTIM 1

Trafficker's mother recruits Victim 1, a 53 year-old rice vendor, to move to New York and work as a domestic servant for \$200/month.

## BYSTANDER

An electrician performing work at the home observes Victim 1 dressed in rags and following Trafficker 2 carrying a food and beverage tray. He later testifies at the traffickers' criminal trial.

2002

2003

2004

## EXPLOITATION

Victim 1 travels to the United States. Traffickers (a married couple) promptly confiscate her passport and visa. The female trafficker subjects victim to a bizarre and sadistic pattern of abuse and torture. Victim is required to work in the home 20 hours a day for no pay.

**A NEW YORK couple coerced two victims into working as domestic servants in their Long Island mansion. The victims received no pay and were subjected to severe physical and mental abuse.**

## Traffickers' Methods and Strategies

### Recruitment

This case is a particularly appalling example of domestic servitude and forced labor involving prolonged, sadistic physical abuse, but it is also a virtual checklist of common elements and trafficking strategies. The traffickers were a married couple who used family connections to recruit the victims from their home country, and then used the victims' ignorance of the immigration process to control their documentation.

### Exploitation

Once the victims were in the United States, Trafficker 1 employed a litany of common tactics to keep the victims from escaping: she confiscated their passports, threatened to abuse the legal process in both the United States and Indonesia, threatened the victims with serious bodily injury, beat them, tortured them, humiliated them, threatened their families with physical harm and legal recourse, gave their families false information, forbade the victims from leaving the house, prevented them from learning English, and required them to hide when outsiders entered the house.

## Case Resolution

Trafficker 1 was found guilty of two counts of forced labor, two counts of harboring aliens, two counts of peonage, two counts of document servitude, and conspiracy to commit these offenses. She was sentenced to eleven years in prison and ordered to pay \$679,866.98 in restitution jointly and severally with Trafficker 2, who was sentenced to three and one-third years in prison.

Following the conviction, Victims 1 and 2 brought a civil suit alleging forced labor, trafficking, and RICO violations. They eventually settled for an undisclosed amount.

## Opportunities for Intervention and Key Sources of Risk to Traffickers

The traffickers in this case went to great lengths keep their victims hidden from the outside world, but there were still several failed points of intervention. Both victims entered the United States with passports and work visas, though neither visa authorized them to work. The traffickers' family members kept the victims' documents in their possession while interacting with immigration officials, but these officials failed to notice that the victims did not control their own immigration documents.

The victims interacted with several visitors to the traffickers' home. Early on in Victim 1's captivity, an electrician doing work at the home spotted Victim 1 behaving subserviently towards Trafficker 2, but did not inquire as to her wellbeing. One of the traffickers' employees who worked out of the traffickers' home testified at trial that she once saw Victim 1 crawling up the basement stairs with blood dripping from

## RECRUITMENT OF VICTIM 2

A second victim is recruited, a 47 year-old Indonesian woman who has a first-grade education. Once in the United States, the traffickers immediately confiscate her passport and travel documents.

## ESCAPE

Victim 1 runs away from the home and seeks help.

2005

2006

2007

### EXPLOITATION

Victim 2 joins Victim 1 at the family home and is equally exploited.

### BYSTANDERS

Victims reach out to the traffickers' business associate and the family gardener for food and supplies. Both bystanders testify in the traffickers' criminal trial.

### ARRESTS

Immigration and Customs Enforcement (ICE) finds Victim 2 hiding in a closet in the home. Traffickers are arrested.

her forehead. On another occasion, the victims showed her their wounds and mimed the abuse. The employee bought them food, throwing away the food wrappers because Trafficker 1 had berated another employee for giving food to the previous maid.

Over the course of two years, the employee helped the victims mail letters to their families back in Indonesia. She testified at trial that she did not report anything because she believed the victims would be punished again, and because she hoped that things would get better.

The family gardener saw Victim 2 several times. On one occasion, she walked out to the garden "raggedly dressed and looking nervous," and he gave her food and supplies on several occasions. One time, the gardener saw the victims struggling to move a heavy statue out of the house. He offered to help, but Trafficker 2 refused to allow him to assist them. The gardener, too, failed to go to the police.

Finally, though Trafficker 1 supervised the victims and was responsible for nearly all of the physical and emotional abuse, Trafficker 2 and the couples' four children were almost certainly aware of the extent of the mistreatment.

### PEOPLE INVOLVED

- 2** Traffickers
- 2** Facilitators/Enablers
- 3** Bystanders
- 2** Victims

## Conclusion

Sabhnani was a highly-publicized case that involved a notably small number of actors. By targeting women from her home country who did not speak English or have any knowledge of their rights, and by keeping the victims hidden and in fear for their lives and their families' lives, Trafficker 1 managed to largely eliminate any risk of having visitors or neighbors discover her victims. Those who did interact with the victims fairly regularly chose not to take steps to end the abuse. This allowed the traffickers to inflict particularly sadistic forms of torture on the victims with no interference. Victim 1 ultimately had to escape without outside help.

This case demonstrates the need for immigration authorities to take notice and make additional inquiries when individuals at U.S. ports of entry are not in control of their own travel documents. The court proceedings following the couples' arrest also showed the impact that intense media interest and sensationalism can have on the pace and the outcome of the legal process (in an attempt to argue that the large amount of publicity surrounding the case prevented them from receiving a fair trial, the couple attached 100 pages of news articles as exhibits to their Motion for Acquittal. These articles, from multiple publications, detailed the testimony on nearly every day of the trial). Yet the differentiating facts of this case—including the duration of the victims' captivity, the severity of the abuse, and the close and constant proximity of several onlookers—strongly illustrate the vital role that third-party bystanders play in detecting and reporting trafficking-related crimes. ■

# AFOLABI CASE: BEAUTY INDUSTRY

## RECRUITMENT

Using multiple fraudulent visa schemes, traffickers recruit young West African women from impoverished villages to work in the United States.

2002

2003

2004

2005

2006

## EXPLOITATION & ISOLATION

Traffickers transport over 20 women and girls to various hair salons in New Jersey, where they are forced to work from 8 to 14 hours a day, 6 to 7 days a week, without pay. The victims are able to speak with customers, but are constantly supervised. All passports and travel documents are confiscated.

**THE FOUR TRAFFICKERS in this case ran a scheme to smuggle more than twenty West African girls—some as young as 10 years old—into the United States for the purpose of working in hair braiding salons in New Jersey.**

### Traffickers' Methods and Strategies

#### Recruitment

Traffickers would approach young women, aged 10 to 19 years old, and their families in West Africa with promises that they could come to the United States, learn a trade, and go to school. They would then fraudulently secure diversity visas for the young women.

Diversity visas are awarded by the U.S. Department of State through a lottery, reserved for citizens of countries that are determined to be underrepresented in the United States, including Togo. The grantees of these diversity visas receive a DV-1 class visa, which then makes them eligible to apply for diversity visas for immediate family members. Their spouses receive DV-2 class visas, and children receive DV-3 class visas.

Starting in October 2002, these traffickers sought out male DV-1 visa holders and solicited them to fraudulently sponsor women and girls from several West African countries by claiming they were related to them. In exchange, the traffickers would pay the men's visa application fees.

Traffickers would travel to Togo and Ghana to recruit young women to fraudulently claim they were the spouses and daughters of DV-1 visa holders, in order to get their own visas. The traffickers would often use physical punishment and voodoo rituals to intimidate the women and pressure them into complying. The traffickers would then coach the DV-1 class visa holders to lie about their relationships

#### PEOPLE INVOLVED

4	Traffickers
Many	Facilitators/ Enablers
2	Bystanders
20+	Victims

with these women during interviews at the American Embassy in Togo.

#### Exploitation

Once in the United States, the victims were forced to work without pay at several hair braiding salons in New Jersey.

The victims lived with the traffickers or in residences controlled by them. Their passports, visas, and other immigration documents were confiscated so they could not escape, and they were not allowed to speak to their families in Africa without the permission and supervision of the defendants. They were also barred from speaking with people outside of work and their residences, barred from attending school, and were often beaten and occasionally forced to have sex with one of the male traffickers.

#### Case Resolution

Trafficker 1 was found guilty on all 22 counts for which she was indicted, which included: Conspiracy to commit visa fraud; visa fraud; 2 counts smuggling illegal aliens; conspiracy to commit forced labor and trafficking; forced labor; trafficking with regard to forced labor; and, conspiracy to harbor aliens. She was sentenced to 27 years in prison, and ordered to pay \$3.9 million in restitution.

Trafficker 2 took a guilty plea on 4 Counts: Harboring aliens; conspiracy to commit forced labor and trafficking; forced labor; and, transportation of a minor with intent to engage in criminal sexual activity. He was sentenced to 24.3 years in prison and ordered to pay \$3.9 million in restitution.

Trafficker 3 took a guilty plea for conspiracy to commit



## ESCAPE

One victim escapes from the residence. She remains in contact with other victims.

## INVESTIGATION

ICE conducts surveillance of several hair salons and investigates residences based on the escaped victim's information.

## ARRESTS

Traffickers are arrested after ICE raids the homes where the victims are kept and finds the victims sharing rooms with mattresses on the floor.

2007

2008

2009

## ICE IS INFORMED

Escaped victim informs ICE agents of the abuses taking place at the salon.

## CONVICTIONS

Two of the traffickers are convicted of several counts at trial, including forced labor, visa fraud, smuggling illegal aliens, trafficking with respect to forced labor, and conspiracy.

forced labor and trafficking, and was sentenced to 4.5 years in prison and ordered to pay \$3.9 million in restitution.

Trafficker 4 was found guilty in a separate trial for visa fraud and conspiracy to commit visa fraud. He was sentenced to 26 months in prison.

The traffickers' lawyer argued at trial that they had merely been running an apprenticeship program, which are common in West Africa. The traffickers claimed that the girls were treated according to the same strict cultural rules and standards that are typical of most Togolese households.

### Opportunities for Intervention and Key Sources of Risk to Traffickers

The victims in this case would have been in contact with immigration authorities at the U.S. embassy in Togo and again upon entry into the United States. At some point, authorities began investigating the defendants' enterprise, but it is unclear what triggered the investigation. The diversity visa application process, like that of H-2 visas, has the potential for abuse and should be monitored with an eye toward the prevention of trafficking.

It is unclear from the record whether the young women were farmed out to work in other braiding salons in addition to those owned by defendants. In general, salon owners should be educated about the warning signs of labor trafficking in order to avoid inadvertently using forced labor. Additionally, it is unclear from the record whether there were other employees at the defendants' salons (or at any other salons to which the victims may have been sent). Salon employees should also be educated to identify signs that their coworkers may be victims of trafficking.

Although the defendants actively sought to isolate the young women, countless customers may have missed opportunities to intervene when they came in contact with

the victims in the hair braiding salons. Upon investigation it was revealed that several customers had asked about the girls' ages, after which the girls lied and said they were 18. Concerned patrons could have still alerted the police or called the Human Trafficking Hotline\* if they observed a consistent pattern of excessive labor by children.

### Conclusion

This case involves a trafficking operation that relied heavily on close community ties (one of the traffickers exploited her own niece). It also involved a fairly complex visa fraud scheme exploiting the diversity visa program. While many trafficking cases revolve around the exploitation of worker visa programs, such as the H-2B visa, additional research must be done to scrutinize the DV visa application system and the safeguards that are in place to ensure that applicants are not in fact victims of exploitation.

Increased awareness in consumer-facing industries where trafficking is prevalent, such as hair and nail salons and spas, will enable consumers to recognize signs of trafficking, avoid patronizing businesses that appear to exploit their workers, and report suspicious activity to the proper authorities. ■

\*National Human Trafficking Resource Center Hotline  
1.888.373.7888

# MAKSIMENKO CASE: EXOTIC DANCING

## RECRUITMENT

Traffickers begin recruiting women from Eastern Europe through their beauty agency. They arrange for the illegal entry of victims using sham marriages and the J-1 student visa program. Victims are transported to Michigan, where they are housed together in apartments.

2001

2002

2003

## EXPLOITATION

Once the victims are in the United States, traffickers assess large debts against the women and force them to work as exotic dancers for twelve hours a day, six days a week at a strip club.

**THREE TRAFFICKERS WORKED through their beauty search companies to entice at least twelve young women from Ukraine, Russia, and the Czech Republic to come to the United States with false promises of well paid jobs. The victims were then forced to work as exotic dancers.**

### Traffickers' Methods and Strategies

#### Recruitment

The traffickers had little difficulty exploiting the J-1 student visa program and arranging several sham marriages between victims and U.S. citizens. They also used their personal and business connections to target vulnerable women from Eastern Europe.

The traffickers were also able to obtain dancing licenses for some of the victims, even though these licenses exceeded the scope of the J-1 student visa, which does not permit international students to work in the United States except for in certain limited circumstances.

#### Exploitation

The traffickers in this case developed a method—which they referred to as “the System”—to ensure their victims’ compliance. They would confiscate victims’ travel documents, isolate the victims, and use force, threats of force, and threats of deportation to intimidate them. Traffickers 1 and 2 told the victims about how they handcuffed a woman in their basement and threatened her with a gun. At least one of the traffickers sexually abused several of the victims, violently forcing them to have sex with him.

The women were so closely controlled that when one victim arranged with a patron to escape, she did not know her own address and had to look at her neighbor’s unopened mail in order to tell the patron where she lived. She and another victim also had to pretend they were taking out the garbage

#### PEOPLE INVOLVED

3	Traffickers
12	Facilitators/ Enablers
Many	Bystanders
12+	Victims

in order to simply leave the apartment without raising suspicion.

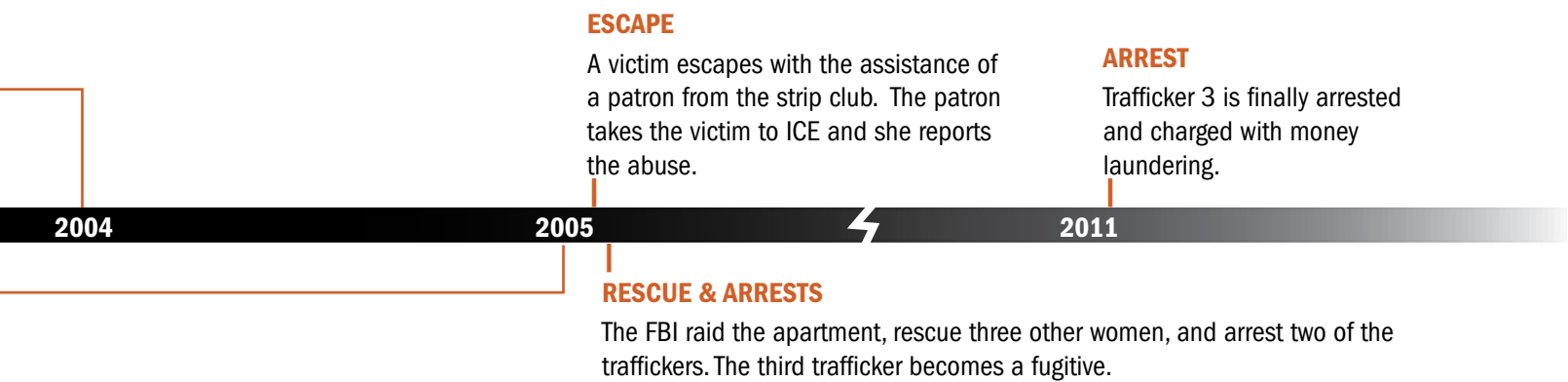
Traffickers 1 and 2 would regularly collect all or most of the victims’ earnings, totaling an estimated \$957,000.

They burned the ledgers the women kept to record the payments they made

to traffickers toward their debts, and maintained keys to the apartments where the women were held in order to conduct searches of the premises. They deposited some of the funds into bank accounts owned by their beauty agency to cover expenses, kept some as cash in concealed locations, and wired roughly \$140,000 to Trafficker 3 in Ukraine either through their banks or Western Union. The beauty agency maintained two bank accounts that the traffickers deposited roughly \$1.4 million into between January 2002 and February 2005.

### Case Resolution

Trafficker 1 was sentenced to seven and a half years in prison, Trafficker 2 was sentenced to fourteen years, and Trafficker 3 was sentenced to three years. The wives of Traffickers 1 and 2 pleaded guilty to lesser obstruction-related crimes and were sentenced to two years of probation. The stepmother of Trafficker 3 pleaded guilty to conspiracy charges and later received two years of probation. A facilitator pleaded guilty to his role in firebombing a victim’s car to intimidate her, and was later sentenced to 46 months in prison. Two Ukrainian men who also acted as facilitators were convicted of visa fraud.



Separately, two victims filed a civil action naming the strip club where they were forced to work, the club owners and managers, and a talent agency as defendants. The management company eventually filed for bankruptcy.

### Opportunities for Intervention and Key Sources of Risk to Traffickers

The victims' first point of contact in this case would have been with immigration authorities and customs officials, who failed to detect that both the J-1 student visas and marriages facilitated by the traffickers were fraudulent.

Additionally, exotic dancing is a licensed industry in Michigan, and clubs that employ exotic dancers are subject to inspection by authorities. Between 2001 and 2005, inspectors should have had opportunities to detect the unlicensed dancers.

The traffickers recruited victims through a beauty agency in Eastern Europe, which may have had knowledge of the trafficking scheme. And though it is unclear whether the owners of the Detroit strip club knew exactly how the victims had come to work for them, Traffickers 1 and 2 told at least one owner that they controlled the victims by beating them. These club owners were either unaware or unconcerned with the signs of labor trafficking: workers having the wrong type of visa, workers' lack of required professional licenses, and the victims' appearing to be controlled through force and threats of force.

Finally, the victims routinely came into contact with club patrons, one of whom eventually facilitated the escape of two victims and the eventual arrest of the traffickers.

### Conclusion

The traffickers in this case stood to gain almost \$1 million in profits by forcing at least a dozen victims to work as exotic dancers and then collecting nearly all

of the victims' earnings. The traffickers were relatively unconcerned with the possibility that the women might escape or go to the police. By conspiring with their wives, family, and close business associates, the traffickers created a team that was able to pool its resources—personal connections in Eastern Europe, expertise in the U.S. immigration system, victim intimidation tactics, and business relationships with talent agencies and strip clubs—efficiently and with relatively low risk.

This case demonstrates that traffickers often run their operations parallel to, and in partnership with, legitimate businesses. The regulations and licensing schemes that govern those businesses can play a major role in preventing and detecting human trafficking. Inspectors and employers should ask to see the licenses and work authorization of employees in adult industries.

Traffickers often are also highly skilled at navigating the U.S. immigration system and obtaining fraudulent visas in order to bring victims in the United States. In terms of their stringency and their enforcement, U.S. immigration laws should function to protect victims and dis-incentivize traffickers from taking on the risk of getting caught committing visa fraud.

Ultimately, it was a patron of the club who was in the best position to be able to assist the victims. In general, business owners, employees, and consumers in the adult entertainment industry should be aware of the signs of human trafficking, particularly in areas such as exotic dancing, adult film, and the commercial sex trade. These signs include: evidence of workers being physically abused, statements by workers suggesting that they are working against their will, indications that workers are not in control of their own personal documents or their own money, and the employment or presence of minors. ■

# TRAYLOR CASE: SEX INDUSTRY

## RECRUITMENT

Traffickers target runaways and juveniles from troubled homes with promises of luxurious lifestyles, through social media and popular youth hangouts.

2007

2008

2009

## EXPLOITATION

Owners of a hotel in California knowingly allow members of the Oceanside Crips gang to operate a prostitution ring out of the hotel.

**THIRTY-SIX TRAFFICKERS, most of whom were members of a street gang, the Oceanside Crips, operated a prostitution ring that trafficked young women, including at least thirty minors, from the San Diego area. A local hotel owner furthered the conspiracy by allowing gang members to use his hotel for sex trafficking. This is one of the few trafficking cases in which a facilitator was held criminally liable.**

## Traffickers' Methods and Strategies

### Recruitment

The Oceanside Crips gang is itself composed of members of other gangs. At the time of this case, the gang operated in the San Diego area and primarily focused its profit-making enterprise on sex trafficking women and girls. Gang members and senior level sex workers, referred to as "bottoms," recruited young women domestically. They often strategically targeted runaways and juveniles from troubled homes with promises of luxurious lifestyles, through social media and in popular hangouts. During the investigation of the case, more than 30 women and girls were rescued from the sex trafficking ring.

### Exploitation

Once recruited, victims were required to engage in sex for money and to turn over their earnings in exchange for protection, clothing, housing, food, alcohol, and drugs. Defendants used the internet to advertise their victims, sending messages via Myspace and Facebook and purchasing "adult services" advertisements on sites like Craigslist.org and Backpage.com.

In addition to the hotel owned by one of the defendants, the traffickers in this case used numerous other hotels to exploit victims. Gang members would also trade, gift, or sell victims

to each other. They would closely control their victims, intimidating them through physical and verbal abuse. The sexual exploitation occurred primarily in motels in the San Diego area, though some gang members carried victims across state lines to engage in commercial sex.

The hotel owners also provided substantial assistance to the traffickers in this case by allowing the defendants to use their computer to post online prostitution ads and rent rooms knowing that they would be used for prostitution. Gang members used other people's identification to rent the rooms and were allowed to wait until after "dates" or "tricks" to make payment, in exchange for higher room rates. The hotel owners housed prostitution activity in less visible hotel rooms to separate traffickers from other customers, and warned traffickers of law enforcement activity and inquiries.

### PEOPLE INVOLVED

36	Traffickers
2	Facilitators/ Enablers
Many	Bystanders
35+	Victims

## Case Resolution

After an 18-month, multi-agency investigation, a massive RICO indictment was brought against 39 defendants, most of whom were Oceanside Crips. The indictment charged defendants with participation in a criminal enterprise to prostitute adults and juveniles. The indictment charged high-level gang members, sex workers who trained and recruited victims, and several facilitators, including the hotel owner, his corporation, and his son.



## ADVERTISING

Gang members buy hundreds of online prostitution ads on such sites as Craigslist.org and Backpage.com. When Craigslist shuts down its “adult services” section, traffic to Backpage.com spikes.

2010

2011

## RESCUE

Authorities rescue 30 underage victims over the eighteen months of the operation.

## ARRESTS

FBI, ICE, Sherriff’s Department, Escondido police, and Oceanside police arrest 29 Oceanside Crips members, six “associates,” and four “facilitators” and charge them with trafficking-related crimes.

Thirty-six defendants pled guilty to various charges. The highest level offenders in the gang received sentences of 10-12 years, while lower level members received 2-8 years. Several of the sex workers who assisted gang members received sentences of 2-3 years, while the rest got time served.

The hotel owner pled guilty to Conspiracy to Conduct Enterprise Affairs Through a Pattern of Racketeering Activity and received a sentence of time served and three years of supervised release, as well as a fine mandated in the form of a charitable contribution. He also pled guilty to criminal forfeiture of the hotel. The prosecutor dropped the charges against the hotel owner’s corporation, his son, and hotel managers. Many of the defendants were also subject to state prosecutions for related activities.

### Opportunities for Intervention and Key Sources of Risk to Traffickers

This case involves domestic sex trafficking, and because victims were not transported across U.S. borders, points of intervention were markedly different from those in cases of international trafficking. Immigration and Customs officials did not come into contact with these victims; instead, because most victims were vulnerable youth, bystanders included social services providers, concerned parents, and school officials.

Since the traffickers in this case targeted children through social media, and advertised their services over the internet, other potential points of intervention are the social media outlets and websites that traffickers frequently use.

Additionally, the defendants forced victims to work as prostitutes out of hotel rooms. Although in this case the hotel owner was complicit in the scheme, training business

owners and employees in the hospitality industry on how to recognize the signs of human trafficking would provide another opportunity for intervention. These activities/signs include: gang activity and/or prostitution-related activity occurring in or around the premises, patrons’ apparent abuse or neglect of minors, and patrons’ attempts at bribery or collusion with hotel personnel.

### Conclusion

Gang-related sex trafficking appears to be a growing phenomenon, with many cases involving American victims. A similar case currently pending in San Diego involves a scheme by a gang called the Tycoons who use victims and upper-level sex workers to recruit new young women on school campuses. The gang would sometimes enroll women who were already working for them into the schools of the intended targets. In that case, U.S. attorneys prosecuting the traffickers have credited parents and school officials with tipping off local authorities to the trafficking scheme.

The Traylor case also stands to remind law enforcement and the general public of the victim status of all minors involved in prostitution-related activity. Underage victims themselves should also become aware of their rights and their protected status under the law. Additionally, adult victims should be allowed to vacate prostitution-related convictions and arrest records once their traffickers are convicted of forced prostitution, but currently not all states provide such “vacateur” processes for adult sex trafficking victims. ■

# SIGNAL CASE: CONSTRUCTION INDUSTRY

## EXPLOITATION

Victims arrive at the Signal “man camp” in Mississippi and are housed in trailer-like bunkhouses. Workers are paid less than their contracts specify and charged over \$1000/month to live in squalid conditions.

2003

## RECRUITMENT

Recruitment companies place advertisements in Indian local newspapers, recruiting men to work in the United States with the promise of an opportunity to obtain permanent resident status. Victims agree to pay thousands of dollars each in order to participate in the program.

**SIGNAL INTERNATIONAL, Inc. and many facilitators, including immigration attorneys, labor recruiters, and shipping companies, were involved in a conspiracy to exploit 590 Indian workers who were brought to the gulf region to provide labor and services following Hurricane Katrina. This is one of the very few instances in which a corporate entity has been held accountable under the Trafficking Victims Protection Act.**

## Traffickers’ Methods and Strategies

### Recruitment

The defendants in this case conspired to recruit Indian workers with promises of employment-based green cards. According to their agreement, an agency would recruit Indian workers, an attorney would perform immigration-related legal work, and recruiters in the United States would provide workers with jobs. Another facilitator agreed to sponsor the workers once they arrived in the United States.

In total, workers were charged roughly \$10–12,000 in fees. The defendants viewed their plan as a profit-making machine. The immigration attorney told his colleagues that if an applicant failed to pay, he would “see to it that his visa gets mysteriously revoked.”

Eager to supplement its workforce in the aftermath of Hurricanes Katrina and Rita, Signal, a marine fabrication company, agreed to hire the other defendants’ foreign recruits to work in its shipyards. The extent of Signal’s involvement in the recruiting fee scheme is unknown, but Signal was aware that plaintiffs were paying as much as \$2000 each in recruitment fees. Signal also insisted on using the temporary H-2B visa program, instead of employment-based green cards.

2004

## BYSTANDERS

A bank representative comes to the camp to help the workers set up direct deposit. Social Security office employees also come to the camp, to provide workers with social security numbers.

## PEOPLE INVOLVED

6 Traffickers

Many Bystanders

590 Victims

According to Signal, the company intended to file for green cards for those employees who met their expectations, but in its government filings seeking H-2B visas for the 590 Indian workers, Signal represented

that the workers would not become part of its permanent workforce. Employees from the recruiting agency also accompanied the workers to their immigration interviews to ensure that none of them made reference to the green cards that they anticipated getting, because doing so would result in the denial of their H-2B visa applications.

## Exploitation

Upon their arrival in the United States, workers were given skills testing that could result in their hourly wages being lowered by as much as 30 percent, despite the fact that they were given skills tests before leaving India and their contracts specified that they would make \$18/hour. Workers were also housed in “man camps,” accommodations for which expenses were deducted from their paychecks in the amount of \$35/day. The deduction was a required payment for room and board, even if the plaintiffs elected to live away from camp. Only Indian workers were subjected to this automatic payroll deduction.

The man camps were overcrowded and unsanitary, and required victims to pass through security and submit to searches. They were patrolled by security guards from a private security firm, and as many as twenty-four men were housed in each bunkhouse, which lacked sufficient toilet facilities and showers. Early in 2007, several workers began

### ATTORNEYS CONTACTED

A parishioner at a church that some of the men are allowed to attend helps the workers contact attorneys to discuss their rights.

### WORKER TERMINATED

A worker is terminated from Signal for allegedly organizing Signal employees against the company.

### INTERVENTION

Workers file class action lawsuits against Signal.

2007

2008

### THREATS

Family of one of the plaintiffs is told that the worker must not make trouble at Signal or he will be deported. Signal's Vice President gives a recorded speech to the workers, threatening that if they file a lawsuit, no visas will be issued.

organizing in resistance to their treatment, and Signal attempted to deport these organizers and enlisted the aid of a security company to detain them. During his immigration detention, one of the victims attempted to commit suicide.

### Case Resolution

Several workers filed a class action lawsuit against Signal in March 2008, but the district court denied class certification, resulting in at least ten different lawsuits. The first of these cases went to trial in January of 2015 on the claims of five plaintiffs—the many trials are scheduled through 2017—and resulted in a jury verdict awarding the five plaintiffs more than \$14 million. Signal International has since filed for bankruptcy, and in October 2015, the company issued an apology to the victims.

In 2011, the U.S. Equal Employment Opportunity Commission also filed a suit against Signal for discrimination and retaliation against its workers.

### Opportunities for Intervention and Key Sources of Risk to Traffickers

Immigration authorities approved and then reauthorized the workers' temporary visas. Additionally, given the size and novelty of the man camps run by Signal, inspections by the Occupational Safety and Health Administration and/or the state health department would have been expected. To the extent that government agencies did conduct investigations and failed to note anything actionable, these agencies should be better educated about the warning signs of large-scale labor trafficking.

None of the other Signal employees or contractors, including the security company tasked with patrolling the man camps, spoke out about the overcrowding and unsanitary conditions within the camp, or even about the proposition

of creating a racially segregated camp solely for Indian workers. Employees and contractors working in industries with high a potential for trafficking should be trained to identify exploited coworkers and report warnings signs to appropriate authorities.

### Conclusion

This case provides an example of the ease with which the H-2B guest worker program can be abused by companies, recruitment agencies, and corrupt immigration attorneys. It also demonstrates the magnitude to which some trafficking operations can grow, with the employment of highly skilled workers, the open segregation and abuse of victims, and the ability to avoid detection by bystanders.

Also, as with many of the cases involving the H-2B worker visas, the defendants' coercive acts were generally psychological in nature, capitalizing on the victims' fears of deportation and sense of indebtedness. Therefore this case also illustrates the need for foreign workers to know their rights, since the H-2B visa program ties workers to one employer and puts them in a very vulnerable position with regard to their immigration status, their freedom to demand higher wages, and their ability to navigate the legal system. There is also a significant opportunity for reform and improvement in the process of H-2B visa approval and employer accountability. ■

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