

Recruitment

How are trafficking victims recruited into sex work or forced labor?

Domestic Victims

Human trafficking victims in America are recruited from both within the United States and from abroad, but are lured into sex work or forced labor in different ways.

U.S.-based sex traffickers tend to target young people from impoverished or abusive home environments and recruit them into sex work through promises of luxurious lifestyles, or by luring young women into romantic relationships with pimps. Domestic sex traffickers will often use associates—other traffickers, affiliated gang members, or experienced sex workers—to help recruit victims.

Social media websites like Facebook and Myspace and classified ad platforms like Backpage and Craigslist have also become tools of the trade for trafficking operations seeking domestic victims for commercial sexual exploitation.

Foreign Victims

Traffickers who bring foreign victims into the United States use a common set of tactics to gain victims' trust. They often trick victims into believing that they and their families will be brought to the United States to work in various industries, and then force the victims to perform sex work instead.

In other cases, victims do work for the companies and in the industries that they are promised, but once they arrive in the United States they're forced to live in unsanitary or unsafe conditions and work for very little or no pay. Victims are frequently told that they will make decent wages working in the United States, and find out upon arrival that they won't be making their promised salary. Additionally, victims may find after

they arrive in the United States that they are being forced to work for abusive employers.

Foreign workers are also susceptible to trafficking operations within global supply chains, as suppliers compete to produce goods at the lowest possible prices and as recruiters help attract workers looking for steady jobs. In some instances, such as in the garment manufacturing sector in Bangladesh, the growth of supply chain pipelines abroad leads to increased employment opportunities for women, boosts the local economy, and allows those countries to emerge as influential players in global industries. However, a lack of transparency in supply chains—particularly for multinational companies producing and sourcing their goods abroad—can also lead to breaches of labor standards, abusive or unsafe work environments, non-payment of minimum wages, and forced labor.

Traffickers may recruit victims themselves, or collaborate with recruitment agencies that specialize in matching low-skilled or semi-skilled workers with jobs in the United States or with U.S. companies operating abroad. Recruiters seeking to supply cheap labor for employers in various industries such as manufacturing, construction, mining, and sex work often charge workers "recruitment fees" in exchange for a job. These fees are usually treated as a debt that the worker will begin paying once their employment begins. As the interest compounds and employers fail to pay workers more than a subsistence wage, workers can find themselves perpetually indebted and unable to change jobs.

How are foreign victims brought to the United States?

When traffickers bring foreign victims into the United States, it usually involves deceiving victims and circumventing or abusing U.S. immigration law and policy.¹ Victims sometimes participate in visa fraud schemes, either knowingly or unknowingly, but are often under duress while doing so. They may be threatened with personal harm and/or harm to their families, or offered money to sign legal documents drafted in English and then simply never told that they are participating in a visa fraud scheme. [See blog on undocumented victims].

Workers are often brought to the United States on the H-2 visa, which is a type of temporary work visa that allows individuals to work for a specified employer for a brief period. H-2A visas allow non-U.S. citizens to come to the United States to work in the agricultural sector, and H-2B visas allow the same for non-agricultural jobs. Because H-2 visa holders must be employed in order to retain their temporary resident status, workers are tied to one employer and have little to no bargaining power if they find themselves in a coercive situation.

While human traffickers can easily exploit both the H-2A and H-2B visa programs, the H-2B visa program has been particularly criticized for its lack of protection for workers.

The DV or diversity visa is granted to citizens of countries that are underrepresented in the U.S. population. Diversity visas are awarded through a lottery system, and DV grantees may apply for their spouses and children to come to the United States with them. While employers don't use the DV program as frequently as H-2A and H-2B to trap workers in forced labor, it can still be manipulated and used to facilitate human trafficking.

In *U.S. v. Afolabi*, traffickers took advantage of the diversity visa process by arranging sham marriages

between legitimate DV holders in West Africa and numerous young women claiming to be the men's wives or daughters. The women and the DV holders were in many cases threatened with harm if they refused to participate in the scheme. The women were also told that they would be given decent-paying jobs and allowed to go to school. Instead, they were made to work in a hair salon for no pay.

Traffickers may travel with their victims to the United States or have an agent do so. This allows them to control victims' immigration documents and coach victims who cannot speak or understand English on how to answer immigration officers' questions. In such cases, traffickers may give victims false passports or pose as relatives or friends of the victim.

Sometimes foreign victims are recruited after they have already entered the United States. Recent immigrants may fall prey to employers seeking to maximize their workforce and pay below minimum wage.

Undocumented immigrants are at particularly high risk of exploitation, since they have no right to legal counsel and unreliable access to proper legal channels. All workers have rights regardless of their immigration status, and it's critically important for undocumented individuals in immigration detention to be made aware of their rights and of the signs of human trafficking.

The Office of Refugee Resettlement should also ensure that required background checks, risk assessments, and child welfare services accompany the process of matching undocumented children in detention with adult sponsors and caregivers in the United States. Undocumented minors applying for legal status should be reunified with their loved ones already present in the U.S. as quickly as possible, since general risk factors for human trafficking—poverty, homelessness, lack of knowledge of their rights, and lack of legal counsel—are likely to severely impact unaccompanied children who are awaiting legal status while separated from family and community. ■

¹ Human trafficking is distinct from smuggling, which is the illegal transport of individuals into the U.S., usually with their consent.