



# **Human Trafficking Service Provider Manual for Certified Domestic Violence Centers**



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“This manual is dedicated to the tireless work of the attorneys and shelter advocates who assist victims of trafficking and help make this world a safer place for women and children.”

-- Tiffany Carr, Executive Director, FCADV

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## **TAB 1 Introduction**

This manual is designed for Florida certified domestic and sexual violence centers that wish to provide direct services to victims of domestic and sexual violence who are also victims of severe forms of trafficking.

Important similarities exist between the services provided to victims of domestic or sexual violence and victims of trafficking. These similarities make domestic and sexual violence centers uniquely qualified to shelter and counsel trafficking victims. Yet there are also some important differences between the two groups of survivors. A trafficked person may have special needs requiring assistance from and referral to a wide range of organizations beyond the center's immediate service area. Additionally, trafficked persons often are eligible for special benefits including housing, legal assistance, and refugee services that differ from the types of services that are available to domestic violence or sexual violence victims. This manual serves as an informational guide for centers to help them understand, provide, and advocate for the needs of victims of human trafficking.

This manual generally refers to trafficked persons as "victims of trafficking." However, individuals who are trafficked may sometimes be referred to as "trafficked persons," "victims of trafficking," or "survivors of trafficking." Which term is used may be determined by legal terminology or the perspectives of those who are trafficked and those who work with trafficked persons. Many people who are trafficked do not self-identify as "victims" and may be more comfortable with "trafficked person" or "survivor."

### **1. Overview of Human Trafficking and the Federal Government's Response<sup>1</sup>**

#### **What is trafficking in persons?**

Trafficking in persons - also known as "human trafficking" - is a form of modern-day slavery. Victims are often lured from other countries with false promises of good jobs and better lives, and then forced to work under brutal and inhumane conditions. Traffickers often prey on individuals who are vulnerable in some way. Among the people who are often targeted by traffickers are the poor, unemployed or underemployed, illiterate, very young or very old, and those who may lack access to social safety nets. Trafficking victims are predominantly women and children. Victims may be trafficked from other countries into the United States, or trafficked within the borders of the United States.

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<sup>1</sup> This section is adapted from the U.S. Department of Justice, Civil Rights Division, **TRAFFICKING IN PERSONS: A GUIDE FOR NON-GOVERNMENTAL ORGANIZATIONS**, and updated to reflect changes in the trafficking laws, including the recently enacted Florida law.

Under federal law, the technical term for these practices of modern-day slavery or coerced labor is "severe forms of trafficking in persons." "Severe forms of trafficking in persons" is defined as

- 1) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion or in which the person induced to perform such an act is under 18; or
- 2) 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 subjecting that person to involuntary servitude, peonage, debt bondage, or slavery.

Many trafficking victims are forced to work in the sex trade. However, trafficking can also take place in labor situations such as domestic servitude, labor in prison-like factories, in restaurants and bars or migrant agricultural work. Trafficking also applies to persons who are held against their will to pay off a debt; this is known as peonage or debt bondage. Whether or not an activity falls under the definition of trafficking depends not on the type of work victims are made to do, but on the use of force, fraud, or coercion to obtain or maintain that work. Even if a person initially agreed to travel or perform the labor, his or her initial agreement does not allow an employer to later restrict that person's freedom, or to use force or threats to obtain repayment.

There is one exception, however. Under federal law, the use of minors for commercial sexual activity is always considered to be a severe form of trafficking, even if there is no force, fraud, or coercion.

### **What do we know about human trafficking victims in the United States?**

The full dimensions of the problem of human trafficking are difficult to measure. We do know, however, that human trafficking is a major source of profit for organized crime syndicates, along with trafficking in drugs and guns. The scope of the problem in the United States is serious: the U.S. Government estimates that approximately 18,000-20,000 women and children are trafficked into the United States annually.

Victims are often lured into trafficking networks through false promises of good working conditions and high pay as domestic workers, factory and farm workers, nannies, waitresses, sales clerks, or models. Many suffer extreme physical and mental abuse, including rape, sexual exploitation, torture, beatings, starvation, death threats, and threats to family members. It is believed that most victims who are trafficked are isolated and remain undetected by the public because 1) the strategies used by the perpetrators isolate victims and prevent them from coming forward, and 2) the public and the victim service providers have only recently become aware of this issue and may not be familiar with how to recognize or respond to trafficking victims.

## **Are there federal laws that prohibit trafficking in persons?**

Yes. The Thirteenth Amendment to the U.S. Constitution outlaws slavery and involuntary servitude (holding another in service through force or threats of force). Congress recently enacted important laws enforcing the Thirteenth Amendment to protect victims of trafficking. The Victims of Trafficking and Violence Protection Act of 2000 ("VTVPA"), Pub. L. No. 106-386, effective October 28, 2000, and The Trafficking Victims Protection Reauthorization Act of 2003, ("TVPRA"), establish new tools and resources to combat trafficking in persons, and require an array of services and protections for victims of severe forms of trafficking. Under the VTVPA, federal felony criminal offenses that may apply to trafficking in persons include slavery and peonage, sex trafficking in children and adults, and the unlawful confiscation of a victim's documents. The law applies to victims physically present in the 50 states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

In addition to the severe forms of trafficking listed in the VTVPA, there are other existing federal criminal statutes that may be applicable in particular cases. These include the crimes of 1) human smuggling, 2) kidnapping, 3) transportation for prostitution or any criminal sexual activity, and 4) importation of aliens for unlawful activities, including prostitution, organized crime and racketeering, fraud and false statements, money laundering, and visa fraud.

Traffickers convicted of certain federal offenses under the VTVPA and other statutes may receive prison sentences of up to twenty years for some offenses and up to life for others, may be required to pay substantial fines, and must provide full restitution to victims. They may also be subject to forfeiture of their property.

## **What are some of the services and benefits for which victims of severe forms of trafficking may be eligible?**

Victims of severe forms of trafficking may be eligible for a number of federal and state benefits and services regardless of the victim's immigration status. What victims need to do to be eligible for these benefits and services depends on the victim's age. Victims who are not U.S. citizens are eligible for certain benefits and services to the same extent as refugees. Victims of severe forms of trafficking who are eighteen years or older must be certified by the U.S. Department of Health and Human Services (HHS), after HHS consults with the U.S. Department of Justice. HHS must certify that the victim 1) is willing to assist in every reasonable way in the investigation and prosecution of severe forms of trafficking in persons, and 2) has either made a bona-fide application for a T visa (discussed in Section 5 of this manual) with the Bureau of Immigration and Customs Enforcement (BICE)(formerly the Immigration and Naturalization Service (INS)) or is a person whose continued presence in the United States the Attorney General is ensuring in order to effectuate prosecution of traffickers in persons. Victims of severe forms of

trafficking who are under eighteen years of age are also eligible for certain benefits to the same extent as refugees but do not need to be certified.

### **Are there laws in Florida to protect victims of trafficking?**

Florida recently enacted laws criminalizing the trafficking of persons, effective October 2004. These laws are patterned after the federal anti-trafficking laws. There are four new crimes created by the new Florida law. Section 787.05, Fla. Stat., provides that it is a second degree felony to obtain labor or services by causing or threatening bodily injury, restraining or threatening to restrain persons against their will, or withholding a person's identification, government records or other personal property. Section 787.06, Fla. Stat. specifically prohibits human trafficking, defined as transporting, soliciting, recruiting, harboring, providing or obtaining another person for transport. Section 796.035, Fla. Stat. provides that it is a first degree felony to buy or sell a minor into sex trafficking or prostitution, and Section 796.045 imposes criminal penalties on any person who recruits, entices, harbors, transports, provides or obtains a person, knowing that force, fraud, or coercion will be used to cause that person to engage in sex trafficking. The new law also allows prosecutions of traffickers under Florida's Racketeer Influenced and Corrupt Organizations ("RICO") conspiracy laws. Under RICO, the state could impose enhanced penalties on traffickers who operate as criminal syndicates. **One important distinction between the Florida and federal trafficking laws is that Florida's law does not offer benefits to trafficking victims.** However, these new laws will help bring the issue of trafficking and the plight of trafficking victims to the attention of state and local law enforcement and prosecutors.

Additionally, Florida has criminal laws against kidnapping, battery, sexual battery, false imprisonment, extortion, racketeering, criminal voyeurism, pimping, coerced prostitution, distribution of obscenity, and other crimes that are committed by traffickers. If the victim is a minor, the trafficker may also be subject to prosecution for aggravated child abuse, for prostituting a minor, for lewd and lascivious battery, molestation, or conduct, for selling or buying of minor for visual depiction of sexually explicit conduct, and other child obscenity prohibitions.

Florida also has a statute that can be used to the direct benefit of trafficking victims who have been prostituted. Fla. Stat. 796.09 provides a civil cause of action for damages for people who have been coerced in prostitution. The definition of coercion in the statute is very broad, and fits the circumstances under which virtually all trafficking victims are prostituted. The statute defines as coercion "any practice of domination, restraint or inducement for the purpose of, or with the foreseeable effect of causing another person to engage in or remain in prostitution or to relinquish earnings derived from prostitution."

The statute gives as examples of such coercion, including "extortion or claims of indebtedness," "threat of legal complaint," "promise of marriage," restraint of speech or communication with others," and "exploitation of human needs for food, shelter, safety or affection." The statute provides a vehicle for survivors to define and describe their

own experience in court, and to receive monetary compensation to help them begin a new, independent life.

Statewide and community task forces with representatives from social service providers, refugee services, state and local government, faith based organizations, domestic and sexual violence centers, law enforcement, and others have formed in Florida to address the issue of trafficking, and establish referral networks to better meet the needs of trafficking victims. FCADV has partnered with other states and obtained federal funding to provide comprehensive training on trafficking to domestic violence advocates and other community organizations, develop training materials, and assist centers in providing shelter and services to trafficked persons. The Center for the Advancement of Human Rights at Florida State University ([www.cahr.fsu.edu](http://www.cahr.fsu.edu)) is a clearinghouse for information about human trafficking and provides training to law enforcement, social services and others statewide.

Florida also has six Refugee Task Forces, which are comprised of refugee services providers. They are located in Northeast Florida, Tampa Bay Area, Orlando Area, and Palm Beach, Broward, and Dade Counties. Several of these task forces have formed or are forming human trafficking subcommittees to better coordinate their work with their surrounding community.

## **2. Trafficking Power and Control Wheel**

The Wisconsin Coalition has developed a trafficking power and control wheel that demonstrates the power and control a trafficker exerts over victims.

## **3. Glossary of Immigration Terms**

The following is a non-exhaustive glossary of some commonly used immigration terms. Definitions of common trafficking terms and special visas are contained in Section 5.

## **4. Trafficking Acronyms**<sup>2</sup>

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<sup>2</sup> This list of acronyms was created by the Coalition to Abolish Slavery & Trafficking (CAST) Break the Chain Campaign, funded by a grant from the Office of Refugee Resettlement, Office of Health and Human Services.

## **TAB 2 Providing Services to Victims of Trafficking**

### **1. Special Considerations for the Domestic Violence Center**

There are some general differences between the housing and service needs of victims of trafficking and non-trafficked victims of domestic and sexual violence. Centers should consider these special service needs when developing a plan to offer services to victims of trafficking.

The special needs listed below are not present in every trafficking case. However, a center should determine whether they are willing and able to shelter victims of trafficking and respond to their special needs if they arise. Some centers may have to obtain permission from their local board of directors, and/or expand their not-for-profit mission statement to include service to victims of trafficking, or to extend their lengths of stay for shelter and transitional housing. Each domestic violence center should evaluate whether and how it will approach its board with the new issue of human trafficking. Centers who wish to serve victims of trafficking should work with their boards to develop specific policies and protocols for accepting victims of trafficking.

Special needs may include:

- **Length of stay:** Victims of trafficking may need shelter services and housing for much longer lengths of time than non-trafficked victims of domestic violence. Victims cooperating with law enforcement in the prosecution of the traffickers must have stable, safe housing through the investigation and prosecution of the criminal case, which may take one to two years to complete. On the other hand, some victims may be referred to a domestic violence program after having spent time elsewhere or en route to another program, so the stay may be brief.
- **Safety planning:** Safety planning takes on an added complexity for victims of trafficking because they often face danger from organized crime or an extensive trafficking organization. Traffickers often threaten the trafficked person's family in the country of origin as well, and such threats impact decisions made by a trafficked person.
- **Mental health/trauma:** Victims of trafficking may face mental health issues that may be different from domestic violence victims and be more akin to victims of torture. Victims of trafficking may not want to receive mental health services immediately and it is important that they not be pushed into receiving them. Cultural issues may also come into play and there may be greater stigmas to receiving these services.
- **Participation in center activities:** Trafficking victims may never have assimilated into the local community or U.S. culture. Such lack of assimilation, in addition to language barriers and lack of family or community

support, may make it especially difficult for victims of trafficking to participate in some of the traditional requirements dictated by the often communal living of a domestic violence center, including communal meals, support groups, and roommates of different ethnic, cultural or religious backgrounds.

- Interpretation needs: Centers serving victims of trafficking often have faced unique interpretation needs, such as accessing an interpreter for particular dialects within a spoken language. Additionally, centers may have to obtain translations of written consent forms and other documents.
- Providing services to child victims of trafficking: Many victims of trafficking are unaccompanied minors. Most domestic and sexual violence centers have policies against sheltering unaccompanied minors and/or sheltering children without the permission of a parent. Centers should plan for whether they want to, or even can assist this population, and if not, identify other providers in the community that can provide assistance.
- More intensive case management: Trafficking victims often need intensive case management and advocacy for long periods of time to assist them with immigration issues, federal prosecution of the trafficker, accessing special benefits, and other areas.
- Performing work for little or no pay or labor exploitation: A victim of trafficking may feel that she has to baby-sit for free, cook meals, or do more than her fair share of the chores. Center staff should be aware of this dynamic and ensure that staff and other residents do not unwittingly allow this dynamic to occur.
- Providing services to men and boys: Unlike domestic violence victimizations, there may be a higher percentage of males who are victims of trafficking. For example, men and women may be trafficked together in a farm labor situation. Centers should plan for whether they want to, or even can assist this population and if not, identify other providers in the community that can provide assistance.
- Housing multiple victims at one time: A center may receive a request to house multiple victims of trafficking who wish to stay together, or whom law enforcement wishes to be housed together for security reasons. This situation arose during a federal sex trafficking prosecution in South Florida.-
- Cooperation with law enforcement: In order to receive benefits, a victim of trafficking must agree to comply with all reasonable requests of law enforcement during the investigation and prosecution of the traffickers. Therefore, as federal and local law enforcement take the lead in investigating, assisting with the prosecution of, and certifying victims of trafficking, a center

may have to work with law enforcement in a much greater capacity than previously experienced. Centers may have to educate law enforcement about certain center policies and victim issues, including safety concerns, whether or not law enforcement may enter the shelter (and the need to set up alternate places for interviews), the fact that centers will not restrict a victim from leaving the center, whether the advocate may be present during interviews and court hearings, and center confidentiality and privilege laws.

- Criminal culpability of victims of trafficking: Victims of trafficking may themselves be charged with federal or state crimes. Centers should develop relationships with qualified criminal defense lawyers, including the federal and public defenders offices, who can assist victims.
- Reaching out to ethnic communities: Centers who wish to provide services to victims of trafficking will need to establish or actively build upon relationships with ethnic communities located in the center's community. When establishing new relationships, centers should be aware that traffickers are often from these same ethnic communities.
- Establishing networks with additional service providers: Because of the unique needs of trafficking victims, centers may have to identify and establish relationships with service providers – like those who do refugee resettlement - - with whom they have no previous relationship, and assess the providers as potential referral sources.
- Media attention: Trafficking prosecutions often attract the interest of local, national and international media. Centers may have to obtain assistance with protecting the confidentiality of the victims and their location.

## **2. Special Considerations for Staff**

Center staff may face unique challenges when assisting and advocating for victims of trafficking. These challenges include language barriers, cultural differences, complex legal needs, much longer-term support and advocacy, and lack of awareness of and experience with trafficked persons in the community (including law enforcement and referral sources). As with non-trafficked victims of domestic and sexual violence, staff can suffer vicarious trauma and severe disappointment when advocacy is unsuccessful. Additionally, the immigration process can be extremely frustrating. However, working with victims of trafficking can also be highly rewarding, particularly because of the laws enacted to protect and restore survivors and help them to obtain justice.

It is critical that domestic violence center staff receive specific training to understand the unique needs of trafficking victims. While not a substitute for training, the following are some special considerations for center staff when working with trafficked persons.

- Interviewing a person staff suspects is a victim of trafficking: While law enforcement, immigration officials, attorneys, or community organizations may refer to the center a person identified as trafficked, staff may encounter victims who they suspect are trafficked, but do not self-identify. In such situations staff must pose questions gently, sensitively, and understand that asking about a person's immigration status can be intimidating, and may even discourage the person from seeking your help. Use of the term "undocumented," rather than "illegal" is encouraged.
- Interviewing known victims of trafficking: Again, it is extremely important that the interviewer create an atmosphere of comfort, trust, confidentiality, and respect. For the victim, talking about the details of the trafficking ordeal may cause her to relive her experiences and trigger distress or trauma, and crisis counseling should be available.
- Multiple interviews may be necessary: Advocates should be aware that it may take a few months before a victim of trafficking will feel ready to talk about the fact that she is a victim, and/or her experiences. For some victims, it may be easier to write about their experiences than to talk about it. Advocates should emphasize confidentiality, any relevant limitations to confidentiality and privilege (discussed in subsection 5, below) and encourage the victim to share her experiences, always allowing the victim to take the lead as to when she is ready to talk. Many victims may focus on and may need shelter, food, and medical/mental health services, before they can focus on their trafficking issues.
- Hotline calls from trafficking victims: Victims of trafficking may call a domestic violence center's crisis hotline, but may not self-identify as a trafficking victim. For example, a victim may discuss domestic violence issues, but not explain that she was sold to the perpetrator by someone who brought her to the United States based on a promise of restaurant employment. Facts suggesting trafficking may emerge after subsequent counseling at the center's residency or outreach programs.
- Use of interpreters: Interpreters are often a critical part of assisting a victim of trafficking. Because interpreters may come from the same community as the trafficker, staff must carefully screen interpreters to ensure that they do not know either the victim or the trafficker, to determine whether they understand trafficking, and whether they speak the dialect of the victim. Inquire whether law enforcement or other agencies used a screened interpreter to interview the victim previously, and if your victim was comfortable with that interpreter, check the availability of that interpreter. Ensure that your victim understands the interpreter, and that the interpreter understands the victim and is providing a word for word translation and not trying to assist by perhaps embellishing the victim's story. Explain to the victim the role of the interpreter, and that the interpreter must keep the interview confidential. Employing an

interpreter that is the same sex of the victim is encouraged. However, staff should avoid using another trafficking adult or child victim as an interpreter for other victims.

- **Safety planning**: Safety planning takes on an added complexity for victims of trafficking because they often face danger from organized crime or an extensive trafficking organization. (Some centers may have experienced similar issues if they have assisted domestic violence victims who have been in relationships with, for example, drug dealers.) Advocates report that victims of trafficking often exhibit a fear that is more general in nature and not directed toward a single batterer. Traffickers often threaten the trafficked person's family in the country of origin as well, and such threats impact decisions made by a trafficked person. Staff should avoid using a checklist or other safety planning "form" and instead listen to and respect the victim's assessment of safety risks, and how the victim wants to address those risks.
- **Cultural issues**: Staff should receive training on diversity and cultural sensitivity. However, general knowledge about various cultures should always be combined with the individual experience related by the victim. Staff should recognize that cultural or ethnic background may impact the victim's communication style, view of mental health and social services, dietary needs, and her ability to interact with other center residents. Trafficked persons may want to avoid their own culture or local community because of the shame they feel or the safety issues that they may face because traffickers often reside in their community.
- **Establishing relationships with the victim's family**: Advocates may have to establish relationships with the victim's family in the country or state of origin, both to gather information about how the victim was trafficked, help alleviate the victim's concerns about her family's safety, and help assess safety concerns at home if the victim wishes to repatriate.
- **Mental health issues**: Victims of trafficking may face mental health issues that may be different from domestic violence victims and are more akin to victims of torture. Trafficked persons may exhibit depression, post-traumatic stress disorder, memory problems, fear, suspicion, rape trauma syndrome, and physical distress as a result of the psychological stress, such as headaches, stomachaches, chest pain, and numbing of parts of the body. These symptoms may be exhibited at different times and in varying degrees. Interviews requiring them to recount their experiences can trigger these behaviors. Posttraumatic stress disorder may result in avoidance of activities, places and people that arouse recollections.

Victims of trafficking may not want to receive mental health services immediately and it is important that they not be pushed into receiving them. Cultural issues may also come into play and there may be greater stigmas to

receiving these services. Initially, many victims may be more comfortable with less formal, supportive counseling or “conversations” (not referred to as counseling) geared toward immediate problem solving, adjusting to life at the center, and coping with loneliness and isolation from their communities.

- Immediate need for medical tests: Depending on their circumstances, victims of trafficking may have the immediate need for medical tests, including testing for tuberculosis, sexually transmitted and other diseases and pregnancy.
- Lack of family support and resources: Because the families of victims of trafficking often are in a different state or different country, victims may lack family support and have fewer family resources available to them than victims of domestic violence. Sometimes, family members also work for the trafficker, or have been trafficked themselves and have not left the trafficking situation.
- Fear of losing future employment: Victims of trafficking, particularly those who are working as farm laborers, may not want to complain about the trafficker because they are afraid that they and/or their families will get blacklisted and will never be able to work in the United States.
- Minimization of current abuse: Victims of trafficking who have escaped their trafficking situation and are living with an abusive partner or spouse may tend to minimize current domestic violence because their current situation is so much better than their trafficking situation. This partner or spouse, though abusive, may be their only support system
- General familiarity with the process of and players in the federal prosecution of traffickers: Advocates should become familiar and develop relationships with all the players involved with the federal prosecution, which may include the United States Attorney, the FBI, the Bureau of Immigration and Customs Enforcement (BICE) (formerly Immigration and Naturalization Services, INS) local law enforcement, attorneys, victim advocates, and interpreters. These players can explain to advocates the process and what to expect so that the advocates can better assist victims. Often the first step in the prosecution is when federal investigators determine whether the victim is a victim of “a severe form of trafficking.” Their initial interview of the victim may last several hours. Advocates can ensure that the victim is not intimidated, is given sufficient breaks, and understands the process. Federal prosecutions of traffickers are discussed in more detail at Tab 6.
- General familiarity with immigration issues: Staff should develop relationships with immigration lawyers who have experience assisting victims of trafficking, and become familiar generally with the immigration options available to trafficked persons. Some possible referral sources for qualified

immigration attorneys are listed in Tab 9, Resources. Because the rights of the victim may change depending on her status, centers should refer trafficking victims to qualified immigration attorneys as soon as possible. Advocates can play a key role in assisting the victim and the attorney during the certification process. Immigration issues are discussed in more detail at Tab 5.

- General familiarity with available benefits: Depending on their status, victims of trafficking are eligible for certain benefits and assistance beyond those usually available to non-trafficked victims. These benefits are discussed in more detail in Tab 4. It is important for the advocate to understand, however, that even if the person is a trafficking victim, there are no guarantees that that the victim will be recognized by the federal authorities as such and receive the benefits.
- Intensive advocacy and perseverance: Staff may find that obtaining assistance for trafficking victims requires intensive long-term advocacy with a variety of persons and organizations. Such advocacy may start with convincing law enforcement or others that the person is indeed a victim of trafficking. Sometimes the resistance is due to a lack of knowledge of trafficking. Advocates should identify allies within the community to help educate necessary key individuals, agencies and others about trafficking generally, and the needs of a particular victim.
- Staff frustration and trauma: The certification and immigration process can be lengthy, time consuming, and extremely frustrating. Advocates who assist victims through the prosecution and trial may suffer vicarious trauma as the victim relives the trafficking. Signs of trauma and/or compassion fatigue include feeling overwhelmed, fear and pain similar to survivors, intrusive thoughts, nightmares, avoidance, and changes in relationships to self, families, and friends. Staff should practice self-care by staying connected to what they find meaningful in their lives. Staff should support each other and debrief frequently, acknowledge the problem, and identify the difficulties of the work. The website [www.greencross.org](http://www.greencross.org) contains articles and other helpful information about vicarious trauma and compassion fatigue.

### **3. Assessing the Needs of Trafficking Victims**

Like non-trafficked victims of domestic and sexual violence, trafficked persons often suffer multiple victimizations that include sexual assault and other forms of intimate partner violence. And like non-trafficked victims, they may require a wide array of services, including, but not limited to:

- crisis counseling and longer term counseling
- emergency shelter, and longer term housing
- food

- clothing
- interpreters
- emergency and longer term medical care (screen for injuries and illness, physical for tuberculosis, sexually transmitted diseases)
- mental health services (post traumatic stress disorder, loneliness, depression, fear, anxiety, rape trauma)
- substance abuse counseling
- immediate legal assistance from an immigration attorney
- other legal services
- safety planning
- job skills training and job placement
- life skills training
- English as a second language, literacy, and other education
- Transportation, particularly to court hearings or meetings with attorneys or law enforcement
- Establishing contact with families in country of origin
- Advocacy with federal and state law enforcement to assist with certification
- Public benefits

#### **4. Developing an Advocacy Plan**

In assisting a victim of trafficking in identifying her needs and developing a plan for advocacy to meet those needs, centers are encouraged to use a “victim-centered approach,” and

- Work together with the victim to seek solutions to difficulties and address societal and institutional problems that hinder progress
- Protect the victim’s right of self-determination
- Take care not to impose the advocate’s values or ideas on the victim
- Monitor and coordinate comprehensive care
- Provide supportive counseling and crisis intervention
- Educate victims about rights and responsibilities
- Advocate for the victim’s rights<sup>3</sup>

It is particularly important for advocates to recognize and inform a victim that depending on her immigration status, she may not have as wide a range of choices as a non-trafficked victim, and may face more drastic consequences for the choices made. For example, if a victim of trafficking wishes to become certified and obtain one of the available visas to remain in this country, she **must** cooperate with law enforcement in the prosecution of the trafficker. (This process is explained in more detail in Tab 6).

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<sup>3</sup> This section is adapted from the Coalition to Abolish Slavery & Trafficking (CAST) Break the Chain Campaign, funded by a grant from the Office of Refugee Resettlement, Office of Health and Human Services.

Because the rights of the victim may change depending on her status, centers should develop relationships with, and refer trafficking victims to qualified immigration attorneys as soon as possible. The attorney can assess the status of the victim, and explain the victim's options and choices based on her status.

## **5. Protecting Confidentiality and Privilege**

Protecting the confidentiality of trafficking victims is critical to protecting their safety and establishing trust. Center staff must comply with Florida law and ensure that all information relating to trafficking victims served by the center remains confidential and is not released to any person or organization without the informed, written consent of the victim.

If a victim of trafficking is also a victim of domestic or sexual violence, Florida law protects communications between the victim and the advocate relating to the incidents of domestic or sexual violence. Advocates should inform victims of the scope of these protections, and when they do not apply; for example, mandatory reporting of child abuse, or subpoenas in federal court.

Center staff may find that assisting trafficking victims requires the release of confidential information more often, and to more organizations, than when assisting non-trafficked victims. This is particularly true if the victim is seeking certification. Staff should always obtain the informed, written consent of the victim when relaying confidential information to any person, including law enforcement, federal prosecutors, state attorneys, victim's advocates, and social services agencies. The written consent forms must be translated into the victim's native language, state the name of the person or organization receiving the information, and contain an expiration date. Centers should ask that the person or agency receiving the information complete a form that agrees to keep the information confidential, and should screen all referral sources for any potential conflict prior to release of information.

If the federal or state government's prosecution of a trafficker leads to a trial, advocates should meet with the prosecutor or the prosecutor's victim's advocate to discuss with them any anticipated confidentiality or privilege issues, and how they may impact the victim. Florida's domestic violence advocate and sexual assault counselor privileges are not currently recognized by federal courts, even federal courts located in Florida. However, it is still possible that a federal judge may deny a defense subpoena for confidential information.

## **6. Identifying Referral Sources to Meet Needs**

The advocate must assess the short and long term needs of the victim, identify those government benefits to which the victim is eligible (see Tab 4) and the victim wishes to obtain, and identify referral sources that provide those benefits and are currently accepting referrals.

Advocates should note that some benefits are available to trafficking victims only within a certain time period. For example, in Florida, some refugee benefits are available for the first seven months, and there is a 4 year restriction on TANF benefits. (Florida is more restrictive than the national cap of 5 years.) For more information on benefit time limits, advocates should contact their local Refugee Task Force, and review the information contained on FCADV's website <http://www.fcadv.org/immigrantpublicbenefits.html>

Centers should develop and continually update a list of referral sources for victims of trafficking to address their most common needs. The Center for the Advancement of Human Rights at Florida State University ([www.cahr.fsu.edu](http://www.cahr.fsu.edu)) is an excellent source for identifying new grantees of federal anti-trafficking funds and others who are providing services to trafficking victims.

Center participation in a network or local coordinated community response to trafficking is an excellent way to remain informed about the various referral sources and gain information about the quality of services provided. Centers should screen all potential referrals prior to the referral for their understanding of trafficking victims, confidentiality policies, and security (if housing referral). Lawyers must be experts in immigration law and remedies available to victims of trafficking.

As with referrals for victims of domestic violence, referral sources may not be receptive, understanding or may outright refuse to help the victim or recognize the implications of human trafficking. If referral sources are not helpful, staff may want to try to educate the referral sources about the needs of trafficking victims, and identify alternative referral sources.

## **7. Special Concerns in Rural or Insulated Communities**

Providing services to victims of trafficking in rural or insulated communities such as military bases or migrant communities, as with non-trafficked victims of domestic and sexual violence, pose special challenges. In rural areas, the poverty rate is often higher, jobs are often scarce, needed services are unavailable or inadequate, and victims must travel further distances to access services. Victims of trafficking in rural areas may be isolated from federal law enforcement, immigration offices, and other agencies necessary to assist in certification. Centers may have difficulty accessing interpreters, and protecting the victim's confidentiality.

Centers in rural communities who wish to serve victims may have to travel well outside their communities to identify and develop relationships with potential referral sources. The Refugee Task Force for their region, Florida Legal Services offices, migrant worker advocacy networks, and rural health networks are examples of entities that can help centers with this process. Additionally, with funding from this grant, FCADV plans to designate four domestic violence centers, one in each FCADV region as anti-trafficking "hubs." These hubs will offer training and technical assistance to other domestic violence centers in their region, and assist in linking centers in rural communities with services for trafficking victims.

A large number of women have been trafficked to U.S. military bases to work in the sex industries surrounding bases.<sup>4</sup> One Florida domestic violence center reported suspected forced prostitution of a mail order bride on a Florida military base.<sup>5</sup> Centers serving the communities surrounding the eight military bases are likely to encounter victims of trafficking, and should build on established working relationships with representatives from the military bases to discuss the issue of trafficking and develop coordinated responses.

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<sup>4</sup> Florida State University Center for Advancement of Human Rights: Florida Responds to Human Trafficking, Fall 2003, at p. 28.

<sup>5</sup> Id.

### **TAB 3 Serving Unaccompanied Child Victims of Trafficking**

All the considerations and issues present when providing services to adult victims of trafficking apply to providing services to child victims as well. Child victims of trafficking, however, particularly unaccompanied minors, have additional needs that require special consideration by the center and staff, including supervision, enrollment in school, working with the state Department of Children and Families (DCF) or other agency for placement in a foster family or to receive health and other services, and appointment of a guardian to make medical and other decisions.

The age of the child also plays a role in service needs. A sixteen year old mail-order bride may fit more easily into center programs for adults. A ten year old who is enslaved as a domestic servant may not be suited for center services unless she comes with a group of more mature trafficked women who are part of her “family.” Interviewing a child victim of trafficking to assess their needs poses particular challenges, as they may not trust adults, or may have been coached by the traffickers on how to answer questions. Included in this section is a list of screening questions for child victims of trafficking developed by USCCB Migration and Refugee Services and the Lutheran Immigration and Refugee Service.

An important difference is that children under the age of 18 who are trafficked are not required to cooperate with law enforcement in the prosecution of the trafficker to obtain visas or benefits. A child may also qualify for asylum or Special Immigrant Juvenile Status. As with adult trafficking victims, it is critical that the center obtain the assistance of a qualified immigration attorney to assess the child’s legal status and options as soon as possible.

Child victims of trafficking who do not have a parent or guardian, or entered the United States with a parent or guardian but could not remain with them, are also eligible for services through The Unaccompanied Refugee Minors Program, Office of Refugee Resettlement. The program designates a legal authority to act in the place of the parent, and ensures that the child receives services including foster care, English language training, career planning, health/mental health needs, socialization skills/adjustment training, family reunification, residential care, education/training, and Ethnic/religious preservation. Two lead voluntary agencies, The Lutheran Immigration Refugee Services (LIRS) and The United States Catholic Conference (USCC), help ORR with the unaccompanied refugee minor program.

## **TAB 4 Benefits Available to Victims of Trafficking**

The Trafficking Victims Protect Act of 2000 (TVPA) authorized HHS to deem certified victims of trafficking (See Tab 5 for information on the certification process), who are not U.S. citizens, eligible for certain benefits and services to the same extent as refugees. The Trafficking Victims Protection Reauthorization Act of 2003 authorized HHS to extend benefits and services as well to assist potential victims of trafficking in achieving certification, and to assist minor dependent children of victims of severe forms of trafficking or potential victims of trafficking.

Pre-certified victims are eligible for benefits only if the provider “has reason to believe that the victim or potential victim is a non-citizen who meets the definition of a victim of a severe form of trafficking as defined by the TVPA. Providers must cease services using ORR funds if (i) subsequent facts come to light such that the provider no longer has reason to believe that the individual is a victim of a severe form of trafficking; (ii) in the case of an adult potential victim, such individual refuses to assist in every reasonable way in the investigation and prosecution of severe forms of trafficking in persons after having been fully informed in a non threatening setting of a victim’s rights under the TVPA; (iii) the provider no longer has a reasonable expectation that the individual will pursue or obtain certification in a timely manner; or (iv) the individual’s T-Visa is denied and the Department of Homeland Security refuses to authorize continued presence.”<sup>6</sup>

In Florida, refugee benefits available to certified and pre-certified victims of trafficking include:

### Adult vocational education

English for Speakers of Other Languages (ESOL) is available in certain areas to eligible persons through a curriculum which will prepare them to perform effectively in gainful employment.

### Child care

Services are provided to assist eligible persons for entry into the work force.

### Children’s Health Care Program/Kidcare Outreach

Services to build the capacity of designated community organizations to provide outreach and referral services to ensure that eligible persons are able to access the Children's Health Insurance Program/KidCare Outreach and other programs for low income populations.

### Citizenship

This program helps the integration of eligible persons into the mainstream by providing them with English conversational skills, civics training and preparation for the Immigration and Naturalization Services citizenship test.

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<sup>6</sup> See May 2004, letter from Nguyen Van Hanh, Ph.D., Director, ORR to Tiffany Carr (in Tab 10)

### Domestic Violence Prevention

Services to enhance awareness of and prevent domestic violence.

### Elder Case Management

Provides access to older eligible persons for home delivered meals, congregate meals and other mainstream services for the elderly.

### Employment

Services are provided to obtain gainful employment, including: vocational evaluation, orientation to work practices, referral to English as a Second Language (ESL/ESOL) classes, on-the-job training, job development and placement services, counseling before and after job placement, and follow-up services to provide the necessary support to the employer and client for continuation of employment.

### Epilepsy Client Case Management

Diagnosis, education and medical services are available for eligible persons diagnosed with epilepsy.

### Interpreters

Trained interpreters are provided to assist eligible persons to necessary medical and social services.

### Legal

Immigration and employment related legal assistance is provided to eligible persons, including but not limited to Employment Authorization Documents, parole documents, asylum applications, legal permanent residency applications and other Immigration status related issues.

### Medical

Certain medical services are provided to eligible persons who do not qualify for Medicaid or refugee medical assistance.

### Mental Health

Mental health services are available for eligible persons including crisis stabilization, inpatient/outpatient services to facilitate Refugee and Entrant integration into the community.

### Vietnamese Former Political Prisoner Case Management

Services are designed to help military and civilian personnel who were detained in Vietnam by helping them achieve economic self-sufficiency.

### Youth Services

This program provides services to eligible youth including group sessions, career planning, English language skills, cultural and recreational activities, summer youth programs and parent empowerment/skills sessions.

## Department of Health and Human Services Matching Grant Program

The Matching Grant Program is an alternative program to public assistance designed to make refugees self-sufficient within 4 months from date of entry into the U.S. The program is funded on a calendar year basis. Eligible grantees are Voluntary Agencies able to coordinate comprehensive multilingual, multicultural services for refugees at local sites among other requirements. Clients eligible to be served under this program are refugees, certain Amerasians, Cuban and Haitian entrants, asylees, and victims of a severe form of trafficking. Enrollment must be completed within 31 days of eligibility for the program. For more information on this program, refer to the HHS matching grant website at <http://www.acf.dhhs.gov/programs/orr/programs/matchgva.htm>.

Victims of severe forms of trafficking may be eligible for other services and benefits that are generally available to federal crime victims.<sup>7</sup> Federal agencies, such as the Federal Bureau of Investigation (FBI), the BICE (former INS), and U.S. Attorneys' offices have victim specialists who assist victims of federal crimes throughout federal criminal investigations and prosecutions. (The Florida locations of these agencies are listed in Tab 9.)

Federal victim specialists can provide information about: available protections, especially against threats and intimidation, and available remedies; emergency medical and social services, including shelter options; referrals to public and private programs available to provide counseling, treatment, and other support to victims, such as domestic violence and rape crisis centers; a victim's rights and his or her role in the criminal justice process; the status of an investigation and notice of important case events; restitution; and individual privacy and confidentiality rights.

Victims of trafficking also may be eligible for the state of Florida's Victim's Compensation Fund. This fund compensates for expenses resulting from the crimes committed against the victim, including wage loss, disability, medical care, mental health services, prescriptions, and domestic violence relocation. Information about the Florida Victim's Compensation Fund is in Tab 8.

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<sup>7</sup> This section is adapted from the U.S. Department of Justice, Civil Rights Division, **TRAFFICKING IN PERSONS: A GUIDE FOR NON-GOVERNMENTAL ORGANIZATIONS**

## **TAB 5 Legal Issues**

### **1. Immigration Issues**

The immigration status of a victim of trafficking is critical to whether the victim is eligible for services or even whether she can remain in the United States. Because the rights of the victim may change depending on her status, centers should develop relationships with, and refer trafficking victims to qualified immigration attorneys as soon as possible. The attorney can assess the status of the victim, and explain the victim's options and choices based on her status.

The immigration attorney, rather than the advocate, is responsible for pursuing the victim's various legal options. However, advocates assisting victims of trafficking should have a basic understanding of the immigration options available to victims so that they can educate them generally about the process. Advocates should also educate the victim about the required cooperation with law enforcement and what such cooperation might entail. (See Tab 6). Advocates may also assist the immigration attorney in collecting important documentation, advocating for the victim's rights with appropriate agencies, and supporting the victim through the process.

#### **a) Immigration Options Available to Trafficking Victims<sup>8</sup>**

**Certification:** Certified victims of trafficking are eligible for certain benefits and services. HHS must certify that the victim 1) is willing to assist in every reasonable way in the investigation and prosecution of severe forms of trafficking in persons, and 2) has either made a bona-fide application for a T visa with BICE (formerly INS) or is a person whose continued presence in the United States the Attorney General is ensuring in order to effectuate prosecution of traffickers in persons. Victims of severe forms of trafficking who are under eighteen years of age are also eligible for certain benefits to the same extent as refugees but do not need to be certified.

**Continued Presence:** In order to effectuate prosecution of traffickers, eligible victims who lack legal status but who are potential witnesses of such trafficking may receive temporary immigration relief under the continued presence provisions of Section 107(c) of the VTVPA. Only a federal law enforcement agency may petition BICE for continued presence. BICE has the discretion to utilize one of several statutory and administrative mechanisms to authorize the continued presence of victims of severe forms of trafficking. Some of the mechanisms available to the INS for this purpose include parole, suspension of removal, and deferred action.

**T Visa:** T visas may be available to victims of severe forms of trafficking who have complied with any reasonable requests for assistance in the investigation or prosecution of acts of trafficking. However, minors under the age of eighteen do not have to comply with such requests in order to be eligible for a T visa. In addition, a

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<sup>8</sup> This section is adapted from the U.S. Department of Justice, Civil Rights Division, **TRAFFICKING IN PERSONS: A GUIDE FOR NON-GOVERNMENTAL ORGANIZATIONS**

victim of a severe form of trafficking is eligible to receive a T visa only if he or she is physically present in the United States, American Samoa, the Commonwealth of the Northern Mariana Islands, or at a port of entry on account of such trafficking, and if he or she would suffer extreme hardship involving unusual and severe harm upon removal.

**U Visa:** U visas may be available to aliens who have suffered substantial physical or mental abuse as a result of being the victims of certain crimes designated by the TVTVA - including trafficking - that violate federal, state, or local laws or have occurred while in the United States (including in Indian country and military installations) or its territories or possessions.

To be eligible for a U visa, the victim must possess information concerning the crime and the U visa petition must include a certification from a government official (as listed in the statute) stating that the victim is helping, has helped, or is likely to be helpful in the investigation or prosecution of the crime. In addition to human trafficking, crimes that are grounds for qualifying for the U Visa include murder and attempted murder, manslaughter, felonious assault, rape, torture, incest, domestic violence, sexual assault, prostitution, female genital mutilation, peonage, involuntary servitude, slave trade, kidnapping or abduction, false imprisonment, unlawful criminal restraint, extortion, blackmail, witness tampering, obstruction of justice and perjury.

Recipients of both the T and U visas are eligible for employment authorization, and may, after three years adjust their status to that of lawful permanent resident in accordance with federal law and INS regulations. In appropriate circumstances, these visas may be available to family members of the victim. By statute, only 5,000 T visas and 10,000 U visas may be issued to victims annually. These limits do not apply to family members.

An immigration attorney can advise trafficking victims who wish to remain in the U.S. but do not wish to pursue certification of other potential immigration options.

b) **Assisting the Immigration Attorney**

Advocates should discuss the possible assistance they can provide in the immigration process with the victim and her immigration attorney. If all parties agree, center advocates can assist the immigration attorney in the interview process, particularly if the advocate has an established relationship with the victim.

Advocates also may assist the immigration attorney in gathering evidence to begin the certification process or establish continued presence, or advise the victim as to the type of information needed. Such evidence may include:

- Birth certificate, marital documents or other documents that help establish the age of the victim.

- Names of children and other family members
- Photos
- Legal documents such as divorce decrees;
- Fingerprints
- Writing a victim statement

If the victim faces potential criminal charges, advocates should consult the victim's criminal defense attorney prior to gathering evidence to avoid the possibility of becoming a witness in a criminal case against the victim.

c) **Repatriation**

Some trafficked persons may wish to return to their country of origin. Advocates may assist the immigration attorney by informing the victim that repatriation may result in losing certain benefits or preclusion from certain remedies. If the victim chooses to return to her country of origin, it is important that the repatriation is safe and smooth. Advocates may assist the victim in securing identification and travel documentation, linking the victim with an organization in the origin country to assess safety issues, the family situation, and available services, and arranging for safe travel, including transportation costs.

**2. Other Legal Issues**

In addition to immigration, trafficking victims may require legal assistance to determine their rights and options in the following areas:

- Family law issues including dependency
- Federal and State civil torts case against trafficker
- Federal and State labor violations against trafficker
- Criminal matters, including criminal defense assistance during the prosecution of the batterer or if the victim is charged with a crime.

## **TAB 6 Criminal Prosecution of Trafficker**

Cooperation in the criminal investigation and prosecution of the trafficker may cause the victim to relive the trauma of trafficking. Advocates play an important role in assisting the victim through this often difficult and painful process by providing support and counseling, preparing them for what to expect, and advocating for the victim's rights. If possible, centers may provide the victim with transportation to numerous meetings or to attend court hearings, and help the victim obtain a pro bono attorney who will attend every stage of the prosecution to protect the victim's rights during the process.

### **1. Working With Federal and Local Law Enforcement and U. S. Attorneys**

Federal and state law enforcement and the offices of the United States Attorney are key players in the prosecution of the trafficker. These officials also hold the key to determining that the victim is a victim of a severe form of trafficking, enabling her to qualify for visas and receive benefits. Federal officials also must verify that the victim is complying with all reasonable law enforcement requests. Additionally, the federal "material witness" law allows prosecutors to seek an arrest warrant if a potential witness's testimony is "material" to a criminal proceeding and the individual is likely to flee. A judge must approve the warrant, and the witness is entitled to a bond hearing and a court-appointed attorney.

Centers and advocates should establish working relationships with representatives from these offices, including victim advocates, to ensure that center advocates are permitted to participate in the process. Advocates should also discuss safety concerns, whether or not law enforcement may enter the shelter (and the need to set up alternate places for interviews), the fact that centers will not restrict a victim from leaving the center, whether the advocate may be present during interviews and court hearings, and center confidentiality, with officials before these issues arise.

### **2. Initial Interview**

The victim's initial interview by law enforcement and the prosecution team may be extensive, lasting several hours, and will require the victim to provide details of the trafficking and other personal information that she may find traumatizing. Advocates should prepare victims for these interviews by explaining each participant and their role, and the types of questions to expect. During the initial and subsequent interviews, if permitted to attend, advocates should support the victim, ensuring that she is as comfortable as possible, and has breaks when necessary. Advocates are advised not to take notes during these interviews, nor offer any information on behalf of the victim, as such actions may result in a subpoena for the advocate's testimony or notes. Additionally, the prosecutors may exclude the advocate from the interview to protect attorney-client privilege, and advocates should prepare the victim for that possibility.

### **3. Investigation**

The investigation may not commence immediately after the initial interview, and the victim may not hear from the prosecution team for some time. Advocates should prepare the victim to expect periods of no information and/or numerous requests for interviews as they gather evidence. Center staff may have to actively and persistently advocate law enforcement to provide information to the victim regarding the status of the case.

### **4. Trial**

The victim may be required to testify at the trial and face the trafficker in public. Advocates should work with the prosecution team to educate the victim on what to expect during the trial, including the estimated length of the trial, the role of the judge and the jury, and the fact that the trial is open to the public. The victim may need additional support and counseling in anticipation of her testimony and cross-examination by the defense attorney. If there are multiple defendants, the victim may be called upon to testify in multiple trials.

### **5. Post-Trial**

If there is a conviction, the victim may participate in sentencing proceedings either through a written or oral victim impact statement. Advocates can help the victim prepare this statement about how she and her family have been emotionally, physically, and financially impacted by the crime. Victims who have assisted in the prosecution of traffickers also can feel a great sense of accomplishment that they have helped put a criminal behind bars.

If there is not a conviction, the victim may have renewed safety concerns, feel depressed, and not understand why there was not a conviction. Advocates can help victims understand that a failure to convict is not a reflection on the victim. Traffickers who serve their sentence may also be released and dangerous to the victim and family in her country of origin.

### **6. State Prosecution of Trafficker**

The State of Florida may want to prosecute the trafficker under the new Florida anti-trafficking laws, or under state criminal laws for crimes such as sexual battery, kidnapping, battery, or false imprisonment. State prosecutions could occur simultaneous with, subsequent to, or in lieu of a federal prosecution. Depending on the charge, state prosecutions may move forward more quickly than federal prosecutions.

As with federal prosecutions, advocates should develop working relationships with the key players in the state prosecutions—local law enforcement, assistant state attorneys, public defenders, and victim’s advocates. The same advocate issues and concerns that arise during federal prosecutions, discussed above in section 5, apply in state prosecutions.

Advocates also should be familiar with the rights of crime victims in Florida. Section 16(b) of the Florida Constitution provides that: “Victims of crime or their lawful representatives, including the next of kin of homicide victims, are entitled to the right to be informed, to be present, and to be heard when relevant, at all crucial stages of criminal proceedings, to the extent that these rights do not interfere with the constitutional rights of the accused. “

Additionally, victims of crime are entitled to information concerning services and protection available to victims of adult and juvenile crime; notification of scheduling changes; advance notification concerning judicial proceedings and the right to be present at those proceedings; an opportunity be consulted by the state attorney to express their views; prompt return of property held for evidentiary purposes unless there is a compelling law enforcement reason for retaining it; notification to employer for cooperation in the prosecution of the case and explanation to creditors the reason for such serious financial strain; notification of the right to request restitution, and submit an impact statement; information concerning the escape of the defendant; and general victim assistance.

## **TAB 7 Working with the Media**

Prosecutions of traffickers are often high profile cases and the center or the victim may be contacted by reporters or others seeking to publicize the case. The media can be very aggressive in wanting to put a trafficking victim's face on the news in the name of calling attention to the problem.

Centers should always protect the privacy of their victims. The center should designate one person on staff who is responsible for handling any calls from the media. That person should be aware of any court orders or prosecution rules prohibiting the victim or others from speaking about the case. The center may also wish to refer all media calls to the victim's lawyer or other organization acting upon the victim's behalf. The center should inform the victim of the safety and other risks associated with speaking with the media.

## TAB 8. Potential Funding Sources

- FCADV has a federal grant for training and technical support in 2004-2005.
- There are federal funds for pre-certified victims and centers do not have to apply--they can partner with an organization like the Florida Freedom Partnership that might be able to support victims at domestic violence centers <http://www.ojp.usdoj.gov/fundopps.htm>
- For outreach: <http://www.acf.hhs.gov/grants/index.html>
- There are law enforcement grants: <http://www.ojp.usdoj.gov/BJA/grant/04HumTraffic.pdf>
- Federal Victim's Crime Compensation may provide funds for housing and services provided to victims cooperating with prosecutions. Contact the local United States Attorney Office (in Tab 9)
- Florida's Victim's Compensation Fund. This fund compensates for expenses resulting from the crimes committed against the victim, including wage loss, disability, medical care, mental health services, prescriptions, and domestic violence relocation. Florida Office of Attorney General **1-800-226-6667** **website. <http://legal.firn.edu/victims>**
- Centers may be able to partner with other community organizations to apply for funds to serve trafficking victims from the Department of Health and Human Services, or the Office of Refugee Services.
- Department of Health and Human Services Matching Grant Program

The Matching Grant Program is an alternative program to public assistance designed to make refugees self-sufficient within 4 months from date of entry into the U.S. The program is funded on a calendar year basis. Eligible grantees are Voluntary Agencies able to coordinate comprehensive multilingual, multicultural services for refugees at local sites among other requirements. Clients eligible to be served under this program are refugees, certain Amerasians, Cuban and Haitian entrants, asylees, and victims of a severe form of trafficking. Enrollment must be completed within 31 days of eligibility for the program. For more information on this program, refer to the HHS matching grant website at <http://www.acf.dhhs.gov/programs/orr/programs/matchgva.htm>

## **TAB 9 Anti-Trafficking Resources**

### **United States Government Programs and Law Enforcement**

**HHS Hotline:** The Department of Health and Human Services (HHS), in collaboration with the Department of Justice, and run by Covenant House, has established a toll-free number (888) 373-7888, for victims of trafficking and persons calling on their behalf. The purpose of this hotline is to identify pre-screened local resources available in the caller's community, and coordinate with local social service organizations to help protect and serve victims so they can begin the process of restoring their lives. This hotline is very new and may still be addressing logistical problems, so it is suggested that advocates rather than victims make the initial call.

**DOJ Hotline:** The Department of Justice has established the toll-free Trafficking in Persons and Worker Exploitation Task Force complaint line at (888) 428-7581 (voice and TTY, access to interpreters) to report a human trafficking situation. Staff for the complaint line handle initial reports of trafficking, refer cases to prosecutors and investigators, and direct victims or their advocates to appropriate services and assistance.

#### **Department of Justice**

Child Exploitation and Obscenity Section/Criminal Division

[www.usdoj.gov/criminal/ceos](http://www.usdoj.gov/criminal/ceos)

Criminal Section/Civil Rights Division

[www.usdoj.gov/crt/crim/index.html](http://www.usdoj.gov/crt/crim/index.html)

#### **Trafficking in Persons and Worker Exploitation Task Force**

[www.usdoj.gov/crt/crim/tpwetf.htm](http://www.usdoj.gov/crt/crim/tpwetf.htm)

Toll Free Complaint Line: (888) 428-7581

#### **Department of State, Office to Monitor and Combat Trafficking in Persons**

[www.state.gov/g/tip/](http://www.state.gov/g/tip/)

#### **Department of Health and Human Services, Office of Refugee Resettlement**

[www.acf.hhs.gov](http://www.acf.hhs.gov)

#### **Toll-Free ORR Trafficking Verification Line**

(for agencies to confirm benefits)

(866) 401-5510

#### **T & U Visa Applications – Department of Homeland Security Citizenship & Immigration Services**

Vermont Service Center

Attn: VAWA Unit, Box 1000

75 Lower Welden St.

St. Albans, VT 05479-0001

**United States Department of Labor**

<http://www.dol.gov/esa/whd/>

**For Wage and Hour information please call these regional offices:**

Jacksonville, FL (904) 232-2489 x 0

Orlando, FL (407) 648-6471 x 75

Ft. Lauderdale, FL (954) 356-6896 x 8771

Miami, FL (305) 596-9874 x 8771.

**Offices of the United States Attorney (Trafficking Points of Contact)**

Tom Kirwin, First Assistant U.S. Attorney, Northern District of Florida

(850) 942-8430

Douglas Molloy, Chief Assistant U.S. Attorney, Middle District of Florida

(239) 461-2225

Marvelle McIntyre-Hall, Assistant U.S. Attorney, Southern District of Florida

(305) 961-9430

**Florida FBI offices:**

**FBI Jacksonville**

Suite 200

7820 Arlington Expressway

Jacksonville, FL 32211-

7499

[jacksonville.fbi.gov](http://jacksonville.fbi.gov)

(904) 721-1211

**FBI North Miami Beach**

16320 Northwest Second Ave.

North Miami Beach, FL 33169-

6508

[miami.fbi.gov](http://miami.fbi.gov)

(305) 944-9101

**FBI Tampa**

Room 610, FOB

500 Zack St.

Tampa, FL 33602-3917

[tampa.fbi.gov](http://tampa.fbi.gov)

(813) 273-4566

**State of Florida Government Programs**

**Florida Refugee Task Forces**

(Broward, Jacksonville, Miami-Dade, Orlando, Palm Beach, Tampa)

(850) 488-3791

**Department of Children and Families – Office of Refugee Services**

(state agency responsible for providing assistance to certified victims of trafficking)

(850) 488-3791

[www.myflorida.com/cf\\_web/myflorida2/healthhuman/refugee](http://www.myflorida.com/cf_web/myflorida2/healthhuman/refugee)

**Florida Victim Assistance and Advocacy Programs:**

**Florida Coalition Against Domestic Violence (FCADV)**

(850) 425-2749

425 Office Plaza Dr.

Tallahassee, FL 32301

[www.fcadv.org](http://www.fcadv.org)

Domestic Violence Hotline: 1 (800) 500-1119

**Florida Council Against Sexual Violence (FCASV)**

(850) 297-2000  
1311 Paul Russell Rd.  
Suite A-204  
Tallahassee, FL 32301  
[www.fcasv.org](http://www.fcasv.org)

**Florida Freedom Partnership (FFP)**

(For Dade, Broward, Palm Beach, St. Lucie, Collier, and Monroe Counties)  
(305) 443-0102  
E-mail: [TraffickingFFP@yahoo.com](mailto:TraffickingFFP@yahoo.com)

**Coalition of Immokalee Workers**

(941) 657-8311  
[www.ciw-online.org](http://www.ciw-online.org)  
Email: [workers@ciw-online.org](mailto:workers@ciw-online.org)

**Legal Assistance:**

**Florida Immigrant Advocacy Center (LUCHA Project)**

(305) 573-1106  
[www.fiacfla.org](http://www.fiacfla.org)

**Florida State University, Center for Advancement of Human Rights**

(850) 644-4550  
[www.CAHR.fsu.edu](http://www.CAHR.fsu.edu)

**FCADV Legal Hotline**

(800) 500-1119 x3

**Non-Government Advocacy Organizations**

**Coalition to Abolish Slavery & Trafficking (CAST)**

(213) 365-1906  
[www.castla.org](http://www.castla.org)

**Family Violence Prevention Fund**

(415) 252-8900  
[www.endabuse.org](http://www.endabuse.org)

**Freedom Network**

[www.freedomnetworkusa.org](http://www.freedomnetworkusa.org)

**National Immigration Project**

(617) 227-9727  
[www.nationalimmigrationproject.org](http://www.nationalimmigrationproject.org)

**Protection Project**

(202) 663-5896  
[www.protectionproject.org](http://www.protectionproject.org)

**International Rescue Committee – Anti-Trafficking Initiative**

(212) 551-3000  
<http://www.theirc.org/Anti-trafficking/index.cfm>