

Understanding the Trafficking of Children for the Purposes of Labor in the United States

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Final Technical Report

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Brief Overview of the Key Findings and Recommendations

The exploitation of children who are working in the United States is a critical social issue. While recent public attention has been directed toward labor abuses of migrant children, there is strong evidence that labor trafficking impacts a wide range of children who experience individual and structural vulnerabilities. Despite public concern about the exploitation and labor trafficking of children, we lack detailed information about what young people are exploited for labor, the contexts under which these abuses occur, and how to best meet the needs of these young survivors – both U.S. citizen and foreign-national. Utilizing data from 71 cases of child labor trafficking either prosecuted by U.S. officials (36) or served by legal advocacy agencies in four U.S. sites (35). Across these cases information was coded for 132 child labor trafficking victims and 145 child labor trafficking perpetrators. Case data was supplemented with in-depth interviews with legal advocates, victim service providers, child welfare, law enforcement and other government officials, as well as adult child labor trafficking survivors, this study fills important gaps in our knowledge.

Key Findings

1. Victim Characteristics:

- Our study casts light on the diverse victim profile, encompassing 42% U.S. citizens and 58% of foreign nationals. These victims were ensnared in a broad spectrum of industries, from domestic work to forced criminality, entertainment, and agriculture.
- Notably, both male (38%) and female (59%) victims were identified, with an average age of 14.
- Most older children wanted to work for financial security and to gain important life skills but wanted to do so safely, without being harmed or exploited.
- For children living with their traffickers, the lack of safe, affordable housing alternatives was consistently identified as a barrier to leaving the trafficking situation.
- Undocumented foreign national children were particularly vulnerable to labor trafficking as their lack of immigration status and work authorization, coupled with pre-existing debts, poverty and financial obligations to families, makes them more susceptible to exploitive practices.

2. Perpetrator Characteristics:

- Perpetrators, predominantly in their 20s and 30s, played diverse roles in the exploitation process.
- Recruiters were commonly known to the victim, including biological parents (29%), other family members (11%), and acquaintances (285)
- While there is no dominant profile of perpetrators, many were individuals, families, and “organized” non-criminal groups, such as cult or spiritual leaders and sports team leaders.

3. Nature of the Labor Trafficking Experience:

- The prevalence of child labor trafficking victims who experience exploitative labor practices (97%), fraud (91%), coercion (97%), and/or threats or physical violence (95%) paints a distressing picture.
- Our analysis indicated an average of 16 different domains of harm were experienced by victims for each trafficking case, underscoring the complex nature of labor trafficking, as well as the detrimental affects to their health and well-being.

- The distinction between labor exploitation and labor trafficking is often non-existent in cases involving children, as “coercion” in labor trafficking is inherent in the power dynamics of relationships between adults and children. Most child labor trafficking cases involved an adult directing a child to engage in exploitive labor trafficking for the adult’s financial gain.
- Forced criminality is a form of labor trafficking experienced by many children, yet most children experiencing such victimization are misidentified as perpetrators of crimes as opposed to victims.
- Trainings should encourage stakeholders and adjudicators to apply a child-centric, developmental approach to analyzing what is “coercion” in labor trafficking cases.
- Trainings should explicitly include forced criminality as a form of labor trafficking.

3. Operationalize screening and services for victims of child labor trafficking on par with child sex trafficking.
4. Consider recognizing all cases of child labor exploitation as a form of child labor trafficking, particularly given the limited capacity children have to distinguish between coercive or compelled work versus voluntary work.
5. Explore opportunities to expand vocational programs to provide valuable skills while offering safe, lawful employment opportunities for children.
6. Create safe, rapid, subsidized alternative housing options for minors, regardless of immigration status.
7. Explore opportunities for temporary legal protections for noncitizen children to minimize their unique vulnerabilities to predatory labor exploitation and make them eligible to engage in existing vocational and job readiness programs for youth and young adults.
8. Expand post-release services and support to non-citizen children released from federal custody into US communities living with sponsors to ensure children and family are receiving the support they need.
9. Collaboration with immigration attorneys and law school clinics to provide comprehensive legal assistance to foreign national minors within schools, including work authorization, visa applications, and expungement.
10. Enhance penalties for civil violations of child labor laws and child labor exploitation to ensure consistency in protections across state and federal laws.

4. Identification Challenges:

- Our study shows that most first responders who engage with children, including child welfare agencies, law enforcement, labor investigators, and even schools, are not identifying child labor trafficking cases, and often misidentify child labor trafficking cases. Moreover, stakeholders and adjudicators do not apply a developmentally informed analysis of “coercion” in determining if a child is trafficked or not, assuming children’s capacity to assess risk is the same as adults.
- Only 15% of the cases were identified by law enforcement.
- Approximately 45% of victims demonstrated remarkable resilience by escaping the victimization situation or seeking help independently. In some cases, when they sought help, assistance was denied due to characterization of the trafficking as a “family problem” or “labor issue” versus the crime of labor trafficking.

Recommendations:

1. Harmonize state legislation with federal anti-trafficking laws to ensure laws and policies protecting child sex trafficking survivors also include child labor trafficking survivors.
2. Provide additional training to all stakeholders engaging with children on child labor trafficking, including education/schools, law enforcement, immigration officials, child welfare systems, juvenile justice systems and labor inspectors.

1. Introduction

In 2023, the U.S. Department of Labor issued findings based on a lengthy investigation of Packers Sanitation Services, Inc. (PSSI) for illegally employing over 100 children aged 13-17 working in dangerous conditions in 13 different meatpacking facilities (Department of Labor, 2023). PSSI in turn paid over \$1.5 million in civil penalties for illegally hiring children. Children worked long overnight hours cleaning dangerous equipment while exposed to harmful cleaning chemicals. The Department of Homeland Security followed up with an investigation whether any of the children, mainly unaccompanied foreign-national minors, employed at PSSI were placed there by traffickers or coerced into illegal and dangerous employment.

The exploitation of children who are working in the United States is a critical social issue. In 2023, a series of high-profile cases of undocumented young people employed in deplorable conditions in meat packing plants, factories, and agriculture raised public attention to the problem of children and teens working in abusive, dangerous, and degrading conditions (Drier, McDonald, Salazar, Correal and Kessler, 2023; Drier and Luce, 2023). Public concern about the exploitation of child workers has prompted the United States Department of Labor to convene an interdisciplinary task force on child labor. During this same period, states across the U.S. are grappling with a surge of migrant families and unaccompanied minors and the associated increased vulnerability of migrant children who take on work in dangerous or abusive conditions to help provide support for their families (Strickler and Ainsley, 2023). In some cases, labor that is the result of force, fraud, or coercion rises to the level of

criminal labor trafficking, though to date relatively few employers have been found criminally liable. Recent public outcry about child labor has been directed at abuses of migrant children, but there is strong evidence that labor trafficking impacts a wide range of children who experience vulnerability. Despite the public attention to the problem of labor exploitation and labor trafficking of children raised by the Packers Sanitation case and others, we lack detailed information about how young people are exploited for labor, the contexts under which these abuses occur, and how to best meet the needs of these young survivors – both US. Citizen and foreign-national

There are legal provisions designed to specifically safeguard against labor exploitation of children including limitations on working hours and types of working conditions. Table 1.1 below outlines major protections for child workers in the U.S.

Table 1.1: Overview of Federal Child Labor Law from the Fair Labor Standards Act (FLSA) of 1938

Minimum Age Standards for Non-Agricultural Employment	
18 years old	No longer fall under child labor law provisions
16 and 17 years of age	<ul style="list-style-type: none"> Can work unlimited hours. Can work in any job except those deemed hazardous by the Secretary of Labor. <p>Examples of hazardous jobs include:</p> <ul style="list-style-type: none"> Operating power-driven meat processing machines, such as meat slicers, as well as cleaning the equipment; working most jobs in meat and poultry slaughtering and packing plants; operating power-driven bakery machines; and operating certain power-driven metal-working machines.

Minimum Age Standards for Non-Agricultural Employment

14 and 15 years of age	<ul style="list-style-type: none"> · Can work in jobs that are not listed as hazardous. · Can work outside school hours with some restrictions to prevent work from interfering with school, and their health and wellbeing. For example, they can only work 3 hours on a school day when school is in session or 8 hours on a non-school day when school is not in session
Under 14 years of age	<ul style="list-style-type: none"> · Can only work in non-agricultural jobs exempt from FSLA (Ex. newspaper delivery) · Cannot work in jobs deemed hazardous to their age group such as baking, peddling, sign waving, manufacturing, and mining. · Can work in businesses fully owned by their parents except those deemed hazardous by the Secretary of Labor and youth under 16 cannot work in manufacturing or mining

Minimum Age Standards for Agricultural Employment

16 years of age and older	<ul style="list-style-type: none"> · Can work any farm job without time restrictions.
14 and 15 years of age	<ul style="list-style-type: none"> · Can work outside of school hours. · Can only work farm jobs not listed as hazardous by the Secretary of Labor. <p>Examples of hazardous jobs include:</p> <p style="padding-left: 40px;">Operating or working with a corn picker, cotton picker, grain combine, or hay mower; and operating or working with a trencher or earthmoving equipment, forklift, or potato combine</p>
12 and 13 years of age	<ul style="list-style-type: none"> · Can work outside of school hours in non-hazardous jobs on farms that also employ their parent(s) or guardian. May also work with written parental or guardian consent
Under 12 years of age	<ul style="list-style-type: none"> · Can work outside of school hours in non-hazardous farm jobs with parental consent, but none of the employees on the farm can qualify for minimum wage requirements. · Can work on a farm owned or operated by their parent or guardian

Federal child labor laws enacted under the Fair Labor Standards Act (1938) generally prohibit children to work under the age of 14 and restrict the types of work and working hours of children under the age of 16. Federal labor laws also prohibit minors from working in hazardous occupations. There are, however, some notable limitations of the FLSA protections, particularly around maximum hours worked in agricultural work, and exceptions of some standards in domestic work and unregulated industries (e.g., illicit economy). Child labor laws were enacted with the goal of providing opportunities for young people to work while ensuring that work is safe and does not undermine their well-being, health, or education. Enforcement of federal child labor laws has historically fallen to the U.S Department of Labor, and primarily has been overseen by the Wage and Hour Division.

State laws also offer protection for young people against workplace abuses, although recently there has been a dangerous trend of state legislatures rolling back protections for child workers. Since 2021, multiple states have introduced or passed legislation eliminating age verification and parental permissions, lowering restrictions on hazardous working conditions, providing subminimum wage for minors, and relaxing limitations on working hours for minors (Malleck, 2023). At the time of publication, over a dozen state legislatures were working to pass laws to weaken child labor protections. These laws include allowing employers to hire younger teens for previously prohibited hazardous jobs, waiving restrictions on hazardous work including demolition, roofing, and power machine operation, and extending allowable hours of work during school days. Two states, Iowa, and Arkansas have passed laws to eliminate child work permits that verify proof of age. This limits

the ability of labor departments to investigate and impose penalties against employers engaged in child labor violations requiring the employer have knowledge of the child's age. While many of these state law provisions are in direct contrast with federal labor laws, it will take time and resources to challenge these state laws. In the meantime, weakened child labor laws will likely lead to increased violations of federal child labor laws, labor exploitation laws, and labor trafficking laws.

Concerns about increasing cases of child labor exploitation and the countervailing forces leading to more weakened child labor laws exist alongside twenty-year old federal protection legislation against labor trafficking. The Victims of Trafficking and Violence Protection Act of 2000 (TVPA) and its subsequent reauthorizations (TVPRA) identify sex and labor trafficking as the two primary forms of human trafficking, defined by the use of force, fraud, or coercion to compel an individual to perform commercial sex acts or other types of labor. The TVPA expands upon prior criminal statutes that address compelled labor, including involuntary servitude, and criminalizes compelled labor or services that are achieved through broader means beyond just physical force, but also fraud or coercion. Generally, trafficking is considered non-consensual labor (e.g., legal elements of "force" "fraud" "coercion") There can be, however overlap between labor trafficking and labor exploitation, which involves consensual labor. **Labor exploitation happens when economic vulnerabilities force consensual laborers to accept exploitative work arrangements** (Koettl, 2009). It is remedied in labor laws, **whereas labor trafficking may involve exploitive labor violations, but has the key elements of force, fraud and coercion** and is mostly addressed in the criminal legal system.

Figure 1.1: Relationship of child labor, exploitive child labor and labor trafficking



Since passage of this watershed legislation (TVPA and TVPRA), anti-trafficking efforts led to expanded education about trafficking, development of screening tools, and passage of additional legislation aimed at identifying and responding to human trafficking. However, in these efforts, ‘human trafficking’ became widely conflated with ‘sex trafficking’ and a spotlight cast on commercial sexual exploitation has overshadowed efforts to understand how people are trafficked into other types of labor within the United States. While all states have integrated sex trafficking into their state definitions and policies to protect against child abuse, child labor trafficking is included in the child welfare protections in fewer than half of all states (see Appendix A for a description of state child welfare policies related to labor trafficking). While research in more recent years has begun to address this gap by identifying and exploring the trafficking of adults for labor (Owens et al., 2012 Dank et al., 2021), data on child labor trafficking in the U.S. remains sparse and the scope and severity of this crime is unknown.

Fact

Children and adults may be vulnerable to labor trafficking due to age, disability, immigration status, criminal justice history, housing insecurity and more. Labor trafficking of children and adults is still not clearly understood by service providers, law enforcement and researchers, and as such is suspected to be widely under-identified. Challenges regarding definitions of trafficking, prevalence estimations, lack of institutional trust by survivors, lack of a case database tracking arrests and investigations, and insufficient awareness among law enforcement officials contribute to this under-identification and lead to large gaps in the understanding of this phenomenon (Barrick et al, 2014, Letsie et al., 2021).

Unlike child sex trafficking, child labor trafficking requires the statutory elements of some level of force, fraud, or coercion by a third party to constitute trafficking, which can be difficult to discern for minors given their susceptibility to manipulation and control and their dependence on adults in their lives (Greenbaum et al. 2022). Additionally, children may experience developmental limitations due to their age that restrict their ability to seek help outside of their current situation or to recognize exploitative situations (Gibbs et al., 2020). From a developmental approach, young people are

commonly taught to respond to directives from adults, particularly guardians or other authorities. Young people may not recognize directives or commands from parents or guardians as coercive. Some labor trafficking definitions within child welfare legislation and policy, limit the identification only to children who are exploited by their parents, guardians, or other household members (Aba, 2020). This is a challenge as many minors experience familial trafficking or trafficking in the domestic setting by other categories of caregivers (Koeqler et al., 2022).

Fact

Minors may be especially vulnerable to labor trafficking in part because of the difficulties in distinguishing child work from child labor trafficking (Kaufka Walts, 2017). Young people often need to work. Unlike sex trafficking where minors are classified as trafficking victims when they trade sex for something of value, regardless of the existence of force, fraud or coercion, young people can and do work as minors. There are numerous benefits of young people working, beyond the necessities of economic need.

¹ State laws or policies that include reporting for child labor violations or child labor trafficking: Arkansas, Colorado, Hawaii, Idaho, Illinois, Indiana, Kansas, Louisiana, Massachusetts, Mississippi, Nebraska, New Hampshire, New York, North Carolina, Oklahoma, Pennsylvania, South Carolina, Texas, Utah, Virginia and West Virginia.

Although there is less information available regarding risk profiles of minors who have experienced labor trafficking in comparison to sex trafficking, there are many factors that may increase their vulnerability to labor trafficking (Reid et al., 2019). Unstable housing, interactions with the child welfare system and out-of-home placements are all factors that are often associated with both forms of child trafficking (Gibbs et al., 2018). Children who experience homelessness are especially vulnerable, with one study finding high rates of coerced labor among homeless youth (~29.3%), especially those with prior child welfare or juveniles justice system involvement, women, and gender minorities (Wright et al., 2021). Another study found 54% of a sample of youth who presented to shelters for services had experienced labor exploitation (Mostajabian,

2019); this is even though many homeless youths are hesitant to engage with law enforcement or other providers due to lack of trust and stigma. Minor victims may choose not to engage with law enforcement for fear of deportation, fear of retribution by their traffickers, or a lack of awareness that their situation constitutes labor trafficking (Letsie et al., 2021). These hesitations to interact with law enforcement also affect unaccompanied or irregular migrant children. Migrant children are highly susceptible to trafficking as they often lack documentation and are alone; often these children are misidentified as smuggled minors or juvenile offenders if they are forced to engage in criminal activities rather than as trafficking victims (Greenbaum et al., 2022).

Fact

Human trafficking for criminal exploitation, or forced criminality, is a type of trafficking that often affects minors wherein the victim is exploited through forced engagement in illegal activities, such as street crime or drug trafficking (Villacampa & Florez, 2017). Forced criminality can include criminal acts, such as drug offenses, forced begging, theft, credit card fraud, or violent crimes, that were committed because of being trafficked and which include elements of force, fraud or coercion to compel individuals to commit the crime (Frazier and Kaufka-Walts, 2021; Villacampa & Torres, 2019).

Forced criminality is a form of labor trafficking that is not well understood but may be especially prevalent for youth as many victims of child trafficking may engage with the criminal justice system as a direct result of their trafficking without being identified as a victim. Forced drug dealing has been documented among minors who have experienced familial or gang-related coercion to engage in the drug trade (Murphy, 2016). In one study, the most common form of labor trafficking among a sample of homeless youth was forced drug dealing (Gibbs et al., 2020). Furthermore, many individuals, including juveniles, who are recruited into gangs and perform criminal acts on behalf of the gang are not currently considered victims of labor trafficking and forced criminality, even if elements of force, fraud and coercion are present (Rizen, 2015). Thus, many minors in these types of situations are not recognized as victims or given the necessary support to process and heal from their victimization, which only serves to lower

institutional trust for these youth and reduce the likelihood they will reach out for help in the future. Domestic work, forced begging/peddling, and the agricultural industry are other sectors where child labor trafficking may be very prominent and easily hidden. Hundreds of thousands of children are legally employed in the agricultural industry in the United States every year, with less labor protections or regulations than are afforded children in other industries (HRW, 2010). In terms of legal work, the agriculture industry employs more children than any other sector, including in hazardous industries such as tobacco farming (Ramos, 2018), leaving the door open for potential labor exploitation. Undocumented minors may be expressly targeted by traffickers for exploitation in the agricultural industry in the US (Childress et al., 2023, Walts, 2017). For children who work long hours without pay in the agricultural sector to help support their families, the line between child work and labor exploitation may be thin and difficult to define.

²In this report, we use the terms "victim" and "survivor" to describe children who were trafficked for the purpose of labor. "Victim" is legal term that describes a person who has suffered the commission of a crime, including human trafficking. The term "survivor" changes the object of the sentence to the abused versus the abuser and also implies strength and resilience in response to the commission of a crime. Many of the people we spoke with, including survivors of labor trafficking, used both terms to describe their experience.

Overall, labor trafficking among minors - both U.S. citizen and foreign nationals living in the U.S. - is a phenomenon that continues to be misunderstood and under-identified, with negative implications for the protection and support of minors who experience it. This study provides critical information about labor trafficking of children in the U.S. who have only recently begun to be recognized by anti-trafficking efforts and research. Data in this report provide foundational information about the nature and characteristics of labor trafficking involving minors. This information is necessary to improve the recognition and response to child labor trafficking victims. Critically, the report provides insights into the key service needs of this population, how this population may encounter child welfare agencies and justice systems, and the degree to which existing services can assist these child victims.

Research Questions

Four main research questions guide this study. The questions and their contribution to our understanding of child labor trafficking are illustrated in the table below.

Table 1.2: Research Questions and Project Goals

Research Question	Project Goal
<p><i>Research Question 1: What is the nature of child labor trafficking in the US.</i></p> <ul style="list-style-type: none"> <i>What are the demographic characteristics of children recruited into child labor trafficking?</i> <i>What are the mechanisms through which children are recruited into and experience labor trafficking?</i> <i>What types of work are children doing in child trafficking cases?</i> <i>How is child labor trafficking distinct from other forms of labor abuse involving children?</i> 	<p><i>Identify the characteristics and nature of child labor trafficking cases.</i></p>
<p><i>Research Question 2: Who are the perpetrators of child trafficking crimes (e.g. individuals, organized syndicates, families, etc.)? How do perpetrators operate?</i></p>	<p><i>Identify how labor trafficking operations work.</i></p>
<p><i>Research Question 3: How are cases of labor trafficking involving minors being identified and investigated?</i></p>	<p><i>Identify strategies to increase identification of child labor trafficking</i></p>
<p><i>Research Question 4: What are the needs of child victims of labor trafficking?</i></p>	<p><i>Identify the needs of young people vulnerable to labor trafficking and work to improve systems to better meet their needs both as prevention and response to labor trafficking</i></p>
<p><i>Research Question 5: What are the challenges facing child-serving agencies, including child protection and law enforcement in identifying and responding to these cases?</i></p>	

2. Methodology

Multiple sources of data were collected to examine the nature of child labor trafficking in the U.S. and the current responses to the problem including records from federally prosecuted child labor trafficking cases, records of child labor trafficking cases obtained from study partner agencies, and interviews with adult survivors of child labor trafficking and professionals who work with both US citizen and foreign national minors of human trafficking and other forms of exploitation. Prosecuted and agency obtained cases were coded to extract information about the characteristics of child labor trafficking cases, victims, and offenders. Coding was transformed into quantitative data, cleaned, and analyzed in Stata 14. Interviews with adult child labor trafficking survivors and stakeholders involved in child labor trafficking cases were qualitatively coded and analyzed in NVivo 12.

Data Sources and Data Collection

Federally Prosecuted Cases: A comprehensive list of federally prosecuted child labor trafficking cases in the U.S. was compiled by conducting searches using platforms such as Google, Westlaw, LexisNexis, and PACER. Court records, legal documents, and relevant information pertaining to these cases were gathered for review and sampling. We identified 53 labor trafficking cases involving child victims that were federally prosecuted between 2001 and 2019. From that list, we selected a targeted sample of 36 cases that represented a cross section of federally prosecuted child labor trafficking situations accounting for regional variation and a range of victim characteristics. Public records including court records, media reports and agency reports were collected for each sampled case.

Agency Cases: Because relatively few labor trafficking cases involving child victims are prosecuted, it was critical to gather information on child labor trafficking experiences from a pool of identified cases that did not move forward to prosecution. The research team conducted interviews with numerous legal advocacy organizations that serve labor trafficking victims throughout the U.S. to determine potential fit for the

study. Ultimately, four locations across the country were identified where project partners served a critical mass of child labor trafficking cases and clients who experienced victimization in the U.S. upon which we could draw a rich sample of non-prosecuted cases. These included two cities in the Midwest, one city on the east coast, and one city on the west coast. Although child labor trafficking occurs in other regions of the country, these sites served clients both locally and nationally and included diverse caseloads where victimization was experienced across multiple types of occupations. In selecting partner agency sites, researchers paid attention to three important criteria: 1) variation in the types of child labor trafficking victims served, 2) regional variation, and 3) variation in representation of U.S. citizen and foreign national victims of child labor trafficking across the sites. Additionally, we considered geographical location and demographic characteristics of victims in selecting study sites. Potential partner agencies were first contacted for an initial screening interview to discuss the types of clients they serve, services they provide, and their potential interest in participating in the study. Partners that served clients of labor trafficking as minors and had multiple closed cases of child labor trafficking that occurred within the US were selected for the study. All study partners signed a Memorandum of Understanding agreement, Participation and Data Sharing Agreement, and Data Use Agreement. After reviewing de-identified records of all child labor trafficking cases served by each of the four partner agencies, we selected 35 cases across the four sites for analysis.

Partners in the west coast site shared de-identified T-visa applications (for undocumented clients), intake forms, and case notes through a secure data portal that the research team used to code information on the case, victims, and suspects. Partners in the Midwest and East Coast sites shared information about cases via structured zoom interviews with research team members. Caseworkers or legal advocates with the most knowledge of the selected case and access to the case record participated in each case interview.

Interviews with Study Site Stakeholders:

Stakeholder interviews consisted of interviews with legal advocates, victim service providers, law enforcement, and government agency officials who work with child labor trafficking survivors in each of the four study sites. Prior to conducting stakeholder interviews, consent was obtained from the participants, and permission to record the interviews was also secured. The stakeholder interviews were conducted remotely using Zoom, and the interviews were recorded. The transcription feature on Zoom or a research assistant was utilized to transcribe the interviews. Stakeholders were selected through purposive and snowball sampling. The research team contacted people who they knew would fit the selection criteria and after conducting those interviews they would ask the stakeholders and partner agencies if there was anyone else they thought we should speak with. Stakeholder interviews were about an hour long. Stakeholders were asked questions about their organization and training, child labor trafficking issues in their local area, types of child labor trafficking cases in which they have worked, needs of child labor trafficking victims, and challenges and barriers to meeting the needs of children who are vulnerable to labor trafficking. Across the four study sites, we interviewed seven (7) legal advocates, seven (7) victim-service providers, two (2) government employees from child welfare and labor agencies, and one (1) law enforcement official.

Interviews with Adult Survivors of Child Labor

Trafficking: Adult survivors who were trafficked as minors were identified through recommendations from partner agencies at each site. Survivors were first contacted by the agencies to gauge interest in participation, and we then contacted these survivors through email providing a summary of the study. Consent forms detailing confidentiality, remuneration amount, and the request to record were sent prior to each interview, and verbal consent was obtained before starting the interview. A distress protocol was used, and interviewees were encouraged to reconnect with agency partners following the interview if needed. Every survivor participant was compensated a gift card in appreciation of their time. A total of 13 adult survivors of child labor trafficking participated in the in-depth interviews, including both foreign national and U.S. citizens.

Data Coding and Analysis

Cases: Through the mechanisms described above we accessed and coded information from 72 child labor trafficking cases that occurred in the U.S. between 2001-2023. Details about victims, perpetrators, and case characteristics were categorized into 11 coding domains in an excel file. These domains and most of the codes within them derived from the existing research on human trafficking and constructed prior to coding. However, a handful of additional codes emerged inductively during the coding of these cases and were added to the dataset. The codes included within the final dataset are described in Table 2.1 below.

Table 2.1: Case coding domains

Code Domain	# of codes	Coding Domain Description
Victim Information	36	Demographic information about the victims' as well as available details of their childhood and upbringing. This section includes questions about their gender, race/ethnicity, country of origin, spoken and written languages, mental or physical disabilities, education, employment, parents, siblings, and childhood trauma (not including their trafficking).
Perpetrator Information	36	Similar demographic information as well as their relationship to the victim(s), criminal history, role within the case, and engagement with the criminal justice system.
Recruitment	25	Details of how recruiters and traffickers used force, fraud, and coercion to recruit minors into their trafficking situations, and the types of promises made to victims that coerced them into labor.
Movement	60	Applies mainly to foreign national victims and includes information about their immigration to the United States, including whether they were smuggled, entered with a visa, or were aware of what their immigration status would be. Additionally, this provides details about the journey to the U.S., whether they were victimized on this journey, the methods of transportation used to get here, and the push and pull factors that compelled foreign national victims to immigrate to the U.S. Although this section focuses mainly on foreign national victims, information about victim's transportation to and from their places of work were included for some cases, including U.S. citizen cases, when this information was available.
Victimization	99	Types of labor and venues of exploitation, and the methods of force, fraud, and coercion used to compel victims to perform labor. This section also includes details about the victim's living conditions and whether they impacted their victimization.
Extrication	25	How and why these trafficking cases ended, including whether victims escaped, were rescued, and left their exploitation another way. This section also includes information about formal and informal help-seeking, and whether methods of force, fraud, and coercion were present in their escape or rescue.
CJ System Experience	16	Victims' experiences with the criminal justice system from their cases, including whether the victim is working and cooperating with law enforcement. Additionally, this section also includes information about victims who were detained by immigration or law enforcement, and whether these interactions led to their identification as a trafficking victim.
Victim Services	26	How victims were referenced to providers and received services after their trafficking. This includes services related to needs like housing, immigration assistance, job placement and training, or medical care.
Social Services	13	Victim's social service engagement before, during, and after their trafficking.
Civil Legal	15	How cases went through the civil court system and the outcomes of these cases where applicable.
Networks	20	Details about perpetrators' involvement in other types of crimes, and their connection to larger criminal networks.

When the initial coding of agency and prosecuted cases was complete, data was migrated into two flat excel files, one for victim data and the other for perpetrator data. During this process, case documents were reviewed to verify that missing data was not due to technical errors. Once finalized, data were imported into Stata for cleaning and analysis. Once the victim and perpetrator datasets were cleaned, bivariate correlations were run to compare case characteristics across the prosecuted and agency cases.

Interviews: Consent to audio record stakeholder and survivor interviews was obtained for all interviewees. Audio recordings were used for the purposes of transcription. After verifying that transcripts were accurate and any personally identifying information was redacted, audio files were destroyed. Redacted transcripts were then uploaded to NVivo 12 for analysis. Cases were created from these files and divided by interview type for the purposes of thematic coding. An attribute breakdown for both interview types is included in Tables 2.2 and 2.3 below, with additional classifications for the survivor interviews included in the findings section.

Table 2.2: Stakeholder Interviews

Attribute	Classification	# of interviewees (n=17)
Site	Northeast	4
	Midwest 1	3
	Midwest 2	5
	West Coast	5
Stakeholder Type	Legal Advocate	7
	Victim Service Provider	7
	Law Enforcement/Labor Enforcement	3

³ Coding domains included in the victim data frame are Victim Information, Recruitment, Movement, Victimization, Extrication, CJ victim, Victim Services, and Social Services.

⁴ Coding domains included in the perpetrator data frame are Perpetrator Information, Civil Legal, and Networks.

Table 2.3: Survivor Interviewee Demographics

Attribute	Classification	# of interviewees (n=13)
Race/Ethnicity	Latinx	3
	White	4
	Black	4
	Asian	1
	Multiple Race	1
Gender	Male	1
	Female	11
	Trans-Masculine	1
Country of Origin	North America	7
	Central America	1
	Caribbean	2
	Africa	2
	Asia	1
Age at time trafficking began	Under 10	4
	10-14	6
	15+	3
Attended School During Trafficking	Yes	9
	No	4

In addition to classifying these cases, thematic coding was used to identify the key themes and findings from these interviews that could be used to answer our research questions. The coding schemes for both the Survivor and Stakeholder interviews followed a grounded theory approach which enabled the research team to identify and conceptualize latent social patterns in the qualitative interview data and develop substantive codes inductively from source material (Strauss and Corbin, 1997). Open coding was conducted to identify concepts that emerged from the interviews. A case coding conference process was utilized to review inductive coding across interview coders, clarify questions and inconsistencies in the coding, and provide feedback on the organization of the codes. Multiple independent coders were involved in coding the first five interviews and interrater reliability was measured during this preliminary coding phase. Adjustments to the coding protocol were made as needed to clarify categories and continued revisions of the coding structure were

made throughout the coding of the remaining interviews, with team members suggesting new codes or asking clarifying questions about emerging concepts during team meetings. When new codes were identified, coders returned to previously coded interviews to assess for the presence of the new codes.

Additional codes were added to the stakeholder coding structure for use in the survivor interview coding including details about survivor experience from recruitment, though exploitation and leaving exploitation in **Case Information** and additional codes in **Survivor Needs and Outreach, Challenges and Life After Trafficking** that capture information about survivor’s positive and negative experiences following their trafficking, including their hopes for the future. The final coding scheme for the stakeholder interviews included seven main coding domains, with a total of 74 subcodes is described in Table 2.4.

Table 2.4: Qualitative Interview Coding Domains

Code Domain	Subcodes	Description
Professional Experience	3	Interviewee position and responsibilities of their role; exposure to and definition of child labor trafficking; and other types of professional experience working with survivors of abuse and exploitation.
Organization Background	7	Types of services the organizations provide; information about their external and internal training opportunities, funding, and how the organization is exposed to the issue of trafficking; and the types of laws and policies that impact their operation.
Identification and Case Processing	20	Referral and screening mechanisms, collaborative efforts with other professionals, groups, and agencies; the prevalence of this crime among the survivors they work with; and how cases of labor trafficking are distinguished from other forms of exploitation or abuse involving their minor clients.
Case Information	22	Types of cases interviewee’s have worked on in their roles including trends in immigration, recruitment, victimization methods, escapes, and types of labor and exploitation. This also includes information about regional trends, victim and trafficker characteristics, and vulnerabilities that make minors susceptible to labor trafficking.
Survivor Need and Outreach	9	Types of prevention efforts that should be implemented; ways anti-trafficking efforts have excelled in addressing the needs of survivors; the types of needs that survivors typically have; and the services they are seeking when coming to these organizations.
Challenges	9	Types of obstacles in identifying survivors, service engagement, and meeting their needs.
Life After Trafficking	4	Survivor needs and experiences after leaving situations of labor trafficking.

After coding stakeholder and survivor interviews, the research team identified themes and patterns across the coding. Thematic memos were developed to explore these themes in depth. The research team met bi-weekly to review each team member’s insights and interpretations across the core themes and discuss emerging ideas that came from the memoing process. Classification of interview attributes were coded in NVivo and used to verify that the core codes were consistent

across interviews, rather than being dominated by any one or small group of interviews. Classifications were used to compare core codes across different types of child trafficking cases, site, and labor type. Negative cases that deviated from the patterns identified across cases were identified and explored to help us understand core themes more deeply. Through multiple revisions, these memos were used to organize and ensure the reliability of our findings.

3. Findings about Child Labor Trafficking in the United States

Research Question 1: What is the nature of child labor trafficking in the US? What are the characteristics of children identified, mechanisms of recruitment, type of work, and forms of abuse?

Study Highlights:

- Identified child labor trafficking cases involved both U.S. citizen (42%) and foreign national (58%) victims across a wide range of types of work and industries, most prominent were domestic work, forced criminality, and work in entertainment and agricultural industries.
- Male (38%) and female (59%) child labor trafficking victims were identified. The average age of identified child labor trafficking victims was 14.
- 29% of child labor trafficking victims were recruited by a parent or guardian, another 11% were recruited by other family members, and 28% were recruited by an acquaintance.
- While labor trafficking victims faced many negative life events that increased their vulnerability to trafficking, including poverty, past physical or emotional abuse or neglect and tumultuous family lives, only 17% of studied child labor trafficking victims were involved in the child welfare system prior to their recruitment into labor trafficking in contrast to much larger proportions of child welfare involvement traditionally found in child sex trafficking cases.
- Nearly all child labor trafficking victims experienced exploitive labor practices that would be violations of federal and state labor laws in addition to labor trafficking. In addition, 91% experienced deception and lies (fraud), 97% experienced restrictions of physical or communicative freedom (coercion), 83% experienced intimidation and verbal abuse (coercion) and 95% experienced threats or physical harm (coercion and force).
- On average child labor trafficking victims experienced 16 different domains of harm, transforming their experiences of labor violations into labor trafficking. This average was consistent across victims from both federally prosecuted cases and agency cases.
- Coercion is omnipresent in child labor trafficking cases when adults, guardians, or other caregivers instruct children to engage in unfair, dangerous, or harmful work.

Case Findings

In total we analyzed 71 child labor trafficking cases, including 36 cases that were prosecuted federally and 35 cases that were identified by legal advocacy agencies. These two groups of child labor trafficking cases were different in many important ways, including that federally prosecuted cases had more victims and involved more perpetrators on average. Table 3.1 below provides detailed information about the sampled cases from the two populations.

Table 3.1.1 Case Background

	All Cases (N=71)	Prosecuted Cases (N=36)	Agency Cases (N=35)
# of victims per case (range)	1-18	1-18	1-4
# of victims per case (mean)	1.95	2.93	1.14
% of single victim cases	67.6 (48)	44.4 (16)	91.4 (32)
# of perpetrators per case (range)	1-13	1-13	1-5
# of perpetrators per case (mean)	2.15	2.52	1.69

Less than half of the federally prosecuted child trafficking cases involved a single victim (44.4%). Federally prosecuted cases were also more likely than agency identified cases to involve U.S. citizen victims (see Table 3.2). This difference is likely because minor labor trafficking victims without status may be more likely to pursue assistance from legal advocacy agencies from which the agency sample was drawn. U.S. citizen victims may not need legal assistance, particularly with immigration status issues.

Table 3.1.2: Citizenship Status of Child Trafficking Victims

	All Cases % (N)	Prosecuted Cases % (N)	Agency Cases % (N)
U.S. citizens only	29.58 (21)	44.44 (16)	17.14 (6)
Foreign nationals only	69.01 (49)	52.78 (19)	82.85 (29)
Both	1.41 (1)	2.78 (1)	-
Total	100% (71)	100% (36)	100% (35)

Victim Findings

A

What are the demographic characteristics of children recruited into child labor trafficking?

Across the 71 cases we identified information about a total of 132 victims, 92 of which were identified from prosecuted case and 40 of which were identified from the agency cases. Basic information about the victims across each sample is illustrated in Table 3.1.3. Although we found more foreign national victims across the full sample, roughly half of the victims from the prosecuted cases were U.S. citizens and most victims from agency cases were foreign nationals. Of the 8 cases that coded multiple victims as one, 3 involved only U.S. citizen victims, 4 involved only foreign national victims, and 1 involved both foreign national and U.S. citizen victims.

Table 3.1.3: Citizenship of Child Labor Trafficking Victims

	All victims % (N)	Victims from prosecuted cases % (N)	Victims from agency cases % (N)
US Citizen	41.67 (55)	53.26 (49)	15 (6)
Foreign National	57.58 (76)	45.65 (42)	85 (34)
Both	0.76 (1)	1.09 (1)	-
Total	100% (132)	100% (92)	100% (40)

Data on gender was available for 95% of identified victims. Due to a lack of data for non-binary or gender non-conforming youth, gender was measured on a binary. Since this data was extracted from court records, government briefs, and news articles rather than the survivors themselves, it is possible that some victims may have been misgendered. With that caution in mind, most victims who were identified in the sample were female. This is consistent across both prosecuted and agencies cases, although the gap seems to be wider for agency cases.

Table 3.1.4: Gender of Child Labor Trafficking Victims

	All victims % (N)	Victims from prosecuted cases % (N)	Victims from agency cases % (N)
Female	58.73 (74)	55.81 (48)	65 (26)
Male	37.3 (47)	38.37 (33)	35 (14)
Both ⁵	3.97 (5)	5.81 (5)	-
Total	100% (126)	100% (86)	100% (40)

⁵ In some of the prosecuted cases that involve multiple victims we are unable to discern the specific numbers of victim and their associated characteristics. The category of "both" male and female here represents cases that included both male and female victims but where the victim data was collapsed into a single observation due to the lack of detailed information across individual victims.

Data on victim race and ethnicity was available for 61.3% of victims from prosecuted cases and 97.5% of victims from agency cases (See Table 3.5). Most of the information from the prosecuted cases comes from a small number of cases. It should be noted that 18 of the white victims belonged to a single case involving a cult. Race and ethnicity data for victims from agency cases was more readily available and indicated that most of the child labor trafficking victims identified by legal advocacy agencies were Latinx or black.

Table 3.1.5 Race/Ethnicity of Child Labor Trafficking Victims

	All victims % (N)	Victims from prosecuted cases % (N)	Victims from agency cases % (N)
White	29.78 (28)	49.12 (28)	-
Black	30.85 (29)	31.58 (18)	29.73 (11)
Latinx	31.91 (30)	10.53 (6)	64.86 (24)
Asian	4.26 (4)	7.02 (4)	-
Indigenous	1.06 (1)	1.75 (1)	-
Multiple racial categories	2.13 (2)	-	5.41 (2)
Total	100% (94)	100% (57)	100% (37)

Data on age was available for 62% of the victims identified in sampled cases. Of the limited data that was available, the average age at the beginning of victimization was around 14 years old for both prosecuted and agency identified cases.

Table 3.1.6 Child Labor Trafficking Victim Age

	All victims (N=82)	Victims from prosecuted cases (N=50)	Victims from agency cases (N=32)
Average age when trafficking began	14	15	14

Although this study focuses on the experiences of minors, there are six victims included in the dataset that were 18 years old or older at the time of exploitation. These victims were excluded from the analysis above. All six of these victims were part of multi-victim cases. One of these victims was a developmentally disabled woman whose exploitation began at the age of 19 or 20- the exact age being uncertain from the available documents. Two other cases involved victims who were victimized at the age of 18, and another case involving a 20-year-old victim. In these cases, the victims were trafficked alongside other minors as part of the same case, subject to the same types of victimization methods, and performed the same type of labor. Finally, one other case involved a victim who was 20 and another who was 19 at the time their labor exploitation began, but both were raised in the cult-based setting where their trafficking case took place. These cases highlight

how the concept of emerging adulthood can complicate how we define and understand child labor trafficking (Arnett, 2000).

Across all sampled cases, most victims were from North or Central America, however, we saw some variation between the prosecuted and agency identified cases (See Table 3.7). Most of the victims from the prosecuted cases were from North America but victims from North America made up only 15% of the agency cases. In the agency identified cases, most victims were from Central America and the Caribbean, with the most common countries of origin being Guatemala, El Salvador, and Honduras. The agency cases also had more victims from Western Africa- although 4 of the 7 victims were a part of the same case. Note, the 12 victims from Southern Africa were a part of the same prosecuted case, without that case the race/ethnicity breakdown would be different.

Table 3.1.7 Region/Country of Birth of Victims

	All Victims % (N)	Victims from Prosecuted Cases % (N)	Victims from Agency Cases % (N)
North America	41.98 (55)	53.85 (49)	15 (6)
United States	41.98 (55)	53.85 (49)	15 (6)
Central America & Caribbean	30.53 (40)	17.58 (16)	60 (24)
Guatemala	14.5 (19)	12.09 (11)	20 (8)
El Salvador	6.87 (9)	1.1 (1)	20 (8)
Honduras	6.87 (9)	3.3 (3)	15 (6)
Mexico	1.53 (2)	-	5 (2)
Haiti	0.76 (1)	1.1 (1)	-
South America	1.53 (2)	1.1 (1)	2.5 (1)
Columbia	0.76 (1)	-	2.5 (1)
Ecuador	0.76 (1)	1.1 (1)	-
Northern Africa	0.76 (1)	1.1 (1)	-
Morocco	0.76 (1)	1.1 (1)	-
Western Africa	7.63 (10)	3.3 (3)	17.5 (7)
Nigeria	1.53 (2)	1.1 (1)	2.5 (1)
Togo	0.76 (1)	1.1 (1)	-
Guinea	1.53 (2)	1.1 (1)	2.5 (1)
Benin	0.76 (1)	-	2.5 (1)
Burkina Faso	3.05 (4)	-	10 (4)
Eastern Africa	0.76 (1)	-	2.5 (1)
Rwanda	0.76 (1)	-	2.5 (1)
Southern Africa	9.16 (12)	13.04 (12)	-
Zambia	9.16 (12)	13.19 (12)	-
Eastern Europe	2.29 (3)	2.2 (2)	2.5 (1)
Ukraine	0.76 (1)	1.1 (1)	-
Former USSR	0.76 (1)	-	2.5 (1)
Romania	0.76 (1)	1. (1)	-
Western Europe	2.29 (3)	3.3 (3)	-
Germany	0.76 (1)	1.1 (1)	-
United Kingdom	1.53 (2)	2.2 (2)	-
Southern Asia	3.05 (4)	4.4 (4)	-
Nepal	0.76 (1)	1.1 (1)	-
India	2.29 (3)	3.3 (3)	-
Total	100% (131)	100% (91)	100% (40)

Of the foreign national victims, the overwhelming majority did not have legal status at the time of their migration (Table 3.1.8).

3.1.8: Foreign National Victim Migration to the U.S.

	All foreign national victim % (N=76)	Foreign national victims from prosecuted cases % (N=42)	Foreign national victims from agency cases % (N=34)
Did not have legal status	77.63 (59)	64.29 (27)	94.12 (32)
Smuggled into U.S.	53.95 (41)	38.09 (16)	73.53 (25)
Entered U.S. with a tourist visa	3.95 (6)	7.14 (3)	8.82 (3)
Entered as part of parent's visa	1.32 (1)	0	2.94 (1)
Entrance route into U.S. unknown	10.53 (8)	14.29 (6)	5.88 (2)

**** Note:** columns total to over 100% because some victims had more than one migration route.

Data on the primary language(s) spoken was available for 84.2% of victims. We identified 17 different languages that were spoken by the victims. Indigenous language refers to any language that not English or Spanish, spoken in the victim's home country. These languages were Amazigh, Arabic, Chuj, Dioula, French, German, Haitian creole, Kinyarwanda, Mandinka, Mooré, Nyanja, Q'eqchi', Tamang, Telugu, and Ukrainian. The multiple languages categories refer to victims who spoke three or more languages, or two languages that were neither English nor Spanish. Languages spoken is based on fluency and victims that were described as speaking basic or limited English were categorized as Spanish or Indigenous language

only. Because legal advocates worked directly with the identified victims, we have more complete data on languages spoken for victims from the agency cases. Unfortunately, we are missing language information for 23% of the victims from the prosecuted cases because such information was often not made available in court documents, news articles, or government briefings. Most of the data available in the prosecuted cases was from the U.S. citizen cases and shows that victims predominately spoke English. Victims from the agency identified cases primarily spoke Spanish or multiple languages. Three fourths of all identified victims spoke English to some degree (75%).

Table 3.1.9 Languages Spoken by Identified Child Labor Trafficking Victims

	All victims % (N)	Victims from prosecuted cases % (N)	Victims from agency cases % (N)
English only	48.21 (54)	65.28 (47)	17.5 (7)
Spanish only	22.32 (25)	5.56 (4)	52.5 (21)
Indigenous language only	6.25 (7)	9.72 (7)	-
English and Spanish	2.68 (3)	1.38 (1)	5 (2)
English and indigenous language	11.61 (13)	16.67 (12)	2.5 (1)
Multiple Languages (other)	8.93 (10)	1.38 (1)	22.5 (9)
Total	100% (112)	100% (72)	100% (40)

B

What are the mechanisms through which children are recruited into and experience labor trafficking?

To understand the mechanisms through which children were recruited into labor trafficking situations we first examined the relationship between child labor trafficking victims and those who recruited them into the labor trafficking experience. Data on the relationship between recruiter and victim was available for 92% of victims (see Table 3.1.10). The categorization of “recruiter” refers to the person who knowingly and intentionally recruited a victim into their trafficking situation through force, fraud, or coercion. Most recruiters had overlapping roles as a trafficker or co-conspirator, although at times the recruiter was not involved in the trafficking past the recruitment stage. Although, the types of relationships between recruiter and child labor trafficking victim differed between the child identified in prosecuted cases and the children identified by agencies, most of the victims knew their recruiter prior to their recruitment. Overall, parents and guardians (sometimes including extended family such as aunts and uncles acting in a guardianship capacity) were a dominant source of recruitment into child labor trafficking, followed by organizational leaders, and acquaintances.

Table 3.1.10 Relationship of Recruiter to Victim

	All Victims % (N)	Victims from Prosecuted Cases % (N)	Victims from Agency Cases % (N)
Parent or Guardian	28.69 (35)	36.14 (30)	12.82 (5)
Non-Parental Family Member	11.48 (14)	4.82 (4)	25.64 (10)
Organization Leader	20.49 (25)	28.9 (24)	2.56 (1)
Acquaintance	27.87 (34)	24.10 (20)	35.90 (14)
Romantic or Sexual Partner	1.64 (2)	-	5.13 (2)
Smuggler	2.46 (3)	-	7.69 (3)
Gang or Cartel	3.28 (4)	-	10.26 (4)
Stranger	4.10 (5)	6.02 (5)	-
Total	100% (122)	100% (83)	100% (39)

⁶ Half of the victims who were recruited by an organization leader in the prosecuted cases (12) were part of the same case.

Stakeholders we interviewed confirmed the strong role of families and extended families in the recruitment of child victims into labor trafficking situations. As one victim service provider notes:

“

I would say it's usually connected to family in some way or another. Aunts, mom, dad, uncle, cousin, sister, so a lot of times it could be family that's already here, and so that youth comes over from their home country either with their parents or without parents, and they starting to work the relative or the relative introduces them to somebody else who's gonna put them in that kind of position to work. So, I would say a lot of times youth that experience labor trafficking get connected by family, which makes it a little bit more complicated than some of the other youth trafficking scenarios.

Midwest 1, Victim Service Provider, Interview 17

It is important to note parents and other family members are not always aware that their child is being recruited into a trafficking situation. In many cases, a parent sends their child to the U.S. to live with other family members for better employment and education opportunities than are available in their home communities. Similarly, some youth who left their home communities for the U.S. did so because they were facing recruitment into gangs or threats of other types of community violence. According to our conversations with stakeholders, many parents who are living in their home countries while their children are trafficked in the U.S. are not aware that their child is being abused or exploited, and often place them with other family members or family friends because they believed their children would be cared for.

Organizational leader refers to athletic coaches, youth program leaders, ministers, and other types of church leaders. In many of the cult cases, victims were brought into the church through their parents who were also victimized. In these cases, the parents were not classified as recruiters since it was unclear whether they knew their children would be trafficked when they joined the cult. Acquaintances include family friends and neighbors. A small subset of victims was recruited by romantic or sexual partners. In one of these cases, the recruiter was an older man who also played a guardianship role in the victim's life in addition to engaging in a sexual relationship with her. Another victim was recruited into her trafficking situation when she was sold to a man for marriage and both she and her sisters were forced into domestic and agricultural labor.

Recruiters who were unknown to the victim prior to their recruitment were rare but occasionally observed in both prosecuted and agency cases.

This includes smugglers, gang or cartel members, and other types of strangers. Victims who were recruited by gangs or cartel members were all foreign nationals who were victimized while crossing the border. Likewise, victims who were recruited into trafficking by their smugglers were foreign nationals recruited while migrating to the U.S. One survivor interviewed for this study left their home country due to violence and fear of recruitment into local gangs. Upon arriving in the U.S., he was homeless and was offered a job and a place to stay by a seemingly kind stranger. This stranger then trafficked him for labor. To escape that situation, he sought help from another stranger, who then trafficked him. This process repeated one more time for his final trafficking experience. For this victim, their recruitment into each of labor trafficking experiences occurred because they were seeking help to meet their basic needs.

Victims who were victimized by other types of strangers were mainly U.S. citizens who had left home or youth shelter. These victims met their recruiters while on the run from home or shelters. Traffickers offered them a place to stay and once in the trafficker's homes, they were forced or coerced into labor.

Information on the vulnerabilities that youth experienced prior to being recruited into labor trafficking situations was limited. While case files occasionally provided information about childhood trauma to explain how traffickers exploited these vulnerabilities, events, and trauma situations unrelated to their trafficking situation were likely absent from case documents. Despite this limitation, the available data shows that many victims experienced trauma and abuse prior to their labor trafficking victimization (Table 3.1.11).

3.1.11: Victim Trauma History

	All Victims % (N=132)	Victims from Prosecuted Cases % (N=92)	Victims from Agency Cases % (N=40)
Past history of trauma (any)	41.67 (55)	30.43 (28)	67.5 (27)
Physical violence	12.12 (16)	5.43 (5)	27.5 (11)
Sexual violence	6.02	1.09 (1)	17.5 (7)
Parental abuse or neglect	9.85 (13)	6.52 (6)	17.5 (7)
Tumultuous home life	18.18 (24)	7.61 (7)	42.5 (17)
Community violence	9.85 (13)	1.09 (1)	30 (12)
Poverty	7.58 (10)	-	25 (10)
Witnessed violence	5.3 (7)	-	17.5 (7)
Grew up in cult	14.39 (19)	20.65 (19)	-

**** Note:** columns total to over 100% because some victims had more than trauma history experience.

As a note, these categories are not mutually exclusive, and some victims had evidence of experiencing multiple forms of trauma prior to their trafficking. Among the 55 victims who had evidence of prior childhood trauma, 24 (43.64%) experienced one form, 15 (27.27%) experienced two forms, 11 (20%) experienced three forms, 3 (5.45%) experienced 4 forms, one (1.82%) experienced 5 forms, and one victim (1.82%) experienced 6 forms of prior trauma.

It is important to note that in many of the cases we reviewed where youth are trafficked by parents or family members, the youth did not display traditional vulnerabilities, such as abuse and neglect. Instead, simply the fact that they were children in the care of their trafficker meant they were going to do what their caregiver told them to do, and the “recruitment” simply referred to the moment when they were instructed to perform this labor.

Some stakeholders discussed the ways romantic partners or other trusted adults inserted themselves

into youth’s lives and created a wedge between the victim and their family or social networks. The exploitation occurred once this trust is established. Stakeholders noted that this type of recruitment is more common in situations where young people also face vulnerabilities related to poverty and safety.

In comparison to child sex trafficking, child labor trafficking victims are less likely to have either child welfare or criminal justice system experiences prior to their recruitment into child labor trafficking (Tables 3.1.12a/b). Only 20% of studied US citizen and 14% of foreign national child labor trafficking victims were involved in the child welfare system prior to their recruitment into labor trafficking. The low system involvement is in part due to the larger numbers of foreign national victims who came from countries with less robust child abuse and neglect protection systems. In later sections of the report, we detail the ways that trauma history and system involvement were utilized by traffickers to entice or force children into labor trafficking situations.

Table 3.1.12a: System involvement prior to labor trafficking (US citizen victim)

	All U.S. Citizen Victims % (N=55)	U.S. Citizen Victims from Prosecuted Cases % (N=49)	U.S. Citizen Victims from Agency Cases % (N=6)
Child welfare involvement	20 (11)	10.2 (5)	100 (6)
Arrested or detained by law enforcement	7.27 (4)	2.04 (1)	50 (3)

	All U.S. Citizen Victims % (N=55)	U.S. Citizen Victims from Prosecuted Cases % (N=49)	U.S. Citizen Victims from Agency Cases % (N=6)
No data available	54.44 (30)	61.22 (30)	0
Missing or no evidence of system involvement	65.91 (87)	85.87 (79)	20 (8)

Table 3.1.12b: System involvement prior to labor trafficking (Foreign national victim)

	All Foreign National Victims % (N=76)	Foreign National Victims from Prosecuted Cases % (N=42)	Foreign National Victims from Agency Cases % (N=34)
Child welfare involvement	14.47 (11)	7.14 (3)	23.53 (8)
Arrested	3.95 (3)	2.38 (1)	5.88 (2)
Detained by immigration/ORR	31.58 (24)	11.9 (5)	55.88 (19)
No data available	43.42 (33)	76.19 (32)	2.94 (1)

These categories were not mutually exclusive, and among the (34.09%) of victims from the total sample who had any type of system involvement, (27.27%) experienced one form of system involvement, (5.3%) experienced two forms of system involvement, and (1.52%) experienced all three. While child welfare and criminal justice system involvement were not common, more than half of the victims identified by agencies were detained by immigration or police prior to or during their victimization. Of the victims that were detained, 92% were foreign national victims detained for unlawful entry into the U.S., followed by U.S. citizens who were picked up by the police for theft (4%) or fighting (4%).

C














What types of work are children doing in child trafficking cases?

The types of jobs that victims performed varied greatly and included labor within both licit and illicit economies (see Table 3.1.13). Although there was some overlap between the types of labor identified, many victims were trafficked in jobs that could not be categorized into one of the 11 commonly identified industries. The main types of work are described here: 1) legal or licit work which includes both jobs that a youth is able to work in provided the employer is following federal and state labor guidelines and jobs where youth are working but under conditions that violate federal or state labor guidelines (e.g. work during nighttime hours, work during school hours, not being paid, being paid less than is legally required) and 2) illegal or illicit work that is not protected by federal or state labor guidelines and is often not recognized as “work” including drug distribution, forced shoplifting or panhandling.

In terms of legal/licit work, some of the locations where child labor trafficking victims were working included commercial flooring businesses, movie theatres, water parks, laundromats, and church-run businesses. The most common industry of exploitation was domestic labor, which was work within the home that included tasks like cooking, cleaning, childcare, or laundry. Cases involving work in agriculture, construction, sports and entertainment, and hair braiding were also identified in both prosecuted and agency cases. It should be noted that 12 of the 20 victims who were trafficked in sports and entertainment were part of the same case.

⁷ All of the cases involving domestic labor involved a trafficker who controlled the victim's housing, with the exception of one case in which the victim was kidnapped and trafficked into domestic labor while crossing the border.

Table 3.1.13: Primary Venue/Industry of Child Labor Trafficking Work

		All Victims % (N)	Victims from Prosecuted Cases % (N)	Victims from Agency Cases % (N)
	Legal Economy			
	Domestic labor	23.48 (31)	23.91 (22)	22.5 (9)
	Agriculture	11.36 (15)	8.7 (8)	17.5 (7)
	Sports/ Entertainment	15.15 (20)	20.65 (19)	2.5 (1)
	Construction	3.79 (5)	2.17 (2)	7.5 (3)
	Commercial cleaning	2.27 (3)	3.26 (3)	-
	Medical care	2.27 (3)	3.26 (3)	-
	Restaurant	0.76 (1)	-	2.5 (1)
	Hair braiding	1.52 (2)	1.09 (1)	2.5 (1)
	Hospitality	0.76 (1)	1.09 (1)	-
	Factory	0.76 (1)	1.09 (1)	-
	Other ⁸	18.18 (24)	17.39 (16)	20 (8)
	Illicit Economy	19.7 (26)	17.39 (16)	25 (10)
Total		100% (132)	100% (92)	100% (40)

Although these categories are mutually exclusive to illustrate the primary venue of exploitation, about 45% of the victims from the prosecuted cases and 60% of the victims from the agency cases were trafficked in more than one setting or job. Oftentimes this occurred when victims who were trafficked for jobs within the stated industries who also performed some element of domestic labor within the home - as was the case for 41% of the victims from multi-job cases. For example, although restaurants were the primary venue of exploitation for only one of the victims from the agency sample, another five victims (4%) worked in restaurants as well as construction, residential cleaning, nail tech businesses, factories, domestic labor, and sex trafficking. Victims who were trafficked within cult or church settings were also sometimes exploited for several different types of labor including domestic servitude, agriculture, teaching within church-run schools, commercial flooring, personal security, and work within community resource centers.

⁸ Other venues include factories, restaurants, roofing companies, nail tech businesses, and church-run businesses and cult-based labor including IT work, teaching, commercial flooring, personal security, and work within community resource centers.

Twenty percent (20%) of the victims identified in this study were working primarily in the illicit economy, which included things like drug trafficking, weapons trafficking, physical enforcement, panhandling, and street peddling. Additionally, these cases occasionally included elements of sex trafficking. In the table below (Table 3.1.14) we break down the different forms of forced criminality. Many of these forced criminality agency cases typically involved the growing, preparing, packaging, transporting, and/or selling of drugs. One case that involved the transportation of weapons also included the transportation of drugs in a backpack while crossing the U.S.-Mexico border.

Table 3.1.14: Forced Criminality

	Number of victims (all victims)	Number of victims (prosecuted cases)	Number of victims (agency cases)
Labor involved sex work	2	2	-
Labor involved panhandling	2	2	-
Labor involved street peddling	7	6	1
Labor involved stealing	6	3	3
Labor involved drug trafficking	14	3	11
Labor involved weapons trafficking	1	-	1
Labor involved physical violence	6	5	1
Labor involved other illicit activity	3	3	-

Street peddling cases involved victims selling items on the street or by walking around neighborhoods selling door-to-door. Victims in these cases sold things like fake gold jewelry, hand-made crafts, and other miscellaneous items. Most of these victims were denied pay (71%) but others got to keep a portion of their earnings. A subset of victims was forced or coerced into stealing by shoplifting items from stores or stealing drugs to then sell.

Physical violence includes cases in which victims were forced or coerced into beating or physically harming others on behalf of their trafficker. One of the agency cases involved a victim who was labor trafficked by her mother’s pimp. She was tasked with enforcing the trafficker’s rules and punishments against the women he sex trafficked. Another case involved four victims beating a fifth victim for the entertainment of the trafficker.

⁹ One of the cases that involved panhandling involved an unknown number of victims. For the purposes of analysis these victims were counted as one as a conservative measure of victimization since the exact number was unclear. This case involved both U.S. citizens and foreign nationals who were coerced to turn over their disability benefits and panhandle on the street for 9 hours per day, 6 days per week.

D

How is child labor trafficking distinct from other forms of labor abuse involving children?

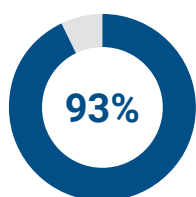
Labor trafficking is distinct from other forms of labor abuse involving children when it includes elements of force, fraud or coercion that transform labor abuses to labor trafficking. We utilize five separate domains of experience to illustrate the experiences of child labor trafficking victims. These five domains include: 1) exploitative labor practices 2) deception and lies, 3) restrictions of physical or communicative freedom, 4) intimidation and verbal abuse, 5) threats or physical harm, including sexual abuse. These domains have been utilized in previous research on labor trafficking and provide the opportunity to compare child labor trafficking with previous research on labor trafficking involving adult victims (Zhang, et al., 2012; Dank et al., 2021). As illustrated in Table 3.1.15, all child labor trafficking victims experienced some form of exploitive work. Their abusive work experience was elevated to labor trafficking when combined with at least one of their other domains of harm representative of force, fraud, or coercion. Victims experienced multiple forms of victimization across the five identified domains of harm.

Table 3.1.15: Domains of Harm

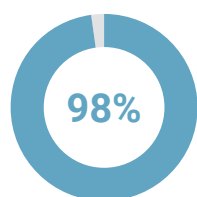
	All Victims (n=132)	Victims from Prosecuted Cases (n=92)	Victims from Agency Cases (n=40)
Exploitive labor practices	93.18 (123)	92.39 (85)	95 (38)
Deception and lies	90.91 (120)	89.13 (82)	95 (38)
Restrictions of physical or communicative freedom	96.97 (128)	97.83 (90)	95 (38)
Intimidation and verbal abuse	82.58 (109)	83.7 (77)	80 (32)
Threats or physical harm	94.7 (125)	97.83 (90)	87.5 (35)

In many cases, it is the piling on of multiple forms of abuse that transform child exploitation cases into cases of child labor trafficking. Child labor trafficking victims experienced multiple forms of victimization across victimization domains.

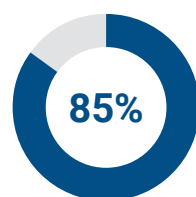
Child labor trafficking victims who experienced some form of exploitative labor practices also experienced:



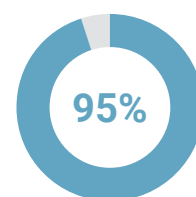
Deception and lies



Restrictions of physical/communicative freedom



Intimidation or verbal abuse



Threats of physical harm

On average, child labor trafficking victims experience 16 separate harm elements across these domains. Over half of the child labor trafficking victims experienced at least 11 separate harm elements. The individual elements of each domain of harm are described in detail below.

Table 3.1.16: Counts of Harm Elements

	All Victims% (n=132)	Victims from Prosecuted Cases % (n=92)	Victims from Agency Cases % (n=40)
1-5	6.82 (9)	4.35 (4)	12.5 (5)
6-10	17.42 (23)	20.65 (19)	10 (4)
11-15	15.16 (20)	14.12 (13)	17.5 (7)
16-20	41.67 (55)	43.48 (40)	37.5 (15)
21-25	12.12 (16)	8.7 (8)	20 (8)
26 +	6.82 (9)	8.7 (8)	2.5 (1)
Total	100% (132)	100% (92)	100% (40)

Across the 132 identified child labor trafficking victims 93% of victims experienced many types of exploitive labor practice (Table 3.1.17). Most predominately, 84% of victims were denied pay for their labor. Most victims were not paid at all, some victims received less pay than was required by law. Only two victims in the coded cases were paid minimum wage, but as part of their trafficking had to forfeit all or most of their paychecks to their trafficker. Roughly a third of victims worked in hazardous environments without proper equipment, a quarter of victims were denied access to safe and free drinking water or other facilities, and 23% were not given breaks. Interviews with survivors demonstrate how victims were told they would be paid a specific amount during recruitment, but never received any money.

“

They would just say that they would give it to me all in one big lump sum and it was going to be a lot. And they knew I was wanting to go to college, so it was like 'Well, you'll get all this money at once and then that'll help you with college.

Survivor 10

Survivor interviews also illustrated how payment was not always explicitly promised during recruitment, and instead survivors anticipated compensation for their labor in the form of immigration, access to education, or housing. However, as the next section shows, not only were some of these victims denied pay, but they were also commonly denied access to the education and equitable job opportunities that they were promised during recruitment.

Table 3.1.17: Exploitive Labor Practices

	All Victims (n=132)	Victims from Prosecuted Cases (n=92)	Victims from Agency Cases (n=40)
Any exploitive labor practice	93.18 (123)	92.39 (85)	95 (38)
Denied any pay	84.09 (111)	88.04 (81)	75 (30)
Not paid at least minimum wage	84.09 (111)	85.87 (79)	80 (32)
Denied access to safe and free drinking water, toilets, and handwashing facilities	23.48 (31)	23.91 (22)	22.5 (9)
Not given breaks for meals	22.73 (30)	21.74 (20)	25 (10)
Worked in hazardous environment without proper PPE	31.82 (42)	30.43 (28)	35 (14)
Pay given directly to trafficker	2.27 (3)	-	7.5 (3)

Across all identified victims, 91% experienced at least one form of deception or lies as a part of their trafficking (Table 3.1.18). Fraud in recruitment includes deception about the type of labor that would be performed, or conditions of their employment, including the hours they would be working or the pay they would receive. Victims who were promised payment during recruitment often received far less than expected and in most cases were not paid at all. In many cases, victims were not promised pay, or there was no previously agreed upon payment during recruitment. While recruitment for some victims did include promises of legitimate job opportunities, other times victims

were forced or coerced into their trafficking situations through promises of education, athletic opportunities, immigration assistance, housing, or other physical and emotional needs. While most victims did anticipate performing some type of labor when they were first recruited, other victims did not enter their trafficking situations under the impression that they would be working. In the case of foreign national victims, it was common for victims to believe they were going to live with family and did not realize they would be expected to work once they arrived. As one of the survivors describes:

“

*My mother told my father that she wanted, she wanted me to visit at 14, because she left for like 6 years at that point, and yeah so I came to visit, thinking I was only gonna be to visit, but it wasn't that. **Survivor 12***

Work in other family or extended family situations was presented as a family obligation and young people were not provided with choices about when they would work or the types of work they would do. This was particularly problematic when children anticipated going to school and instead were kept home to work. **Across studied cases, 68% of young people were denied formal education at some point in their labor trafficking experience.** Many of these young people started school but were forced to drop out due to long working hours or once the trafficker prevented them from attending.

Table 3.1.18: Deception and Lies

Deception or Lies	All Victims (n=132)	Victims from Prosecuted Cases (n=92)	Victims from Agency Cases (n=40)
Any deception or lies	90.91 (120)	89.13 (82)	95 (38)
Fraud involved in recruitment	68.18 (90)	72.83 (67)	57.50 (23)
Did not anticipate labor during recruitment	31.2 (39)	23.53 (20)	47.5 (19)
Received less pay than promised	28.03 (37)	33.7 (31)	15 (6)
Deceived about the consequences of leaving	60.61 (80)	63.04 (58)	55 (22)

Once in their trafficking situations, over half of the identified victims were deceived about the consequences of refusing to perform labor or leaving their trafficking situations. For victims who were trafficked within a church or cult setting, commands came from someone who represented themselves as a god or prophet, and obedience was mandatory. Religious or spiritual threats and deception were occasionally used against victims in non-cult cases as well, including one case in which the trafficker used voodoo to scare victims into believing they would go insane if they left. More commonly, victims were threatened with arrest, deportation, or harm to themselves or their families if they left the trafficking situation.

Nearly all identified victims' (97%) traffickers controlled their communicative and physical freedom (Table 3.1.19). For 87% of the victims identified for this study, traffickers controlled their housing and for 80% of the victims, traffickers controlled their everyday lives including controlling their access to food, shelter, and other basic needs like clothing, whether they could attend school, whether they could have friends and see them outside of school, and where they go and when. Not surprisingly, children were highly dependent on traffickers for their everyday needs.

Table 3.1.19: Restrictions of Physical/Communicative Freedom

	All Victims (n=132)	Victims from Prosecuted Cases (n=92)	Victims from Agency Cases (n=40)
Any restriction of physical/communicative freedom	96.97 (128)	97.83 (90)	95 (38)
Monitored and surveilled	65.91 (87)	76.09 (70)	42.5 (17)
Employer controlled aspects of victims' everyday life	76.69 (102)	75.27 (70)	80 (32)
Trafficker controlled movement	80.3 (106)	80.43 (74)	80 (32)
Denied access to medical care	31.82 (42)	33.7 (31)	27.5 (13)
Communications restricted	52.27 (69)	48.91 (45)	60 (24)
Physically isolated	63.64 (84)	67.39 (62)	55 (22)
Lived where they worked	60.61 (80)	61.96 (57)	57.5 (23)
Denied access to support services	11.36 (15)	8.7 (8)	17.5 (7)
Trafficker controlled victim's housing situation	87.12 (115)	89.13 (82)	82.5 (33)

Physical isolation, experienced by 64% of studied victims could be due to living in a rural location, restricted access to transportation, or not allowing a victim to attend school. In some cases, victims were bound to their homes or work locations because they were threatened with some type of harm if they left unsupervised. Compounding these methods of victimization in many cases was physical or social isolation. In rural areas, survivors lacked transportation which kept them physically isolated, while language and cultural barriers kept survivors dependent on their exploiters. This type of cultural isolation was also prevalent in cases where trafficking took place within church/cult settings.

“

There were a few people from...there was one person in Oregon, one person in Washington State that I had met through the cult. But they were also victims, and so like, I would reach out to them once in a while. But it was always monitored. It was always very controlled.

Survivor 11

Child labor trafficking victims were often isolated through restricting communications or cutting them off from other members of their family or community. Traffickers monitored texts and calls or did not allow victims to use a phone without supervision. Even when children went to school or were in the community, traffickers did not allow them to see friends after school, and manipulated victims' relationships to others. In multiple interviews, survivors discussed how their traffickers barred other family members from visiting them, spread gossip or lies about the victim to their family members, or coerced the victim into cutting off other family members.

For foreign national victims, traffickers often drew upon fear of deportation to recruit and victimize minors into labor trafficking. Traffickers commonly took victims' passports and immigration documents and made explicit threats to have victims deported if they did not do as they were told. These immigration-based threats were discussed by other child labor trafficking survivors and stakeholders as a powerful method of control.

“

And I knew that I didn't have any, you know financial resources even if I were to leave and then go find my mom. Like for me and my passport, with everything else taken away from me, like my passport was the one thing that said I am who I say I am like this is me and if I ever was stopped or something like that this is the one way that anyone could identify me and she knew that that's all that we had- that's all that I had. So, she very much used that against me every time she got-every chance she got.

Survivor 3

Denial of medical care was observed for 32% of all studied victims. Victims were denied medical care for malnourishment, sexual and physical abuse, illness, or injuries sustained on the job. Many of these victims were not allowed to take time off from work to treat these injuries or illness and were expected to continue working while sick or hurt. In one case that involved both sex and labor trafficking, victims were not given proper prenatal care if they became pregnant and were often forced to get abortions. Denial of medical care also included denial of dental care, and for one victim this resulted in them having to extract an infected tooth themselves using pliers.

Although information about whether a victim had access to support services like mental health counseling was limited, we did identify this problem among 11% of the studied victims. These cases typically involved victims who made requests to seek mental health counseling but were ignored or denied supportive care. In one case, a trafficker "exorcised" their victim who was having a mental health crisis by having members of the community come into the home and pray over her. The service provider who reviewed this case noted that in the victim's community mental illnesses like anxiety or depression were highly stigmatized. In another case, a victim requested resources to deal with the trauma of being raped but was denied support from her family.

Nearly all of the victims depended on their trafficker for either permanent or temporary housing (Table 3.1.20). Oftentimes this was because they either lived in the same home, their trafficker provided them with housing, or otherwise controlled their housing. A breakdown of victims' living situations is detailed below.

Table 3.1.20 Victim Living Situations

	All Victims (n=128)	Victims from Prosecuted Cases (n=89)	Victims from Agency Cases (n=39)
Lived in same home of trafficker	42.19 (54)	35.96 (32)	56.41 (22)
Moved around U.S. with trafficker	11.72 (15)	14.61 (13)	5.13 (2)
Lived at work	0.78 (1)	-	2.5 (1)
Lived with parents/guardians (not involved in trafficking)	3.91 (5)	3.37 (3)	2.5 (1)
Lived with cult	13.28 (17)	19.1 (17)	-
Lived in trafficker-controlled housing	17.19 (22)	22.47 (20)	5.13 (2)
Lived in someone else’s home	0.78 (1)	-	2.5 (1)
Unstable/insecure housing	3.1 (4)	1.12 (1)	7.5 (3)
Trafficked while immigrating	2.33 (3)	-	7.5 (3)

****Note:** columns total over 100 % because some victims had more than one living situation

Over half of the victims in the agency identified cases and approximately a third of victims in prosecuted cases lived in the same home as their trafficker – sometimes being trafficked by their parents, guardians, or, in the case of unaccompanied foreign national minors who were previously held in federal custody by ORR, a “sponsor” which could be a parent, guardian, relative, or other individual designed by the child’s parents. In those cases where the victims did not live in the same home as their trafficker, the trafficker commonly still controlled the victims’ housing. This included situations where a trafficker provided a home or trailer where the victim lived, commonly with other victims or with a co-conspirator. Among the foreign national victims who immigrated to the U.S., 7 were sponsored out of ORR care by their trafficker, and 9 were sponsored out by an associate of their trafficker. Among these victims, 31.25% lived with their trafficker, 62.5% did not live with their trafficker but lived in housing controlled by their trafficker, and 6.25% lived with another person. For sports and entertainment cases, victims were

often provided temporary housing accommodations that were dependent upon their involvement with the team or organization. The larger proportion of victims who lived with a cult in the prosecuted cases is driven in large part by one multi-victim case.

Of the studied victims, 83% (111) experienced at least one form of intimidation or verbal abuse (Table 3.1.21). Traffickers used several different methods to demean and demoralize victims – a common form of coercion. This included harsh or humiliating rules and punishments, name-calling, insults, forcing them to sleep on the floor or bathe outside, or singling out the victim for abuse while other children in the home are treated normally. Of these methods, verbal abuse was the most common and was experienced by over half of the victims in both prosecuted and agency cases. Sometimes verbal abuse involved religious threats of going to hell or calling the victim “immoral,” or involved racist insults.

¹⁰ In the table above, “Lived with parents/guardians” refers only to cases where victims were not trafficked or recruited by their parents or guardians. Of the 35 victims who were, their living situations were coded as the following: 42.86% lived in the same home, 48.57% lived with cult, 2.86% moved around U.S., 2.86% were trafficked while immigrating, and 2.86% lived in separate trafficker-controlled housing.

Table 3.1.21: Intimidation or Verbal Abuse

	All Victims (n=132)	Victims from Prosecuted Cases (n=92)	Victims from Agency Cases (n=40)
Any intimidation or verbal abuse	82.58 (109)	83.7 (77)	80 (32)
Trafficker manipulated debts/ debt bondage	28.57 (38)	18.28 (17)	53.6 (21)
Had reputation harmed or threatened	24.06 (32)	29.03 (27)	12.5 (5)
Demeaned or demoralized	64.39 (85)	64.13 (59)	65 (26)
Verbally abused	53.79 (71)	54.35 (50)	52.5 (21)
Humiliated	18.8 (25)	22.58 (21)	10 (4)
Subjected to degrading activities	19.55 (26)	15.05 (14)	30 (12)

Debt bondage was observed for over half of the agency identified cases which were overwhelmingly foreign national child victims. These victims were told they owed their traffickers compensation for the cost of immigration to the U.S. Notably, victims often did not know how much was owed and were sometimes unable to keep track of how much they were expected to pay and continued working indefinitely. U.S. citizen victims were often trafficked by people who were providing housing or otherwise meeting their basic needs and were sometimes expected to meet “quotas” for their work outside the home or were coerced into handing over their earnings to their trafficker.

Reputational harm as a form of psychological manipulation was observed in a quarter of the studied cases. These victims were told by their traffickers that if they did not perform labor, the trafficker would spread defamatory rumors about the victim to their family, friends, or other members of their community. Some examples included threatening to falsely tell a victim’s family that she was a prostitute, or threatening to tell members of the community that the victim was “crazy.” This was also common in cases involving cults where victims were compelled to stay in their trafficking situations out of fear of being labeled as an enemy and as a consequence, shunned by their friends, family, and community.

Humiliation and degrading activities intended to provoke fear and shame were experienced by roughly 20% of the studied victims. Some of these examples included severe forms of humiliation and degrading activities such when a victim was forced

to eat dog food and wear a dog collar, shave her head, and had obscenities written on her face. In another case, victims were forced to pick an item from the “punishment jar,” which included tasks like eating condiments that made them sick. These activities often overlapped with physical abuse, and most victims who were subject to humiliation and degrading activities were also physically abused or threatened (80% and 88% respectively). In some cases, traffickers further demoralized victims by treating other children within the home differently than the victim- allowing the other children to live ‘normal’ lives, go to school, and socialize with others outside of the home. Survivors often experienced intense feelings of guilt or shame that kept them feeling trapped within their trafficking experiences.

“

I couldn’t tell my mother what was happening. I didn’t have language for it. I had, you know, a huge amount of shame. I took it all the responsibility on myself. It was all, everything was my fault, and because I was not a worthy human being.

Survivor 3

Of the studied victims, 95% experienced at least one form of threat or physical harm (Table 3.1.22). More than half of the victims from both prosecuted and agency cases were either physically harmed or threatened with violence to compel them to perform labor. Roughly a quarter of all victims faced some kind of sexual harm. For three victims the trafficking situation also involved commercial sex acts.

Table 3.1.22: Threats or Physical Harm

	All Victims (n=132)	Victims from Prosecuted Cases (n=92)	Victims from Agency Cases (n=40)
Any threat or physical harm	94.7 (125)	97.83 (90)	87.5 (35)
Physically harmed or threatened with physical harm	65.15 (86)	63.04 (58)	70 (28)
Sexually harmed	24.81 (33)	21.51 (20)	32.5 (13)
Neglected	46.62 (62)	46.24 (43)	47.5 (19)
Lived in substandard conditions	46.62 (62)	50.54 (47)	37.5 (15)
Restricted access to food or water	36.84 (49)	39.78 (37)	30 (12)
Resistance diminished with drugs or alcohol	13.53 (18)	12.9 (12)	15 (6)
Subjected to harsh rules and punishments	37.59 (50)	41.94 (39)	27.5 (11)
Family harmed or threatened with family harm	24.81 (33)	29.03 (27)	15 (6)
Worked in violent environment	52.27 (69)	48.91 (45)	60 (24)
Threatened with weapons	6.77 (9)	2.15 (2)	17.5 (7)
Threatened with deportation	32.33 (43)	25.81 (24)	47.5 (19)
Force involved in recruitment	36.84 (49)	34.41 (32)	42.5 (17)

Half of the victims from the prosecuted cases lived in substandard conditions including homes without adequate heat or plumbing. Although some of these conditions were due to the child survivor experiencing poverty, other times victims were intentionally placed in substandard conditions. This included instances of physical and emotional neglect in which victims were not provided adequate clothing for the weather, not allowed to eat meals with the rest of the household, forced to sleep on the floor, or forced to live in dilapidated trailers or sheds outside of the trafficker’s home.

Thirty-eight percent (38%) of victims were subjected to harsh rules and punishments. Some of this abuse involved humiliation and degrading activities discussed in previous sections. Other times the punishments involved beatings, physical confinement, or other types of physical and psychological abuse. In cases involving cults, rules and punishments were central to most victims’ exploitation. Victims performed labor at the threat of being kicked out of their homes

and communities, loss of social status within the organization, sent to church-run facilities or ‘hospitals’, or otherwise separated from their families. About a quarter of the victims faced threats of family separation or threats to harm or even kill family members if a victim refused to perform labor, sought help, or left their trafficking situation.

Some children were confined in the trafficker’s home as a form of punishment. As one adult survivor of child labor trafficking described: “Then he took me to his house in [Midwest state] for three months. I didn’t, I wasn’t able to see the sunlight. I was in my room like that on the floor. There was no bed no nothing I was just there all day every day.” (Survivor 1). Introduction to and use of drugs and alcohol to diminish a victim’s resistance to the trafficker was not common but happened for 13% of the studied victims. One law enforcement stakeholder from the Northeastern site described how this tactic of control is different for children compared to adults.

“

... the coercion tactics, number one, absolutely are going different, right. I mean this a child and what a child wants it's going to be much different I think than it is for adults- although I mean we do see similarities right like drug use. But instead of like hardcore drug use it's going to be maybe alcohol, marijuana, things like that, not necessarily like heroine or some super addicting drug.

Northeast, Law Enforcement, Stakeholder Interview 4

The exception to this was one agency cases in which the victim's parents sprinkled cocaine in her food as a child, and a prosecuted case in which a victim was drugged with an unidentified substance. Additionally, some victims were given caffeine pills to fight exhaustion during work hours or introduced to appetite suppressants to combat the physical symptoms of malnourishment.

Restriction of food and water was used to demean, demoralize, and diminish a victim's resistance to abuse and exploitation. In cult cases this was a systemic issue in which victims who were contributing hundreds or thousands of dollars per month in 'dues' to their church did not have enough money to buy food from the church resource centers. In domestic servitude cases, victims were treated as separate from the family they worked for and were sometimes barred from eating meals with the family and had to eat whatever was left over, or a separate meal entirely with lower-quality food. Food was sometimes available in a home but locked away or victims were prohibited from eating. An adult child trafficking survivor described this experience: *"She would be like, she would lock the cabinets and would be like y'all eat too much food, like 'I don't want y'all eating food while I'm gone, and I can't monitor.' Even though we actually weren't. We were on the brink of like starving"* (Survivor 3). Food was also weaponized by some traffickers to taunt their victim by purposely serving them foods that would make them sick.

Over half of the victims worked in an environment where they were either subject to or regularly witnessed physical violence committed against others. This includes cases of domestic servitude in which victims witnessed the physical abuse of others. Explicit threats of harm or retaliation for not doing the trafficker had commanded, sometimes escalated to violence against the victim, other victims, or the victim's family. One adult child trafficking survivor described how he witnessed the trafficker threaten another young man being held in the same conditions of servitude. The trafficker specifically threatened the youth saying *"Kids like you go missing all the time"* (Survivor 8). Few cases involved overt use or brandishing of weapons, but some child victims described knowing the trafficker had access to weapons or knew people with access to weapons.

Physical abuse and exhaustion led to injuries and many victims were denied medical care. As one adult child trafficking survivor explained:

“

I had plenty of broken bones that I would have to heal myself, and then those were days when, after he beat me severely, I would have to sit and nurse that spot, like my wrist or my ribs. I knew they would be broken, because you could feel the calcification grow around broken bones, if you, you know, and they actually, when you start feeling better, and you move quickly, as I found out, they re-break because you didn't, because you were just holding yourself in a position that was like not really upright, or whatever. So you know, a lot of times, there would be bleeding and things that you know. UTIs all the time, and things like that that. I just had to take care of and manage myself.

Survivor 9

“

Other survivors described receiving informal medical care from friends or family of their traffickers who would not report signs of abuse. *“I actually did not go to a normal doctor for most things, I would just be taken to his [friend of the trafficker] house. So, I have a cool little scar that did not heal right because it was stitched up on his kitchen counter”* **Survivor 7.**

Some traffickers were less inclined to resort to physical abuse, and instead relied on threats that not working could result in deportation or homelessness for the victim.

“

Threats like ‘I can’t keep you here if, like I don’t have money to sustain you. You don’t know anybody here. You might get deported.’ Yeah no, I don’t see a lot of physical abuse from the sponsors themselves. But I do—there is physical abuse to the ones that are trafficked here and not by the sponsor. **West, Service Provider, Stakeholder Interview 8**

Over half of all the foreign national victims were threatened with deportation (56.58%). This was commonly observed in the agency cases and was particularly powerful for victims who were fleeing community violence, gang recruitment, and poverty in their home countries.

Special Issue: Situational Coercion and Children

Unlike sex trafficking, where federal law has created an exception to the force, fraud, or coercion requirements for classification as a severe form of sex trafficking, child labor trafficking requires evidence at least one of these elements. We identified clear instances of both **situational coercion** and coercive tactics (see Kim, 2010 for more information about modalities of coercion of trafficked workers). While we have described numerous of forms of coercive tactics above (e.g. manipulation of debts, verbal abuse, restricting communication, disorienting victims), situational coercion is likely much more pervasive in child trafficking situations. Situational coercion assumes that child-adult relationships are coercive by nature, and that this coercion is common regardless of the other victimization methods that were used. Minors usually cannot get a job or place to live on their own, and they don't have the psychological development to have full control over their own lives. As a result, they commonly rely on adults to meet their basic needs and in turn are expected to listen to their caregiver and do what they say with little to no resistance. While many young people have navigated significant challenges including migration and housing insecurity, **minors still often lack the autonomy and options to refuse their trafficker.** Across our case coding, stakeholder interviews and interviews with adult survivors of child labor trafficking we repeatedly encountered situations where the fact that the victim was a minor made their experience inherently coercive. We provide a few of these examples below:

- **Because children rely on adults to meet their basic needs, traffickers do not have to apply as much force or coercion to get their victims to perform labor.** As one law enforcement officer in the Western site noted: "You see in these cases, especially with children, it's the coercion. It's easy to manipulate a child, right? And so there necessarily doesn't have to be so much of that force. A lot of coercion exists" (Northeast, Law Enforcement, Stakeholder Interview 4). A legal advocate in the Western site described how children have less power to get away from an abusive situation and make different choices.

“

Kids who don't know how to get around. Kids who can't take the bus somewhere, can't walk somewhere because you don't know how to use a bank card, or even things like how our money works. That sounds dumb but it is all new. Especially you think about some kids that...you come from Cambodia and you're here? You don't know the numbers, you don't know the letters, everything looks different. I mean, in Spanish at least I can look at something written in English and try to sound it out and think if I've heard this word before- you know what I mean, our letters kind of make the same sounds, things are written the same way. But then I think about people that we have from far different parts of the world, and how on Earth would you expect anybody to navigate themselves out of a situation as a child?"

West, Legal Advocate, Stakeholder Interview 6

Adult survivors of child labor trafficking also described the ways they felt compelled to follow the commands of an adult who was meeting their basic needs. "Yeah, I never got money. She was just like well I should just be thankful for the roof over my head and the occasional meals that I got. So that was like my form of "payment" I guess" (Survivor 3).

Traffickers prey on the need of children and teenagers to receive approval and love from adults.

For some children whose caregivers housed them following traumatic childhood events, they feel they owe their trafficker a debt of gratitude. An adult child labor trafficking survivor describes her experience.

“

She used the fact that we did not have our mom, like my mom was in the streets, so we used to hide from her because she'd tell us, "The crazy lady's come! Go and hide." And that thing she did gave her advantage and made her a mother figure because we grew up thinking, "I would do anything to receive that hug or something" because...I don't know why she had a special hate against me.

Survivor 4

Some traffickers represented themselves as religious prophets or representations of God were automatically in a position of authority where child victims were too intimidated to question or refuse their commands. The traffickers made the victims believe that if they did not do what they were told, they would go to hell or God would not love them.

- **Because young people are still developing cognitively and emotionally, they struggle to evaluate threats from adults.** Generally, if adults tell young people that something bad will happen, the young person believes them, even if the threats are not realistic or there is little evidence of the capacity of traffickers to make good on threats. A legal advocate from the Northeast site explained how young people struggle to evaluate or even talk about decisions when being coerced.

“

The other related theme, I would say is like the fear state of mind with kids I think it's kind of different. Where with adults, you know you ask them "well, what did you think would happen if..." and they'll say things for you like, "I thought that, if I didn't keep working for the trafficker, they would execute their threats to whatever they said they were going to do." That's one of the areas with young people where I really ran into a lot of that "I don't know" stuff. I'd say "what did you think was going to happen if you didn't keep working for them?" like "well I don't know, he would be mad, maybe. Can we talk about something else now?" **Northeast, Legal Advocate, Stakeholder Interview 1**

Young people had difficulty describing situations of coercion in part because it felt natural to follow, without question, the instructions of adults who were supposed to be looking out for them and providing for their basic needs. Young people were hesitant to question adults in situations where they had little agency and depended on adults for shelter, food, love, or financial support.

Research Question 2: Who are the perpetrators of child trafficking crimes (e.g. individuals, organized syndicates, families, etc.) and how do they operate?

Study Highlights

- Perpetrators of child labor trafficking were primarily in their 20s and 30s.
- 39% of identified child labor trafficking perpetrators were female and 60% were male.
- 30 % of child labor trafficking perpetrators were Black, 42 % were Hispanic and 20% were White.
- While most perpetrators identified in the prosecuted cases were arrested (85%), relatively few perpetrators identified in the agency cases were arrested (24%).
- Child labor trafficking perpetrators played different roles in the exploitation process, sometimes as the primary employer and enforcer of the exploitation and in other cases traffickers took children to workplaces where the employer may have had less knowledge of the exploitation and the trafficker extracted pay from the child victim, even though they were not the direct employer.

Among all 71 cases that were coded for this analysis, we identified and collected information on 151 perpetrators of child labor trafficking. About one fourth of the cases studied were facilitated by one trafficker (29.58%), over half (56.34%) involved two perpetrators, and 19.72 % involved three or more perpetrators. Another four cases (5.63%) involved multiple perpetrators, but the exact number was unclear¹¹. Similar to the cases where multiple victims were coded as one victim observation within the dataset, these four cases were coded as one perpetrator observation due to lack of individual perpetrator information. For a majority of the identified traffickers, the perpetrator was the primary trafficker¹². We also identified co-conspirators (10%), transporters (3%) and recruiters (6%) in trafficking roles (Table 3.2.1).¹³

¹¹Three of these trafficking cases were facilitated by a gang, and the other was by a peddling crew.

¹²The four cases where multiple perpetrators were coded as one observation were given a "primary trafficker" classification.

¹³The primary trafficker refers to the person or persons who is the most directly responsible for the abuse and exploitation of the victim(s) for labor. Co-conspirators refer to perpetrators who knowingly and intentionally helped the primary trafficker abuse and exploit their victim(s) for labor but did not play a primary role in the trafficking. This includes spouses or partners of primary traffickers that were complicit in the trafficking but took a backseat role in the victimization. Oftentimes, primary traffickers and co-conspirators had overlapping roles as recruiters and transporters. However, in some cases these individuals played a solitary role in either luring the victim into the trafficking situation or transporting them to and from their worksites under guidance of the primary trafficker.

Table 3.2.1: Perpetrator Role in Child Labor Trafficking

	All Perpetrators % (n)	Perpetrators from Prosecuted Cases (n=92) % (n)	Perpetrators from Agency Cases (n=59) % (n)
Primary Trafficker	81.46 (123)	80.43 (74)	83.05 (49)
Co-conspirator	9.93 (15)	11.96 (11)	6.78 (4)
Transporter (only)	2.65 (4)	3.26 (3)	1.69 (1)
Recruiter (only)	5.96 (9)	4.35 (4)	8.47 (5)
Total	100% (151)	100% (92)	100% (59)

Information about age was available for 64% of the perpetrators studied. Of the data available, perpetrators were much older than the minors that they victimized. Most of the identified perpetrators were in their 30s or 40s. Agency identified cases involved a higher percentage of younger perpetrators, most of whom were in their 20s, while perpetrators from prosecuted cases were most often in their 40s. Age was calculated as the perpetrator age at the start of the child labor trafficking experience for the identified victim or victims.

Table 3.2.2: Age of Child Labor Trafficking Perpetrator

	All Perpetrators % (N)	Perpetrators from Prosecuted Cases % (N)	Perpetrators from Agency Cases % (N)
<20	2.06 (2)	1.33 (1)	4.55 (1)
20s	21.65 (21)	17.33 (13)	36.36 (8)
30s	25.77 (25)	26.67 (20)	22.73 (5)
40s	28.87 (28)	32 (24)	18.18 (4)
50s	15.46 (15)	17.33 (13)	9.09 (2)
60s	5.15 (5)	5.33 (4)	4.55 (1)
Total	100% (97)	100% (75)	100% (22)

Roughly two-thirds of identified perpetrators in both prosecuted and agency identified cases were male (Table 3.2.3). However, this overrepresentation of male perpetrators may not necessarily be due to gendered differences in offending. Female traffickers may be more common in cases of familial trafficking, as our data shows that women make up the majority of traffickers who were parents/guardians or other family members of the victim. Two of the cases in which multiple perpetrators were coded as one observation involved both male and female perpetrators, while the other two involved only male perpetrators.

Table 3.2.3: Child Labor Trafficking Perpetrator Gender

	All Perpetrators % (N)	Perpetrators from Prosecuted Cases % (N)	Perpetrators from Agency Cases % (N)
Female	38.67 (58)	40.22 (37)	36.21 (21)
Male	61.3 (90)	59.78 (55)	60.34 (35)
Both	1.33 (2)	-	3.45 (2)
Total	100% (150)	100% (92)	100% (58)

Information about race and ethnicity was available for 69% of the studied perpetrators. Although most of the identified perpetrators in both prosecuted and agency identified cases were Black or Latinx, roughly one-fourth of prosecuted cases involved white perpetrators.

Table 3.2.4: Child Labor Trafficking Perpetrator Race

	All Perpetrators % (N)	Perpetrators from Prosecuted Cases % (N)	Perpetrators from Agency Cases % (N)
White	20.19 (21)	24.66 (18)	9.68 (3)
Black	29.81 (31)	28.77 (21)	32.26 (10)
Latinx	42.31 (44)	36.99 (27)	54.84 (17)
Asian	5.77 (6)	6.85 (5)	3.23 (1)
Indigenous	1.92 (2)	2.74 (2)	-
Total	100% (104)	100% (73)	100% (31)

Information about country and region of origin were available for 85% of perpetrators. Child labor trafficking perpetrators identified for this study were most commonly from the U.S. or Central America.

Table 3.2.6: Child Labor Trafficking Perpetrator Region/Country of Origin

	All Perpetrators (n=128)	Perpetrators from Prosecuted Cases (n=90)	Perpetrators from Agency Cases (n=38)
North America	48.44 (62)	54.44 (49)	34.21 (13)
United States	48.44 (62)	54.44 (49)	34.21 (13)
Central America & Caribbean	28.12 (36)	18.89 (17)	50 (19)
Guatemala	11.72 (15)	7.78 (7)	21.05 (8)
El Salvador	5.47 (7)	1.11 (1)	15.79 (6)
Honduras	3.13 (4)	1.11 (1)	7.89 (3)
Mexico	3.13 (4)	2.22 (2)	5.26 (2)
Haiti	3.13 (4)	4.44 (4)	-
Nicaragua	1.56 (2)	2.22 (2)	-
South America	3.91 (5)	3.33 (3)	5.26 (2)
Columbia	1.56 (2)	-	5.26 (2)
Ecuador	2.34 (3)	3.33 (3)	-
Northern Africa	1.56 (2)	2.1 (2)	-
Morocco	1.56 (2)	2.22 (2)	-
Western Africa	8.59 (11)	7.78 (7)	10.53 (4)
Nigeria	1.56 (2)	2.22 (2)	-
Togo	2.34 (3)	3.33 (3)	-
Guinea	3.13 (4)	2.22 (2)	5.29 (2)
Benin	1.56 (2)	-	5.29 (2)
Eastern Europe	4.69 (6)	6.67 (6)	-
Ukraine	3.13 (4)	4.44 (4)	-
Romania	1.56 (2)	2.22 (2)	-
Western Europe	0.78 (1)	1.11 (1)	-
United Kingdom	0.78 (1)	1.11 (1)	-
Southern Asia	3.91 (5)	5.56 (5)	-
India	3.91 (5)	5.56 (5)	-

In line with other research on adult labor trafficking (Owens et al., 2012) we found that child labor trafficking perpetrators tended to originate from the same regions as their victims.

Table 3.2.5: Country of Origin of Perpetrators and Victims by Case

	All Cases % (N)	Prosecuted Cases % (N)	Agency Cases % (N)
All perpetrator(s) and victim(s) were from same country	66.19 (47)	77.78 (28)	54.29 (19)
Perpetrator(s) and victim(s) were from different countries	14.08 (10)	13.89 (5)	14.29 (5)
Some perpetrator(s) and victim(s) were from same country	4.23 (3)	5.56 (2)	2.36 (1)
Missing	15.49 (11)	2.78 (1)	28.57 (10)
Total	100% (71)	100% (36)	100% (35)

Trafficking perpetrators and their victims were commonly connected because the trafficker was the direct employer of the victim; however, in three cases, victims were employed by someone who was not their trafficker but was aware of or complicit in the trafficking scheme and gave the victim's pay directly to the trafficker. There were three victims who worked jobs and forfeited their pay without their employer being aware of their trafficking.

While most perpetrators identified in the prosecuted cases were arrested (85%), relatively few perpetrators in the agency cases (24%) faced arrest. Service providers also noted that when child labor trafficking perpetrators were arrested, they were not always arrested specifically for their child labor trafficking crimes. In cases where sex and labor

trafficking overlapped, perpetrators were commonly arrested and charged for sex crimes related to molestation, child pornography, or sexual abuse of a minor. In other cases, perpetrators were arrested for wire and tax fraud, drug possession and distribution, involvement in smuggling, and weapons possession; and their trafficking abuses came to light during the investigation of these crimes.

Little information about the modus operandi of child labor traffickers or their connections to broader networks of illicit activity were available through legal advocate records and interviews. While legal advocates were able to provide detailed data on the recruitment and exploitation experiences of child labor trafficking victims, less detail was available about the nature and networks of child labor trafficking perpetrators.

Research Question 3: How are cases of labor trafficking involving minors identified and investigated?

Study Highlights

- Child labor trafficking victims identified for this study were rarely identified directly by the police or investigators. Most commonly victims escaped the trafficking situation and sought help from agencies or trafficking was reported by someone else.
- Child welfare systems are largely not responding to child labor trafficking cases, even though over 30% of child labor trafficking victims identified in this study were trafficked by their parents or guardian.
- Child trafficking victims commonly did not identify their experience as labor trafficking during the period of exploitation.
- Child trafficking victims often had negative past experiences with the police which reduced their likelihood to report their victimization. A third of the identified victims in this study had been detained or arrested at some stage of their trafficking experience.
- While community stakeholders are eager to identify these victims of child labor trafficking, they commonly lack the framework for understanding human trafficking outside of the more iconic commercial sexual exploitation.
- Labor regulators and workplace inspectors could play important roles in identifying child labor trafficking cases, but they were rarely a source of referral for identified child labor trafficking cases. Schools are another potentially important but underutilized resource for identifying children experiencing labor trafficking.

Relatively few child labor trafficking victims identified in the studied cases were identified as a victim by law enforcement (15%) and fewer self-reported their victimization to authorities (12%). Victims were more likely to be reported to authorities by someone else (24%).

3.3.1: Child Labor Trafficking Victim Escape and Identification

	All victims % (N)	Victims in prosecuted cases % (N)	Victims in agency cases % (N)
 Ran away or left	13.64 (18)	17.39 (16)	5 (2)
 Identified as victim by authorities	15.15 (20)	11.96 (11)	22.5 (9)
 Forced to leave	9.85 (13)	8.7 (8)	12.5 (5)
 Someone else reported to authorities	24.24 (32)	28.26 (26)	15 (6)
 Sought help from a friend	5.3 (7)	4.35 (4)	7.5 (3)
 Sought services	4.55 (6)	2.17 (2)	10 (4)
 Victim reported to authorities	12.12 (16)	16.3 (15)	2.5 (1)
 Helped by a good Samaritan	6.82 (9)	4.35 (4)	12.5 (5)
 Other or unknown	8.33 (11)	6.52 (6)	12.5 (5)
Total	100% (132)	100% (92)	100% (40)

Study participants regularly discussed the challenges of law enforcement identifying and responding to child labor trafficking. Notably, survivors were rarely identified during investigations, but rather identified through chance occurrences where survivors met the right person at the right time. In some instances, survivors interacted with law enforcement throughout the course of their exploitation or escape without being identified as trafficking victims. In fact, most survivors discussed resistance or distrust of these formal criminal justice systems during their trafficking due to negative first or second-hand experiences, explicit threats from their traffickers, or uncertainty about whether these systems would ultimately be more beneficial or harmful to their current circumstances. Unfortunately, 33% of victims were eventually identified as a child labor trafficking victim after they experienced being arrested or detained.

Stakeholders interviewed for this study expressed a strong belief that child labor trafficking is widely under-identified due to a lack of awareness, recognition, and understanding about children being exploited for labor. Interviews with stakeholders convey that the responsibility of identifying survivors of labor trafficking has fallen on a handful of professionals who understand what this crime looks like, the factors that make youth vulnerable, and their needs for stabilization and recovery.

Child labor trafficking survivors generally did not identify themselves as trafficking victims during their trafficking or after their experience. Survivors learned that what they experienced was labor

trafficking, often after they had reached out for services which was oftentimes unconnected to their victimization experience. Most often, this involved survivors seeking services for their needs and being identified by professionals who were knowledgeable about child labor trafficking. One survivor shared:

“

...one of my sisters, she went to Catholic charities for help. And at that time, they have a program for human trafficking, you know, to help human trafficking. And she also saw a pamphlet talking about that. So, finally we talked about it, I guess we were in shock and was just like, "This is us."

Survivor 5

This survivor's sister happened to reach out to an organization that had an anti-trafficking program and was knowledgeable about labor trafficking; however, many organizations do not have anti-trafficking programs or knowledge about human trafficking. One service provider explained that many of their clients only self-identified as trafficking survivors because of prior referrals, screenings, and intake process: *"I would say about third [of victims] are self-identified. They've all seen like a poster...or sometimes they go through a nonprofit and the non-profit who has like a referral list and they're like "Oh maybe you should go this other..." So that's how services tend to be here, especially when they're seeking legal support"* (**West, Victim Service Provider, Stakeholder Interview 6**).

Screening

Identifying survivors of child labor trafficking through a screening process was another theme in the stakeholder and survivor interviews. As noted above, survivors may access services for a variety of reasons without knowing or identifying as having experienced labor trafficking. Agencies that screen for labor trafficking can successfully identify survivors and ensure they receive the support they need. However, organizations do not use a standardized screening tool, and some that are used were designed to identify sex trafficking. Questions aimed to capture information about labor trafficking may not be phrased in a way that adolescents can relate their experiences to, or properly get at the methods of coercion that compelled them to perform labor. Some stakeholders suggest that a better method for screening victims for labor trafficking involves going beyond a set number of questions on a screening instrument. One stakeholder explained this process:

“

We're fortunate where we don't have like a concrete assessment because trafficking is so gray. It's not black and white, and so to have assessment questions and say, "okay, you have to meet the eligibility - these 10 questions" feels very punitive. It also feels like there'd be a lot of people we would be missing. So, we don't necessarily have assessment. A lot of times we hear what's going on, right. Did we hear their employer didn't let them leave? Did we hear that a child had to work 17 hours a day doing this, had no breaks, did not get paid, was isolated with no family. Is DCFS involved, right? So, there's a lot of questions we ask that I think sometimes can blend into sex trafficking as well, because a lot of times we're just looking for them to describe what's happening. So no, I would say, in the sense our assessments are very broad and kind of 'open flowing' is how I describe them." Midwest 1, Victim Service Provider, Stakeholder Interview

Referrals

Interviewed stakeholders described relying heavily on collaboration with other organizations or agencies because most of their identification of victims depends on what cases are referred to them. Stakeholders reported multiple referral sources including law enforcement agencies such as HSI and FBI, child welfare agencies, detention centers, USDOL, OTIP, ORR, TVAP providers, community members, hotline, hospitals, schools, current or former clients, and other legal or social service providers. Many service providers described lawyers, schools, or other providers as the main sources of referrals for cases of child labor trafficking, while referrals from law enforcement and child welfare were often less common for these cases. Stakeholders explained that often referrals are coming in for youth in need of services in general, which are then identified as labor trafficking cases. One provider said, *"There's youth that come to services and they are referred to us through their attorneys and it's because they expressed interest in like mental health services"* (West, Victim Service Provider, Stakeholder Interview 8). Once a referral is received, victims are identified through their intake and screening process. A legal provider explained that they may be referred asylum or other cases that upon further exploration are trafficking cases:

“

...get in shelter start talking to the legal department there and get referred to us, either as this person has trafficking flags or would you consider this person's asylum case, and when I read over the write up for the asylum case I'm usually saying something like this is a horrible asylum case, until I get to the end and I say oh that's because it's actually a trafficking case let's try to deal with that thing. Northeast, Legal Advocate, Stakeholder Interview 1

Service providers also received referrals with trafficking flags, or another agency already confirmed labor trafficking. Many providers that we interviewed had a strong network of other individuals or organizations that are crucial in identifying victims and providing services. One stakeholder expressed the most concern about forced criminality of youth, and described that while these victims are currently under-served, they are actively addressing issues in identification through partnerships with legal officials and government agencies.

“

There was one [forced criminality] case where ultimately the individuals got a private attorney, and that private attorney reached out to us. I think sometimes it can come through the public defender's office like when we have done training, the public defenders office is defining it better and we have a specific referral system that is specific to them where they can reach out to us directly. Gosh I would also say, and then my hope is, one of the big pushes for us even getting this grant with the office of child protection is in the hopes that they will do better at identifying those cases and refer more cases that are not just the sex trafficking of children but specifically forced criminality as a form of labor trafficking. **West, Legal Advocate, Stakeholder Interview 9**

Outreach, Education & Awareness Raising

Conducting community and targeted outreach was another means in which some providers identified survivors of child labor trafficking. Education and awareness programs about human trafficking for youth need to involve labor trafficking as more than just an after-thought to increase identification among victims, stakeholders, and other individuals within the community who may report signs of trafficking or abuse. Stakeholders described that while most groups or individuals they worked with were eager to identify these victims and address problems of human trafficking within their communities, they often lack the framework for understanding what this crime looks like outside of sexual exploitation. However, service providers can use these education opportunities to spread greater awareness about labor trafficking and increase opportunities for screening these types of victims.

“

It's always the request, right, like somebody watched a documentary or there's a new viral social media post about sex trafficking and so it's like you have to talk about it. So, it's every one of those is an opportunity to include examples of youth who are labor trafficked in our communities and how we can screen and it's just it's an opportunity to always include it, and so we every single time do it. And then, after we do a training, we get a referral the next week from somebody who recognized that it could happen, and then we can get a new kid out of the cracks they would have previously fallen through. **Northeast, Victim Service Provider, Stakeholder Interview 2**

Similarly, outreach and educational efforts specifically targeting youth can be beneficial for increasing awareness and identification. Some stakeholders identified survivors through targeted outreach to individuals in immigration or youth detention centers. Stakeholders were able to successfully identify multiple survivors by entering detention centers and providing education and screening. Other stakeholders conducted trainings at high schools as a targeted outreach campaign. One stakeholder described the impact a training on sex and labor trafficking had on high school students:

“

We had gone in and two days' worth of trainings in this one particular high school and it was incredible to see how many students were coming forward with clear potential issues of labor trafficking. We were talking about both [sex and labor] but you can definitely see amongst the student body because of the questions, the realization that wait a second, I may be a victim or someone I know was a victim of labor trafficking. **West, Victim Service Provider, Stakeholder Interview 5**

Investigations

Another means in which child labor trafficking survivors were identified was through investigations; however, this was not a common occurrence. Law enforcement agencies often became involved in the investigation of child trafficking cases after they were referred by an agency that had identified the labor trafficking. One law enforcement stakeholder who was interviewed for this study identified victims through a handful of different methods including:

- Referrals from the District Attorney's Office
- Going into detention facilities and interviewing the detained youth
- Referrals from victim service providers when survivors are interested in reporting to law enforcement.

When police connected vulnerable individuals with services and maintained strong working relationships with local providers, they can positively impact identification efforts. However, some providers described how efforts to improve child trafficking identification have fallen short because too few stakeholders really understand and care about the issue. As a victim service provider in the Northeast explained: “So I think I would say that both our immigration attorney and our local law enforcement partners are eager to get it to meet the standard. They really want to be identifying these cases appropriately and...and will do so even if they know it'll be a lost argument with federal folks”(Northeast, Victim Service Provider, Stakeholder Interview 3).

The Department of Labor (DOL) is often able to have a more direct role in identifying victims of labor trafficking through investigation of labor violations. However, while they can detect cases of suspected trafficking, under the TVPA they do not have the power to investigate cases of trafficking. Instead, these cases must be referred to law enforcement or the Office of the Inspector General for violations beyond of the Fair Labor Standards Act. Stakeholders working with child labor trafficking victims did not generally have strong connections to traditional state or federal labor regulators or workplace inspectors.

Special Issue: The Role of School in Identifying Trafficked Youth

While many child labor trafficking survivors were denied the opportunity to attend school at some point in their trafficking experience, for those survivors who were permitted to attend school there were numerous red flags that could have helped identify harm much earlier. Primary was exhaustion. Survivors talked about falling asleep in school or experiencing significant challenges completing schoolwork. While exhaustion had negative consequences for their academics, it also could have alerted school officials to the fact that young people were working long hours or throughout the night. As one survivor explained:

“

My grades began to drop in school. I started failing my classes. I went from like a straight A student to I was getting like C's and D's because I was so tired from like cleaning and doing all of the stuff that she was asking. I had no time to focus on my own schoolwork. Or I was just too tired to do anything.

Survivor 3

This theme was also observed among stakeholders, and sometimes acted as identifiers for teachers who referred victims to these providers. “We’ve had kids say the number of hours they work, or they’re so tired in school they sleep all day” (Midwest1,

Government Employee, Stakeholder Interview 16). Stakeholders emphasized that school officials were often reluctant to intervene because they knew that young people needed to work. Despite this concern, stakeholders were clear about the importance of training school officials about labor exploitation and having strong communication between legal advocates or service providers and schools for the purpose of identifying child labor trafficking:

“

Each office has a child labor coordinator, and the coordinators work with the people that are involved with issuing work permits. This is one of those things where work experience coordinators at schools are extremely helpful. In addition, in agricultural locations, you’ll see that there’s going to be a disproportionate number of teenagers and kids dying from accidents in those areas. Those areas are obviously because they’re not getting enough sleep. They have to get up very early in the day to work, then go to school, and then when they get home, if they drive, it causes accidents. So these are something we do talk to the schools about. The child labor coordinators are responsible for reaching out to schools. **West, Government Employee, Stakeholder Interview 7**

Research Question 4: What are the needs of child victims of labor trafficking?

Study Highlights

- Economic need, lack of legal status and need for safe and caring adults who provide housing and stability were the three main pre-trafficking needs that make children vulnerable to trafficking identified by stakeholders.
- The need for living wage employment, no strings attached financial support, legal status and remedies, mental health support and safe places to live are also necessary post-trafficking to minimize vulnerability of children to be re-trafficked.
- Children and their caregivers need access to financial resources and appropriate employment to ensure they aren't taken advantage of and can meet their basic needs.
- Youth who experience abusive home environments need options for safe places to live that are easy to access and support their development to decrease their chance of being exploited or trafficked.
- Immigration relief for undocumented youth and legal remedies (e.g. expungement) for those young people forced to commit crimes are both paramount to reducing vulnerability to being labor trafficked or re-trafficked.
- Living-wage, age-appropriate employment opportunities are crucial to reducing vulnerability to labor trafficking, which often requires work authorization for young people waiting for immigration relief.
- Trauma-informed mental health services tailored specifically to children and adolescents who have been labor trafficked needs to be de-stigmatized and prioritized.

Our analysis of child labor trafficking cases and interviews with stakeholders working on these cases and adult survivors pinpointed two domains of need for child labor trafficking victims - before victimization and after victimization. We describe vulnerabilities at these two points.

Needs that Make Children Vulnerable to Labor Trafficking Before Victimization

Three major themes were identified in the stakeholder interviews as significant needs contributing to youths' vulnerability to trafficking: 1) economic need, 2) lack of legal status, and 3) need for safe and caring adults who provide housing and stability.

Economic Need: Employment and Financial Resources

Stakeholders uniformly identified that poverty was a substantial contributor to the vulnerability of children to trafficking and exploitation. Children living in poverty need and want to earn money to help their family or provide themselves with the necessities their caregivers can't afford. Children who don't have legal status to work, access to employment, or financial assistance are particularly vulnerable to entering exploitative employment. One stakeholder described the challenge of children who are alone, such as unaccompanied minors, who are susceptible to exploitation and leaving abusive situations: *"...the child wouldn't have the cognitive ability to walk away necessarily on their own and to be able to pay for their own rent right, their own food and things like that. They can barely meet their basic needs"* (Northeast, Legal Advocate, Stakeholder Interview 8).

Legal Status

Overlapping with poverty, the lack of legal status makes foreign national children highly vulnerable to exploitation because they and their undocumented family members are not able to access formal employment opportunities. When describing common vulnerabilities of their clients who experienced labor trafficking, one stakeholder said, *"...it feel[s] that the patterns tend to be those that are foreign nations [sic], undocumented immigrant communities because of the vulnerabilities of not having status and the way that is exploited to force children into a labor trafficking situation."* (West, Victim Service Provider, Stakeholder Interview 5). The lack of legal status and access to formal employment opportunities can cause additional challenges for children as they attempt to integrate into a foreign country. Multiple aspects of their lives may be unstable, thus increasing their vulnerability to trafficking. One stakeholder described the layers of vulnerabilities experienced by foreign national children without legal status:

“

...foreign national children here are rarely like "Oh, I'm here with my mommy and dad and they both live at home and they both work." Right, they're always in highly vulnerable situations. Where things like housing is vulnerable. School attendance is vulnerable. They may not have adequate economic resources for food and clothing and whatever.

Transportation is usually a huge vulnerability. They may not be able to speak the language. You layer all those things on top of each other, and again, when we look at trafficking, we want to look at how do we make people vulnerable. Foreign national children are made extremely vulnerable." Midwest 2, Legal Advocate, Stakeholder Interview 11

Safe Adults and Places to Live

Several stakeholders shared that children are vulnerable to labor trafficking and exploitation due to abuse in their homes and prior victimization experiences. Children who experience abuse in their homes have few options for safety and to leave the situation. Without other safe adults and places to go, children who try to leave their home to escape abuse are often left unstably housed and highly vulnerable to exploitation. Child welfare could be an option, but many stakeholders explained that it wasn't a viable solution for some children due to limited capacity and inability to take cases. Other stakeholders explained that child trafficking victims commonly have deep distrust of formal systems including child welfare.

Another stakeholder spoke of how some children are vulnerable to forced criminality because they are unstably housed and trying to get their basic physical and emotional needs met:

“

We definitely see a lot more forced criminality in our domestic youth, who are pushed into these situations because they're trying to survive. They either don't have a place to stay or home is not safe, and they're being offered safety and love and community by other people who are meeting the needs that every kid had. Then [the trafficker] kind of turning on a, "well I need you to do this", "I need you to help out", or making them feel like they're a part of something. You're [the trafficker] treating them like an adult with responsibilities, letting them help out and make their own money. I think we see a lot in our domestic youth who are experiencing, mostly I would say criminalized labor, so those kinds of actions. Midwest 2, Legal Advocate, Stakeholder Interview 11

Minimizing Vulnerability After Child Labor Trafficking

The need for employment, financial support, legal status, and safe places to live are also necessary post-trafficking to minimize vulnerability of children to re-trafficking. Children who experienced labor trafficking due to poverty, lack of legal status, or lack of safe housing, remain vulnerable to exploitation for the same reasons unless they are addressed. One stakeholder said:

“

If you get out of a trafficking situation and you still cannot work to support yourself, cannot, do not have a social security number or legal status in this country, you are so vulnerable to re-exploitation, it is so hard to carry yourself forwards out of that situation. So, while we have things in place, but I think we could improve them. **Midwest 2, Legal Advocate, Stakeholder Interview 11**

Interviews with stakeholders and survivors described multiple service needs post-trafficking to help children stabilize, remain safe, and minimize vulnerability. Many of the same services identified by the study participants could serve to prevent child labor trafficking, assist with exiting, and avert re-trafficking because they address the basic needs of the children.

Legal Remedies for Foreign National Children

One of the most significant remedies for foreign national survivors of labor trafficking is the T-Visa, which provides legal status, access to benefits, the ability to obtain employment, and the possibility to apply for legal permanent residency and bring immediate family members to the U.S. from their home country. T-Visas provide the opportunities necessary for survivor recovery. One survivor described their experience obtaining legal status:

“

When we finally got legalized, I was finally able to get my driver's license and not walk around in fear. I got my SSN so I could be able to apply for a job so I could be in control of what money I make. I was able to apply to school so I can further my education. Like that that legal aspect was just definitely, single-handedly the most important, life-changing aspect. **Survivor 3**

While an incredibly effective legal tool for survivors' stability and recovery, there are barriers for child survivors (and adults) to fully access and utilize this remedy. The requirements needed to successfully obtain a T-Visa and the extensive processing period can make the visa a non-viable choice and cause economic hardship that could make a survivor vulnerable to further exploitation.

Familial trafficking particularly posed challenges for young people to apply for a T-Visa because of perceptions that victimization must be reported to authorities. While law enforcement certification of a T-Visa may improve the likelihood of an applicant's success, law enforcement is not required to certify T-Visa applications for minors under the TVPRA. Given the developmental stage of children and their desire to remain connected to their families, survivors may be reluctant to report their families to the police or other formal authorities, including legal advocates who are acting in support of the child's wishes. Survivor 12 was told that to obtain a T-Visa they needed to report their mother, which they did not feel comfortable doing. As a result, they have not been securing any legal immigration protections.

Interviewer: And were they able to provide legal or immigration relief to you at all?

Survivor 12: Yes, they did, but to go that route they wanted to give me a T-visa or something like that, but I

would have to report the incidents that my mother did and I don't know if I'm comfortable with that. So that's why it's been on pause for so long.

Interviewer: So, they're requiring you to...Are they telling you that you would need to report her to the police, or that you would need to provide a statement, saying that she forced you to work?

Survivor 12: They said that they need some sort of police report of the stuff that went on. It doesn't have to be me reporting her, but they said that [was necessary]...

For undocumented survivors of labor trafficking, the wait to obtain immigration status often disrupts their ability to move on with their lives. Without a visa, it is often difficult to get access to educational services or work opportunities. Survivor 2 explains how they are blocked from pursuing employment and moving forward with their lives because they are undocumented.

“

...they have to remember that we are human beings and they are the ones who put the rules down that you have to wait this amount of time not knowing that we also have a life. Like telling someone they have to wait two years before they get documents is not okay. And what are you thinking those people are doing during those two years, like how are they surviving? I don't have a working permit, right now I only have \$4 on me. Like how am I surviving if it was not for this shelter. **Survivor 2**

However, even after obtaining a visa, there can be barriers to accessing education, particularly higher education. Most undocumented individuals are not eligible for financial aid to attend college or university. While there is an exception for trafficking victim survivors with a T visa, many institutions of higher education are not aware of this exception, and the burden falls on the survivor to a) know that they qualify, and b) advocate for themselves to the proper personnel at the institution.

“

I did not qualify for financial help because I was a full time student...I'm still considered an international student...So even the school's financial aid, they keep telling me I don't qualify, I'm an international student. I actually pay more as an international student than an undocumented student. So now they add me to my tuition international student fees. So, it is a big gap in the fact of T-visa. **Survivor 4**

Providers also expressed their frustration with the challenges surrounding the amount of time it took to issue a T-visa. Delays in application processing prolonged the wait time. While there are shorter-term remedies, they also have their challenges. For example, Continued Presence (CP) is a remedy granted to survivors by authorities when the survivors report the crime and “reasonably participates” in the investigation and prosecution of a criminal case against their trafficker. While CP allows survivors to work and access certain public benefits while waiting for their visa; it is not regularly granted and is not available as an option when there is no criminal investigation. As earlier data demonstrates, most child labor trafficking cases are not investigated or prosecuted by the criminal justice systems. When asked about critical needs, a legal advocate from the Midwest noted:

“

More Continued Presence and better processing of immigration applications. The fact that I have to wait two years for a T-Visa is bonkers, the fact that it's almost impossible to get a CP, though lately we've been working with some better agents, there is a push federally to do better about Continued Presence. Getting it [temporary status]s is so crucial. **Midwest 2, Legal Advocate, Stakeholder Interview 12**

Another form of short-term protection for victims of human trafficking is a “Letter of Eligibility” issued by the U.S. Department of Health & Human Services, Office of Trafficking in Persons (OTIP). Letters of Eligibility enable a child victim of human trafficking to receive federal benefits and services akin to a refugee or asylee for up to 90 days. It is not, however, a form of legal status or a pathway to a visa or longer-term relief. To obtain a Letter of Eligibility, OTIP must receive a request for an application, providing “credible evidence” that the child is a potential victim of trafficking. It is unknown how many stakeholders are aware of this remedy. Moreover – many children who are trafficked require services and remedies for extended period, beyond the 90-day window of letters of eligibility.

Housing

Housing, particularly shelter and safe placements within the child welfare system were repeatedly mentioned as one of the most important needs for both U.S. Citizen and foreign national survivors. Children experiencing unstable housing may be more vulnerable to labor exploitation, and those exiting trafficking situations need immediate and long-term places to stay. One survivor explained that the support and services they received in shelter were very beneficial to her recovery and mitigated some of the struggles often experienced in shelter conditions:

“

[Shelter name] helped me with therapy, there was wellness groups and stuff in the mornings. I used to do yoga, and my meditation, that helped me a lot. And they would take us on trips as well. I honestly have not been on that many trips in my entire life, and I didn't even expect that from a shelter, that was really, they were like a blessing in disguise because I was like, damn, now I have to live at a shelter...It wasn't great, but it wasn't like terrible as what you would expect. **Survivor 12**

In addition to shelter and short-term placement, survivors need longer term housing assistance to ensure they remain stable while going through the recovery process. One service provider explained the importance of more housing support for survivors particularly in areas where rent prices are very high to minimize vulnerability.

“

...the reason I say housing is because through our hotline all or most callers are either experiencing homelessness or they're about to get kicked out or there was an issue with whoever they're staying and they're kinda like you know what like "You need to leave," right? So there's a lot of vulnerability there at [city], so I also say housing because even when they're housed, rent is very difficult to keep up in [city], so um housing stability is, is just very challenging. **West, Victim Service Provider, Stakeholder Interview 6**

The lack of resources available for shelter/housing for child labor trafficking survivors - both U.S. citizens and foreign national children - was mentioned by multiple interviewees. Funding isn't

available for shelters, foster family placement for child survivors, or for more long-term care. One participant shared that sometimes service providers take it upon themselves to find families for their clients to live with within their own (personal) network, which can place the child at risk. The child welfare system should be a major resource for housing child survivors; however, the system is under resourced and there are multiple barriers to accessing support as discussed later in this report. Children who experienced labor trafficking face additional barriers to accessing shelter due to their age and providers' lack of expertise around labor trafficking victimization. One site described the barrier to accessing desired services for the survivor was the law requiring written consent from a guardian to enter shelter if they are 15 years and younger.

“

The problem with youth shelters in [State] is that if someone is age 15 or younger, you have to get written consent from a guardian in the State for them to go stay in a youth shelter. And she was 15. And so the problem with that was her also the folks she was living with and aunt and uncle were abusers and traffickers. And then, too, they also were only sponsors- they're not guardians, so that kind of posed a challenge. So I was like, I can't sign her into that shelter, I have no legal jurisdiction over her...that's our problem with our organization, but that's also because it's DCFS's responsibility. So, with that I kind of came up with creative idea: I asked Mom to sign a letter basically giving permission for us to place her somewhere safe, and so she we got it translated through multiple languages and the shelter decided to accept it, which was great. **Midwest 1, Victim Service Provider, Stakeholder Interview 17**

While the child welfare system might be a solution to the placement and safe housing of child victims of labor trafficking, there is a significant shortage of foster parents available to care for children. One site shared that due to the opioid epidemic and subsequent loss of life and increased need for placement, there are very few options remaining for foster family placement. There are even fewer resources available for survivors who are foreign nationals as there are fewer foster care families available and can speak the children's native language.

“

Yeah. I mean I think that that is part of the issues that we have with the lack of their involvement, is that it's a challenging case in certain circumstances, so they have to find a family that would suit this child, and so when you're talking about foreign nationals, that population, right, the availability of a family for them to stay with would dramatically decrease, so not only is it difficult in terms of finding placement even for US citizens sometimes, that would be that much more challenging for foreign nationals especially if there's a second language that exists, or a primary language that's not English, let's put it that way. **Northeast, Law Enforcement, Stakeholder Interview 4**

Financial Support and Employment

The need for financial support was a common challenge for both U.S. Citizen and foreign national survivors. Survivors, legal advocates, and service providers from all study sites mentioned the importance of providing financial assistance to help survivors stabilize while working towards more long-term goals such as employment and permanent housing. When youth leave an exploitative situation and don't have a support system, financial assistance becomes a priority. One provider describes:

“

...if the youth doesn't have their own support system, then we are able to offer some level of financial assistance...but it's not a lot so the financial assistance that we have is prioritizing some of those emergency level things. Some of the things that are basic necessities...And I think once that emergency-level having support were available, then we would be in a much better place to provide wraparound services for our youth and to ensure that we can advocate while they achieve that long-term housing support and think about all of their next steps moving forward from the experience itself. **Midwest 1, Victim Service Provider, Stakeholder Interview 15**

While financial support is important, one survivor explained that there is a need for more long-term financial assistance to help them address the physical and mental impact of labor trafficking. They shared:

“

I think one important thing I told you: financial support, medical support, like creating a fund for survivors. Because maybe the time that you get out, your body has not processed and you're completely healthy like I was. But two or three years later, you're going to have all these problems. So, creating enough funding, medical funding for survivors to apply for their medical bills to be paid. They don't even need to receive the money themselves, you know what I mean? **Survivor 4**

Some service providers spoke of the challenge of the restrictions of current financial assistance for survivors. Depending on the source of the financial assistance and agency policies, survivors who access financial assistance may be limited in what they can use the funding on and may have to provide receipts for items they purchase. One provider explained that the restrictions are unnecessary, and it would benefit survivors to have the ability to make their own choices on how they use the financial support:

“

So, the financial component is a big one, not controlling the way they use funds. No receipts at all, I notice that when that happens, they tend to still invest it in themselves right? Like a car, like they'll pay for school, they'll buy themselves their basic needs right? But I think for them to just have the freedom it gives them a lot of empowerment and agency to kinda like start fresh. **West, Victim Service Provider, Stakeholder Interview 6**

Other service providers shared similar sentiments on the importance of unrestricted financial support. Not only does providing financial support improve survivor's quality of life and allow them to continue accessing other services, it can also reduce their vulnerability to further exploitation. An interview with providers at Midwest2 discussed how important sending financial resources back to their families is for many individuals, and lack of financial support may push them to take risky or exploitative jobs in order to send money home.

“

I feel like a lot of people in the states don't have any empathy for the idea of thinking that "I'm not sending any money so nobody's eating, I'm not sending money so my mom doesn't have insulin," you know what I mean? "I'm not sending money, my younger siblings can't pay their school fees."...I had kids that I used to give grocery money, like I could give them an allowance every week, and they'd turn around and send it all home... But maybe even some flexibility around that, to understand that especially, again, my foreign national clients, I've had 0 minors, ever, ever, in 12 years of doing this, have substance use issues. Like all the shenanigans about this "we can't give people cash, they'll-" you know what I mean? "They'll just snort it up their nose." No, they won't. They'll send it all home. **Midwest 2, Legal Advocate, Stakeholder Interview 11**

A key to long term financial stability is employment. Although this challenge is well documented in the case of minors who have migrated to the U.S., all child labor trafficking victims studied here faced vulnerability because of a lack of financial resources. Service providers repeatedly noted that both U.S. Citizen and foreign national child labor trafficking survivors need to work and earn money so they can pay for basic needs such as rent, food and transportation and in many cases to help support members of their families.

“

“Interviewer: *And what do you see as being the biggest needs that the young people have that you are encountering that are labor trafficking victims?*
Interviewee: *That's a tough one. I want to say stability and education and healthcare, and that's great, but a lot of them also really really really want to work. Invariably they have come here because someone needs something at home, right? So that's always such a toss-up, because I get it, I get needing to support family back home. So that said, I guess it makes me think that maybe the most important thing would be CP.”* **Midwest 2, Legal Advocate, Stakeholder Interview 11**

Survivors without legal status to work must take under-the-table jobs because they are unable to access formal employment. However, these under-the-table jobs are often exploitative and lack the labor protections afforded to individuals who can seek formal employment. One survivor describes their experience with work after exiting a trafficking situation and their vulnerability to further exploitation because they didn't have their work visa:

“

And even that job I had to leave because you know the environment, it was not a good environment... my "boss" that had hired me, he was actually just paying me below minimum wage and then even when it came time to pay me, he would always try to come up with an excuse or be like 'Oh yeah I'll pay you next week' or he would try to shortchange me and I'd be like 'You owe me more than this' and he would be like 'Oh...well I'll get it to you next week' and it was always just kind of like a fight to get you know the money that I had worked for and I had earned rightfully. **Survivor 3**

Unfortunately, the systems in place to support child labor trafficking survivors often do not adequately support the need to work. Foreign national victims without status often must go through extremely lengthy and complex processes to obtain legal status to work. In addition, due to their status as minors, education is often prioritized over employment in human trafficking programs, which is not in alignment with what many child labor trafficking survivors want. One provider explained: *They[victims] feel like they're a burden. They can't wait for the moment to turn 18 so that they can just start working and finding a sense of like self and identity”* (Midwest 1, Service Provider, Interview 4). Several providers mentioned the need to support young people who are not interested in or feel that they financially cannot afford further education, and the challenges they experience finding employment opportunities and careers for their clients.

“

And when we're talking about moving beyond; let's say someone isn't interested in further education beyond the K-12, then we're thinking about what are the work first development opportunities that would be relevant for youth and are we thinking beyond the spaces that we know we have easy access to opportunities? Like are we actually thinking about what people's careers might look like. And what is actually an equitable opportunity for them. And that's where I think we have a lot of work to do. **Midwest 1, Victim Service Provider, Stakeholder Interview 15**

Legal Remedies

Improved legal interventions are needed to protect child labor trafficking victims from criminal sanction and to provide legal relief in the case of civil actions. Legal relief for children who are compelled to commit crimes during the course of being trafficked can include children who are compelled by traffickers to commit criminal acts such as selling or transporting drugs, stealing goods, or engage in commercial sex acts – acts which financially benefit the trafficker – by force, fraud, or coercion. Providers expressed frustration that often in these cases, the child is treated as a perpetrator, and the need for children who experienced forced criminality to be recognized as victims and offered the requisite legal protections as a crime victim. One provider said:

“

I think also those getting criminal legal relief...To say we identify this person as a victim and we've identified that this crime is related to the trafficking and therefore should be dismissed. So, I think that definitely is a service that is needed...If they are currently facing a charge in court, and it is directly related to the trafficking, they could also get the charge dismissed based on this idea that it is forced criminality. **West, Victim Service Provider, Stakeholder Interview 5**

Accessing any sort of protection or legal remedy is challenging for all victims of child labor trafficking. Civil remedies can provide a source of financial security to help child labor trafficking victims navigate life after trafficking, but pursuing such claims requires resources and connections to legal support that most young people do not know easily have. Similarly, young people may not be in a good position to support criminal prosecution in those rare cases where labor trafficking perpetrators are arrested because they lack the stability in their lives to be able to reasonably cooperate with authorities. Foreign national children who have experienced labor trafficking and exploitation, but do not meet the legal threshold of “labor trafficking” by an adjudicator have few options for immigration remedies. Therefore, the perpetrator of labor trafficking financially benefits from the labor of the child and goes unpunished, and the child survivor is in the same place they were when they were initially recruited – undocumented, without work authorization, and with limited autonomy and resources. One provider explained that if a foreign national child without status doesn't meet the labor trafficking threshold there are few alternatives for immigration relief. *“If there's a decent asylum case we might pursue that if there's some other kind of case we might pursue that. But if there's nothing those people can be out in the cold”* **Northeast, Legal Advocate, Stakeholder Interview 1.**

Research Question 5: What are the challenges facing child-serving agencies, including child protection and law enforcement in identifying and responding to these cases?

Study Highlights

- Challenges to identification
 - There is an overall lack of knowledge about child labor trafficking not only among the public, but also amongst law enforcement, child welfare, and service providers.
 - There is a lack of reporting to law enforcement cases of child labor trafficking due to fear on behalf of the victim of being deported, being harmed by the trafficker or having a family member harmed, or overall distrust.
 - There is an overall lack of prioritization on behalf of child welfare to identify and assist children who have been labor trafficked. And, if they are identified, child welfare has few resources to assist those who have experienced child labor trafficking.
 - More awareness around what child labor trafficking is and how to identify it is necessary to dispel stereotypes about children from certain cultures and backgrounds experiencing “just work hard” or children who might be considered “bad kids” because of engagement in illicit activity as a child or adolescent.
- Challenges to Response
 - There is a large, unmet need for trauma-informed, survivor centered approaches and services which are currently lacking across federal, state and local systems (e.g. child welfare, criminal justice, immigration and education) and within service provision.
 - There are few age and developmentally appropriate approaches currently being practiced by service providers, and in some places, child welfare. Most trafficking services are geared toward older survivors and/or sex trafficking victims, and as a result, child labor trafficking victims aren’t being identified or assisted appropriately.
 - There is a dearth of low-threshold services available to children and adolescents who are labor trafficked if they don’t check certain boxes (e.g. evidence of sex trafficking, possess legal documents or certain visas, child welfare involved)

Stakeholders participating in the study spoke of multiple challenges in identifying and responding to cases of child labor trafficking. Although the previous chapter described the various ways that child labor trafficking cases are identified, as discussed below, several themes emerged across agencies and stakeholders that illustrate the difficulty and inability to identify and serve survivors.

Identification Challenges: The Need for Clear Definitions and Improved Awareness of Labor Trafficking

One of the most significant challenges to identifying and responding to child labor trafficking is lack of knowledge about labor trafficking in general and lack of understanding the legal definitions. There is a dearth of knowledge about child labor trafficking in the general public, making it difficult for communities to identify a child that is being exploited. Additionally, victims of child labor trafficking oftentimes don't know they are experiencing trafficking and that there is help available. Several survivors interviewed for this study expressed the importance of having accessible awareness material (e.g. flyers, brochures, social media PSAs) explaining child labor trafficking so more people are aware of the signs. One survivor explained the impact of the lack of knowledge about child labor trafficking had on her experience:

“

Yeah, that it's important to understand that the person that trafficked [them], they're not only strangers. Like it's a lot of times within your family or your friends. But it's important for the community to receive education and for them to understand what human trafficking really is. In my own experience, not knowing what happened to me or what it was—I'll say I could've had the case four years earlier, when I got out. My sisters could've prosecuted. So, the lack of knowledge and not knowing what trafficking was and what had happened to you affects you. And the lack of knowledge within the community will not let them see the signs and be able to help others. Creating outreach materials that are targeted for that community in a simple way. **Survivor 4**

Besides the need for enhanced community awareness, there is a significant need for law enforcement, service providers, child welfare workers and school personnel to gain more knowledge and understanding of how to identify labor trafficking. Those responding to or supporting individuals who are potential victims of crime need to be able to positively identify child labor trafficking to ensure proper response; however, many service providers and responders find identification confusing. One study participant shared the difficulty of navigating the difference between “chores” and labor trafficking:

“

The difference between this is normal chores that you could be expecting of a young person to do in a family context, even if it's like a business context...and what's the difference, like where does it cross the line from being exploitation into labor trafficking, especially when it's chores around the house and I think it's fairly common to expect kids to contribute. **Northeast, Legal Advocate, Stakeholder Interview 1**

There have been significant educational and training efforts conducted around sex trafficking, and many responders and providers in the field have a better understanding of sex trafficking compared to labor trafficking. As child sex trafficking statutes do not require proof of force, fraud or coercion, those who are trying to learn how to identify and respond to labor trafficking as well struggle with identifying and proving these elements with child labor trafficking. The lack of knowledge around how best to identify and respond to these cases can may explain the continued focus on sex trafficking. One stakeholder said:

“

Law enforcement is still mostly focused on sex trafficking. I think because with sex trafficking, there's the ease of not having to prove force, fraud or coercion that makes that an easier investigation, perhaps, for law enforcement. Whereas with child labor trafficking, with the force, fraud, coercion piece being relevant and then, of course, trying to parse through child labor exploitation and child labor trafficking. **Midwest 1, Victim Service Provider, Stakeholder Interview 15**

Since sex trafficking policies involve special provisions for minors, stakeholders suggest that under-identification of labor trafficking is not necessarily due to agencies caring less about this crime, but because they lack knowledge of the legal framework to adequately distinguish trafficking from labor violations or other abuses. One stakeholder explained:

“

*Yeah, I would say like that's the hard part of labor trafficking it's just there's the spectrum between exploitation and trafficking and it's like someone might say, this is trafficking right, they're taking wages, the work conditions are horrible. But what crosses over into trafficking can be very blurry at times, even for law enforcement. And that's why those cases are even harder to identify and prosecute kind of go through that process more than sex trafficking, in my opinion. **Midwest1, Victim Service Provider, Stakeholder Interview 17***

Due to the timing of this study during the Covid-19 pandemic, stakeholders identified numerous challenges for agencies in identifying and responding to survivors of child labor trafficking were compounded by logistical barriers that arose during COVID. The impacts of the pandemic on organizational efforts (including identification,

service provision, and training) was a common theme discussed by stakeholders. Identification efforts were particularly impacted as youth programs had to close, and stakeholders were not able to conduct education and outreach as they had done prior to COVID. Strict restrictions on visits to detention centers, youth facilities, and other programs negatively impacted the ability to identify and build cases with these victims. One stakeholder described the impact COVID had on their ability to respond to child labor trafficking:

“

*I would say we are on a slight decrease right now, coming out of the pandemic there are just fewer places that children are getting identified, with just fewer instances of community interaction. So, I would say with school and the courts all shut down, opportunities for referrals out of court, all of those things just ground to a halt for a little while. Do I think that means exploitation stopped, absolutely not. But I do think that it was harder to get referrals. Because again, we're not first responders, so it takes someone usually coming into contact with someone, and then either that word of mouth referral or social services referral to get to us. So, I will say there has been a decrease in referrals and identification. **Midwest2, Legal Advocate, Stakeholder Interview 12***

Identification Challenges: Lack of Awareness and Prioritization of Labor Trafficking

There is a misconception that labor trafficking is not as serious of an issue as sex trafficking, and that people are just working in difficult circumstances, which is fine because they're working. Culturally, hard work is promoted as a virtue regardless of the situation. In addition, there is a belief that labor trafficking would not cause the same trauma, and physical and emotional harm as sex trafficking; therefore, it is not often seen as a priority and services reflect that perception by focusing on sex trafficking. This perception significantly impacts anti-trafficking response to child labor trafficking. When asked if there were any agencies in their community that would be a good source of referrals for young people, one provider said:

“

I feel like sometimes human trafficking programs are built to serve domestic victims of sex trafficking, and then they want to, tack on, like foreign nationals and labor, knowing nothing about labor, and not being culturally aware. **Midwest2, Legal Advocate, Stakeholder Interview 11**

The quote from the provider above highlights the challenge of programs that focus on sex trafficking including labor trafficking survivors in their programming, particularly if the survivors are foreign nationals. As illustrated elsewhere in this report, there is a need for specialized services to support child labor trafficking survivors. The need for knowledge building around labor trafficking was present in many interviews. Several providers explained that education around the impact of labor trafficking is greatly needed.

Some providers who would traditionally support children such as child welfare do not respond to instances of labor trafficking because it happens within the workspace, and they don't understand that often the traffickers are relatives or guardians. Stereotypes and beliefs about immigration can also negatively impact labor trafficking response. One provider succinctly described these challenges:

“

A lot of times, it's more of this just like hands off, like maybe report to DOL or other related agencies because it's not viewed as abuse or neglect. It's because they're thinking of more of this work environment, right? They're not thinking this is abuse and neglect by the employer, family, etc. So, I think there's just a hyper focus of sex trafficking right? Because that deals with sexual abuse. I've had also just this stigma of like immigrant-It's this idea, that like immigrants are coming because they want to, or they're working because they want to and so it's just like we don't need to help them because they kind of put themselves in the situation. I'm thinking of CPS, that is one of the other agencies that heavily needs training on why child labor trafficking is just as significant as sex trafficking and CSEC. Midwest 1, Victim Service Provider, Stakeholder Interview 17

Systems that are already tasked with responding to child sex trafficking expressed fatigue and exhaustion about taking on the complex and challenging issue of child labor trafficking.

“

A lot of technical assistance I do with other programs, they just defer to law enforcement and are so overwhelmed because of [lack of] capacity that they're not looking... they're so overwhelmed by sex trafficking victims they're like why would we go looking for another type of victim right, and so I think because of our growth in funding and our diversity of funding and...And then also just kind of me, knowing my role better and getting frankly better support from our funders like OVC to say no, this is not right, like you can advocate for this and we're going to make sure that HSI does give CP sometimes that kind of thing I think has also been helpful. Northeast, Victim Service Provider, Stakeholder Interview 3

Response Challenges: Lack of Trauma Informed, Survivor Centered Approaches

When child labor is identified, stakeholders struggle to provide trauma informed, survivor centered approaches to support child labor trafficking survivors. There have been efforts in the anti-

trafficking response to integrate trauma informed care and survivor centered approaches throughout agencies with which survivors may interact, such as victim service providers and law enforcement. However, one survivor describes the need for trauma informed approaches to be standardized and more widely utilized:

“

My hope for the future is...that the society stops treating survivors like they're trash and damaged goods. Not just like you're trash. But they treat you, and I have experienced it a lot, like a lot of people treat me like I'm not smart, or just because I survived that I cannot do things, or that the only important thing that I have in my life is my story which is not true. So, I wish that that would change, and people understand what is [being] trauma-informed, actually. Because they talk a lot of trauma-informed but in my experience, it's hard to find that trauma-informed person where they completely understand what the normal reaction is from someone that lived through trauma. And they don't treat you as mentally ill or disabled. Survivor 4

Similarly, service providers struggle to ensure survivors can access services that are trauma informed. Staff turnover and capacity and the subsequent need for regular training, can inhibit the ability to maintain a high-quality trauma informed approach. Other agencies providers work with may not offer trauma informed care. One service provider described their frustration with child welfare services and the need for dedicated personnel for trafficking survivors:

“

I love the suggestion that DCFS have a dedicated trafficking survivor team. There is somebody who is there who works on this, but somehow they don't seem to refer the cases to her. I never worked with her on a single one of our trafficking client cases. I've only met her at conferences, so I don't understand why she's not helping to identify and navigate these cases in a way I'm sure that these clients are receiving trauma informed care. Midwest 1, Legal Advocate, Stakeholder Interview 14

Special Issue: Challenges with Child Welfare System Responses

Multiple providers spoke of the challenges of engaging and collaborating with child welfare systems around child labor trafficking. Child welfare agencies could provide essential services to child survivors; however, interviewees described several barriers making it difficult to collaborate and access their services. Similar to other agencies noted above, there is more of a focus and understanding around sex trafficking. One provider said, “They’re (child welfare) generally thinking about sex trafficking more than they are labor, so really like just being able to reflect on that” (Midwest 1, Victim Service Provider, Stakeholder Interview 15)

Another barrier stems from the nature of the child welfare system – fear of being removed and separated from family – preventing children from accessing help. One service provider demonstrated this fear suggesting when children call their hotline and the provider explains that they are mandated reporters, they hang up and don’t access the help they need. “Because we have a hotline number...we were getting calls from like minors over the phone and the moment we tell them that we had to make a call with DCFS, they’d hang up” (West, Victim Service Provider, Stakeholder Interview 8).

Another significant barrier in engaging and collaborating with child welfare around labor trafficking is related to the intersection of immigration and labor trafficking. Several providers spoke of the challenges faced by foreign national children in the child welfare system. One challenge was the disbelief in children’s stories and child welfare workers believing they are lying to obtain legal status. One provider said, “And so they told me it was unfounded, and then they also said again, the case manager said ‘I’m pretty sure she just wants to stay here and get you know a visa and just live here like she like it’s like as if she was trying to play the system’” (Midwest1, Victim Service Provider, Stakeholder Interview 17). Other interviewees discussed the challenge of labor trafficking not being taken seriously and how children who are receiving child welfare services are still scheduled to be deported. Unaccompanied minors and other children may not be living with their parents or guardians. They may be living with sponsors approved by the federal government. Some service providers explained that it was challenging to

engage child welfare in finding safer environments to live in, even if the sponsors or other caregiver was involved in trafficking or abusive in other ways. One provider shared:

“

For instance, for foreign born youth in particular, when we think about sponsors and people they might be living with that are not parent or guardian. We have seen circumstances where maybe that wasn’t necessarily the best home environment and maybe there were concerns for safety that were even unrelated to trafficking. But because there was no other individual for that youth to live with, we’ve faced a lot of challenges with child welfare to try to get them into a safer environment. Midwest1, Victim Service Provider, Stakeholder Interview 15

Response Challenges: Few Age/ Developmentally Appropriate Approaches

Another common identified across stakeholder and survivor interviews was the need for age and developmentally appropriate approaches to working with children who experienced labor trafficking. While there are systems in place to address human trafficking, it often does not meet the needs of young people who require different and more long-term support. One provider spoke of the need for children to have their own system that would better meet their needs developmentally by extending the length of time they receive financial assistance and defer any immigration action until after they turn 18:

“

I just think that children merit their own system, and I don’t understand why that can’t be a bipartisan, something that broadly folks can get behind. Those kids also should have T-VAP funding, or whatever kind of federal funding, for a longer period, until they’re 18 even, like that’s not such a big ask. I mean, could you defer enforcement for everybody until they turn 18, could you just give them work... defer enforced departure until they’re 18. Midwest2, Legal Advocate, Stakeholder Interview 12

Anti-trafficking programs are often set up to serve the needs of adults and not children. Many providers recognized that supporting child survivors of trafficking is different than adults due to their developmental stages.

Teens and youth can be hard to get concrete details from. They don't know what information to provide to "check all the boxes of trafficking," and may withhold some information thinking it is not important. Service providers need to be trained to interview youth survivors so that they are getting the information they need. This theme was evident in several survivor and stakeholder interviews. One provider explains:

“

I've seen that in different youth labor cases where they'll jump over some really important parts because, like "Why would you even want to talk about this", "this is so boring...to get back to like the details that I said about the chores, "why do you want to talk to me about how much time I spent mopping the floor, don't you have anything better to do lady. Northeast, Legal Advocate, Stakeholder Interview 1

Survivors and service providers spoke of the importance of mental health support that is specific to the traumas experienced by child labor trafficking victims. Survivors of child labor trafficking experience trauma during their formative development years, so a skilled clinician is required to help mitigate the harms of labor trafficking and exploitation on development and healthy emotional growth.

Response Challenges: Few Accessible Services for All

Interviewees reported challenges with survivors accessing services due to agency restrictions in whom they are allowed to serve. Often these challenges were due to the mission or requirements of the agencies, preventing some survivors from qualifying for services. For example, service providers were only able to serve certain populations, such as female sex trafficking survivors, leaving survivors of child labor trafficking without access. Male survivors seem to have fewer options, and the lack of agencies serving children was also a barrier. One provider explains that they try to maintain a "low-barrier" to service access, unlike other providers:

“

Our calling tends to be very low-barrier. They go through a screening process and then we're able to immediately assist if they qualify, but a lot of agencies are kinda like "Are you experiencing homelessness? Are you a female? Oh we don't provide services to males"...you're referred out.

West, Victim Service Provider, Stakeholder Interview 6

Another provider spoke of the lack of services for children in general, and those that did serve children focused on a particular demographic group. In addition, there is limited support for children who were forced to commit illegal acts.

“

I think the most common barriers were just agencies who didn't serve kids, that just wasn't their mission, or if they were able to serve children it was very focused on girls, and then kind of cultural barriers were pretty significant issues across the board. And seeing kids who especially were involved in criminalized labor as victims rather than delinquents, essentially. So, I think that's still a learning curve that we have as well. Midwest 2, Legal Advocate, Stakeholder Interview 12

One survivor spoke of the need to be able to identify accessible services prior to using them. They recommended that there be information available about agencies survivors are being connected to through the human trafficking hotline so they can determine if it would be a place that is inclusive and affirming beforehand. The survivor explained:

“

That has been one of the biggest things I've noticed with survivors that I've worked with is even when they get connected with services through the human trafficking hotline, oftentimes the people have religious ulterior motives and it turns out they're not really trauma-informed. So, I think having a designation -- is this service provider religious or not, are they open and affirming of LGBTQIA people, what kind of equity-type trainings have they done, what's their inclusion policy...

Survivor 10

Special Issue: Impact of Immigration on Accessing Services

Foreign national survivors of child labor trafficking experienced additional barriers to accessing services. Several providers mentioned the need to improve trauma-informed and linguistically appropriate service delivery. One provider explained, “...there is the other additional barrier of language capacity that comes up and when someone is having a trauma response—in a crisis, in the immediacy of that; without someone speaking the same language, it’s almost impossible to be supportive. And so those kinds of things have been particularly hard” (Midwest1, Victim Service Provider, Stakeholder Interview 12). Another barrier is the lack of resources available to foreign national children, particularly if they do not have legal status or continued presence. There is very little they qualify for and providers are not able to assist them. One example is children who have been trafficked in countries other than the United States. When children come to the US after being trafficked in another country, they can receive an “eligibility letter” even though the trafficking occurred elsewhere. However, that makes them ineligible for resources available to those who were trafficked within the US. One provider explains:

“

The other weird kink, or like tricky thing, is that eligibility letters for children can be issued related to trafficking in any country at any time in their life. Which could mean that they’re eligible for an eligibility letter, but not for a T-Visa, not for a U—you know what I mean, no immigration relief, so again, why... there just need to be its own carve out, then, right. We’ve identified you as a minor and a trafficking victim, so you get deferred action, or something, because then if you’re throwing a child at me who potentially is a trafficking victim but is not eligible for any of the immigration relief I can seek for them, then we’re doubly screwed... Now what? **Midwest 2, Legal Advocate, Stakeholder Interview 11**

Some stakeholders and survivors described additional fears of reporting to law enforcement generated by the trafficker as a means of control. Traffickers regularly threaten survivors with law enforcement and deportation to control their behavior. Some study participants explained that they were scared to engage with law enforcement after they knew they experienced a crime and had support in the reporting process because traffickers insinuated that law enforcement was not to be trusted. One survivor described their experience:

“

But after that, we thought about it but sometimes we were just like—when we understood it was a crime and when we understood we could report it, it was very scary to go to the police. It was extremely, extremely—it was just like no, no, no, no. Because also in the time that we lived with her, she called the police the demons. So, everything that is authority she called the demons. I know it’s crazy, but they were the evil and she was the good. So going to the police was a no-no back then. You can drag me, but I won’t say anything. **Survivor 5**

Challenges to Prosecution

In addition to identifying challenges to the identification and response to child labor trafficking, we outline challenges specific to the prosecution of child labor trafficking cases.

Fear and Lack of Trust of Justice System Due to Prior Negative Experiences

Another challenge for law enforcement engaging survivors of child labor trafficking is prior negative experiences causing a lack of trust in police and courts. In some cases, survivors have reported things to the police in the past and were not treated well or they were dismissed, so they are less likely to report again or engage in process. BIPOC communities have had severely negative and dangerous interactions with law enforcement and the criminal justice system, causing a strong sense of distrust and sometimes eliminating law enforcement as an option when help is needed. One stakeholder describes the benefit of supporting their clients should they engage with law enforcement:

“

We have communities of color that are over-policed and that are at risk, and so you know we certainly, we've had lots of clients who are shocked when they have the opportunity to report their trafficking and how they're treated because it's so fundamentally different from how they've ever been treated by law enforcement before or how they've ever seen people in their neighborhoods get treated by law enforcement...and that's partly because we're there right? I mean they have an attorney there. We're talking to the person from the task force who's kind of set up to take the take the report... We have lots of clients who are not interested in prosecution at all. **West, Victim Service Provider, Stakeholder Interview 5**

Trafficker is Family Member

Another barrier for law enforcement to engaging survivors in the investigation and prosecution of child labor traffickers is that many child labor traffickers are family members of the victims. One of the challenges with the anti-trafficking response system is that justice for survivors is often tied to the criminal justice system, and that may not be what survivors perceive as justice.

This is particularly true for individuals who were trafficked by their caregivers or other family members. Interviewees report a combination of not wanting their family member arrested and the fear of law enforcement that was instilled in them by the trafficker as reasons for not wanting to seek prosecutorial type justice. One survivor described having mixed feelings about seeking justice through law enforcement, *“I wanted to get law enforcement involved, then I just say no, I like it like this. I don't have trouble. My mom back in [name of country] is not in trouble, and so it is better because everybody is at peace”* (Survivor 2). Similarly, when asked about children wanting prosecutorial justice when the trafficker is a family member or a sponsor, one stakeholder explained:

“

No, they never want to seek justice. They just want to move on with their lives Especially a lot of their sponsors, they're family. And a lot of them have family still in their country. So yeah. Their family helped him cross the border, like there's expenses to cross the border, and then to get detained at the detention center...so they don't want harm towards their family in their country, **West, Legal Advocate, Stakeholder Interview 9**

Lack of Collaboration

When police connected vulnerable individuals with services and maintained strong working relationships with local providers, they positively impacted identification efforts even if they were not the ones to identify the youth as a trafficking victim. However, even though collaborative efforts are useful within local communities, some providers describe how efforts to elevate these identification strategies to the state or federal level have fallen short since only a handful of individuals really understand and care about the issue.

Many providers that we interviewed had a strong network of other individuals or organizations that have been crucial in identifying victims and providing services. The following stakeholder expressed the most concern about forced criminality of youth, and described that while these victims are currently under-served, they are actively addressing issues in identification through partnerships with legal officials and government agencies.

“

There was one [forced criminality] case where ultimately the individuals got a private attorney, and that private attorney reached out to us. I think sometimes it can come through the public defender's office like when we have done training. The public defenders office is defining it better and we have a specific referral system that is specific to them where they can reach out to us directly. Gosh I would also say, and then my hope is, one of the big pushes for us even getting this grant with the office of child protection is in the hopes that they will do better at identifying those cases and refer more cases that are not just the sex trafficking of children but specifically forced criminality as a form of labor trafficking. **West, Victim Service Provider, Stakeholder Interview 5**

Overall, stakeholders discussed in the importance of collaboration and partnerships with other agencies for identifying victims of child labor trafficking. However, they argue that these cases remain largely under-identified. This is not necessarily due to a lack of caring, but many of these partners do not have the framework to understand what labor trafficking looks like for youth because they focus on sex trafficking. Since sex trafficking policies have a special provision for minors which waives the need to prove coercion, existing screening tools are not designed to distinguish when labor becomes exploitative, and when exploitation becomes trafficking for youth. Identifying that a youth was coerced into trafficked instead relies on the discretion of individuals within these organizations- who often lack knowledge about this crime.

4. Recommendations and Conclusion

Many of the findings in this report suggest that not only do existing federal, state and local systems need a number of improvements and enhancements, but also new policies, procedures, and systems need to be created to better prevent, identify and assist victims and survivors of child labor trafficking. As a result, the following recommendations section is divided into two subsections: 1) recommendations to improve current systems and 2) recommendations to create new systems and procedures to prevent, identify and assist survivors of child labor trafficking.

1. Recommendations to Improve Current Systems

Child welfare system: Our research indicates that child welfare systems are largely not responding to child labor trafficking cases. Our study showed that over 30% of child labor trafficking survivors—both US citizen and foreign national—were trafficked by their parents or guardian. Almost 50% of victims lived in the same home as their trafficker (“adult caretaker”). If child labor trafficking was categorized as discreet form of abuse or neglect, it would fall under the mandate of the child welfare system. Yet, only 17% of identified victims were child welfare involved prior to their recruitment into labor trafficking. Additionally, our research shows that child welfare professionals tasked with responding to child trafficking focus primarily on child sex trafficking.

The child welfare system is one of the largest child-serving systems operating in every state. Due to its mandate, child welfare professionals have a distinctly high

potential to identify child labor trafficking survivors. Recognizing this, federal legislation (Strengthening Response to Child Sex Trafficking Act 2014 and Justice for Victims of Trafficking Act 2015) and state safe harbor laws have mandated local child welfare agencies to create distinct allegations of sex trafficking as a form of child abuse to improve identification and specialized services.

While these legislative measures have increased identification of child sex trafficking victims, it is still unclear if the services provided in the child welfare system are optimal for child labor trafficking victims. Research indicates that child welfare engagement, specifically placement in out of home care such as residential facilities and foster care, can put children at even higher risk of being trafficked (Latzman et al., 2019, Gibbs et al., 2018). Significant changes are needed to child welfare programs across the country if they are to adequately service child labor trafficking victims.

Child Welfare System Recommendations:

1. Revise existing federal and state legislation to include child labor trafficking as a form of child abuse.
2. To better identify child labor trafficking victims, state and local level child trafficking specialists should be hired, trained to identify, and equipped to assist these youth. Several screening tools have been developed for use in child welfare settings, and although most of them screen for sex trafficking, there are several that also screen for labor trafficking (Charm, Latzman, and Gilot 2022).

State-level child welfare leadership should require that all child labor trafficking specialists be trained on how to administer one of these screening tools for all child welfare involved youth.

3. Unaccompanied minors who are placed by the Department of Health and Human Services with a family member or guardian should be tracked by local and state child welfare agencies and monthly follow-ups should be conducted to ensure that the child is safe, attending school and being properly taken care of. More funding is needed for home visitations and overall better oversight from HHS on post-release sponsorship.
4. Foster care placement can be difficult due to several factors (language, lack of interest in fostering, no experience working with kids with past trauma) so finding suitable alternatives should be a priority for the child welfare system. This includes providing housing and holistic, wrap-around services specifically for youth who have experienced labor trafficking. Adequate safe housing should be available to all genders and include on site skilled mental health clinicians who understand the trauma associated with child labor trafficking.

Immigration system: Accessing legal protections and even a hearing before an immigration judge can take several months to several years. Stakeholders working with foreign national children and labor trafficking survivors we spoke with frequently referenced the limitations of securing legal employment while undocumented. Because many of the children entering the US unaccompanied feel the pressure to earn money to send home to their family, pay off a smuggling debt, and/or support themselves, obtaining legal work authorization is one of the primary needs stated by most of these youth. Not having work authorization was cited as a factor that contributed to labor trafficking—relying on the trafficker or third party to provide employment, often “under the table” or with false identification. Moreover, without work authorization or access to services and public benefits requiring legal status, undocumented

children are more dependent on “bad actors” who are exploiting and trafficking them. Children are also more easily vulnerable to coercion and threats of the legal process, as fear of deportation is often used to control and compel labor as part of labor trafficking schemes.

- Our research shows that there are many misconceptions about child labor trafficking by almost all stakeholders and first responders working with foreign national children, including shelter providers, immigration attorneys, immigration officials/adjudicators, immigration judges, and officers screening for trafficking. Because labor can be performed “legitimately” by children (older adolescents), discerning what situations rose to the level of labor trafficking was often difficult.
- The Office of Trafficking in Persons (OTIP) makes clear in their training materials that forced criminality is a form of labor trafficking, and that migrant children who have experienced labor trafficking in the form of forced criminality are eligible for humanitarian relief as a potential victim of human trafficking. It is unclear if this same analysis and protection occurs in other governmental agencies working with migrants, including USCIS, EOIR/Dept of Justice, and Department of Homeland Security (HSI and CBP).
- Our study showed that most child labor trafficking victims were also victims of other parallel types of labor exploitation. The remedies for labor exploitation (consensual exploitation) largely fall under civil (labor) remedies, whereas labor trafficking violations (non-consensual exploitation) are also be pursued criminally. Given children’s developmental differences from adults in assessing risk, discernment between what is consensual versus nonconsensual is challenging. Therefore, we recommend that any findings of labor exploitation of children be considered for protections akin to labor trafficking.

Immigration System Recommendations:

1. The Department of Homeland Security should assume coercion in situations where child labor is exploitive and in violation of the Fair Labor Standards Act. To access protection in the criminal justice or immigration system, a child victim of labor trafficking has the same burden of proof as an adult trafficking victim—a showing of force, fraud, or coercion. Unlike child sex trafficking, the “means” of exploitation are the same for children and adults. The interpretation and analysis of these terms, particularly “coercion,” often does not consider the developmental differences between children and adults. In our study, survivors often stated that they felt like they had little other options, because the adult who was trafficking them was also providing other essential services necessary for survival, such as housing and food. Children are socialized to do what an adult, especially a family member or caregiver, tells them to do.
2. Department of Homeland Security (DHS) should grant work authorization to foreign-born minors within a certain age range, which will allow them to apply for age appropriate, legal work.
3. Increase training for service providers and adjudicators working with migrant children on child labor trafficking. Harmonize trainings and guidance across all governmental agencies and departments and ensure child labor trafficking training includes forced criminality as a form of labor trafficking.
4. Our study shows most of the victims of child labor trafficking are also victims of child labor law violations, and that the trafficking often begins with child labor law violations, and then escalate to labor trafficking. Children should not wait for the child labor trafficking to occur in order to receive protections and/or remedies, regardless of their immigration status. Expanded civil remedies and protections (labor, immigration) should be immediately available to all victims of child labor violations and labor exploitation. This provides stronger accountability measures against perpetrators of crime, as well as protections for child victims of crime.
5. Recently, the Department of Homeland Security issued new guidance allowing noncitizen workers who are victims of, or witnesses to, the violation of labor laws, to access a streamlined and expedited deferred action request process. While deferred action is not a visa, it does provide work authorization and protection from deportation – both protective factors for child labor trafficking survivors. While this is a promising step, we know from our study that existing remedies are often difficult to obtain because of processing delays or arbitrary analysis as to what constitutes the crime of child labor trafficking (or here, any labor violation). This new policy will need to be monitored and evaluated to determine its efficacy.

Educational system: All children in the United States have a right to a free public education, regardless of their immigration status. However, most of the youth in this study (77%), both U.S. Citizen and foreign national, were denied access to education at some point by their trafficker. This demonstrates that the current system in place to track whether school-age children are attending school or being home-schooled is failing and needs to be strengthened.

Interviews with stakeholders and survivors also showed that for many youth (especially older adolescents) struggling with poverty and/or, attending school is often perceived as a less viable option in comparison to employment opportunities during business hours. For those youth who can attend school, even sporadically, more resources need to be provided to not only identify child labor trafficking but also assist those who are experiencing it and connect them to appropriate services. Schools should also provide opportunities for training and career development that would help youth at risk of exploitation have more transferable skills and ultimately choices in their future employment.

Educational System Recommendations:

1. School counselors and resource officers, in addition to child welfare case workers, should not only identify which youth aren't attending school but the reasons why they are not attending. These case workers, counselors and resource officers should be, at a minimum, trained on how to administer a labor trafficking screening tool to identify and refer youth who screen positively for labor trafficking.
2. For those youth who are able to attend school while being trafficked, more education and awareness for both school personnel (e.g. teachers, counselors, resource officers) and students on the indicators and signs of child labor trafficking, including forced criminality, need to be added to middle and high school curriculums. Additionally, multi-lingual counselors should be available in schools, and they should specifically reach out to recently migrated youth to ensure that they are assimilating ok and their needs are being met in their home.
3. Explore Job corps and workforce development programs where youth can learn valuable vocational skills and gain safe, lawful employment during the day, while they earn their GED or access other educational services in the evening.

Punitive Systems: Many of the young people in this study were involved in punitive systems, including being detained by immigration authorities for unlawful entry into the US (50% of agency cases) or forced to traffic drugs (10.5%), street peddle (5.3%), steal (4.5%) or physically harm another person (4.5%), which led to juvenile justice/criminal legal system intervention. While our TVPA and TVPRA recognize that trafficking victims forced to commit crimes should not be punished, forced criminality is rarely included as an example of labor trafficking in trainings and other professional development materials for professionals in the criminal legal system, including prosecutors, investigators, and judges. For children who are forced to commit criminal activities for their traffickers, our study shows they will instead be more likely to be treated as a perpetrator of a crime or labeled a child in "conflict with the law." Once thus labeled, the child may be placed in a restrictive detention facility, which further harms the child.

Moreover, our research shows that many key stakeholders in the criminal legal system were unaware or unsure about labor trafficking in general, and specifically child labor trafficking. More training and coordination need to occur related to labor trafficking. Training also should include operationalizing methods to identify victims, investigate and prosecute cases. This can include revised intake procedures, screening questions, and labor trafficking indicators as part of law enforcement protocols, including local, state and federal agencies.

Punitive System Recommendations:

1. Law enforcement, public defenders and immigration and juvenile detention facility personnel should screen for forced criminality at the point of arrest and/or court involvement and detention facility personnel should screen those youth who are already detained. They should specifically screen those minors who have been arrested for drug offenses, begging, theft, credit card fraud, gun possession and other violent crimes. Additionally, they should routinely screen minors arrested and detained by immigration police for unlawful entry into the U.S.
2. Apply a developmental lens to the analysis of “force” and “coercion” in labor trafficking cases. As part of training on child labor trafficking, stakeholders and first responders across all law enforcement agencies should receive guidance and training on the developmental capabilities of children to perceive their options, assess risk, and make decisions in contrast to adult capabilities. This knowledge will help them interpret facts of a potential case and the term “coercion.”

Healthcare system: Our findings highlighted that many child labor trafficking victims are working in hazardous conditions and are often denied medical care. More specifically, roughly a third of victims worked in hazardous environments without proper equipment, a quarter of victims were denied access to safe and free drinking water or other facilities and 31% were denied access to medical care. Victims were denied medical care for malnourishment, sexual and physical abuse, illness, or injuries sustained on the job. Although the cases we coded didn't identify a lot of severe workplace injuries, such as loss of limbs or severe burns, anecdotally we know these injuries are not uncommon among child labor trafficking victims.

Healthcare System Recommendations:

1. Build awareness and train pediatricians and pediatric hospitals on child labor trafficking, and common injuries and illnesses associated with child labor trafficking.
2. Hospitals and clinics should have policies in place to respond to child labor trafficking, in addition to instituting the six core competencies for human trafficking response in health care and behavioral health systems.
3. Ensure that there are awareness materials in different languages in buildings, factories, construction sites and other places of work with information on how to contact a medical health professional.

Department of Labor: The Department of Labor (DOL) has the opportunity to pursue child labor trafficking cases and to hold perpetrators accountable under both the Fair Labor Standards Act (FLSA) and the Occupational Safety and Hazards Act (OSHA). Our research shows that child labor trafficking exists in several labor sectors, including but not limited to, manufacturing, agriculture, and entertainment. Stakeholders frequently cited the Department of Labor's limited capacity and resources restrained inspectors to investigate these cases and hold perpetrators accountable. It is unclear how often labor inspectors are actively collaborating with existing human trafficking task forces and what role they play in identifying labor trafficking cases.

The launch of a new, Department of Labor Interagency Taskforce to Combat Child Labor Exploitation and National Strategic Enforcement Initiative on Child Labor was created since the onset of our study. The task force is comprised of both Department of Labor and Department of Health and Human Services personnel. They have announced several “actions” that are included in our recommendations, including raising penalties and fines for violations of child labor, and providing “know your rights” trainings to migrant youth. The interventions and remedies currently being considered and implemented by this task force are beyond the scope of this study and require further exploration.

Our study showed that there is prevalent misunderstanding and confusion over the distinction between child labor violations, child labor exploitation, and child labor trafficking. Our study shows that most child labor trafficking victims were also victims of child labor exploitation and child labor law violations. Both exploitation and trafficking can intersect as someone is unlawfully financially benefiting from child labor. Child labor trafficking victims may also be victims of other child labor violations and crimes, including wage theft, health and safety hazards, and inappropriate work hours.

Both child labor exploitation and child labor trafficking involve unjust and harmful situations for children that results in unfair benefits for employers. Both have detrimental effects on the health and well-being of children. Therefore, both child labor exploitation and child labor trafficking crimes should be considered as part of the identification process to inform and potential legal remedies, protections and services the child may be eligible under labor, civil, and criminal laws. In fact, DOL uses the terms "human trafficking" and "labor exploitation" interchangeably. See <https://www.dol.gov/agencies/oasp/resources/trafficking>.

Our study shows that youth, particularly older adolescents, often need and want to work for financial security. However, they obviously don't want to be exploited or trafficked. They are often dependent on their traffickers or exploiters to finding a job, whether in the legal (often unregulated) economy, or the illicit economy. More opportunities for youth to find employment that is developmentally appropriate and safe, teaching important skills and independence, can prevent child labor trafficking and exploitation. Examples of these programs include the Dept of Labor JobCorps and its companion, Civilian Conservation Centers, operated by the Forest Preserves in rural areas, that provide qualifying youth a free residential, no-cost education and vocational training program administered by the U.S. Department of Labor to help youth ages 16-24 improve the quality of their lives by empowering them to get great jobs and become independent. Eligibility for these programs requires U.S. citizenship, or legal status such as a T visa or asylum, or DACA, or other designation that authorizes an individual to work in the United States. As such, undocumented minors currently do not qualify for this program.

Department of Labor Recommendations

1. Increase capacity of Department of Labor to respond to CLT. This would include assigning additional resources to DOL to conduct training on child labor trafficking, increasing the number of investigators and investigations enforcing child labor laws, and developing protocols to collaborate with other agencies, organizations, and task forces dedicated to anti-trafficking work to ensure children's rights are being protected.
2. Understand and clarify the distinctions between various child labor crimes/offenses, child labor exploitation, and child labor trafficking. Moreover, it is important to train all stakeholders about the laws, rights, and remedies for all of these labor violations as they relate to children. For example, not all identified human trafficking cases are prosecuted under TVPA/TVPRA laws, due to a variety of factors including available evidence, cooperation of the victim-witness(es), location of the perpetrator, agency resources, and other strategic decisions. Similarly, we don't need to wait for a child labor violation to rise to the level of labor trafficking to intervene. Stakeholders and service providers working with youth should consider the rights and remedies under the full spectrum of child labor violations, which include child labor violations, labor exploitation, and labor trafficking.
3. Increase accountability for violators of child labor laws. When labor inspectors do intervene in child labor, exploitation, or trafficking violations, the fines associated with these violations are insignificant compared to profits made by the employer. For example, the maximum civil monetary penalty under current law for a child labor violation is \$15,138 (DOL, nd) This creates a situation where employers can engage in child labor violations and even child labor trafficking with impunity from civil agencies.
4. Assess capacity of workforce development programs as part of service matrix for child labor trafficking and consider expanding eligibility to qualifying foreign national minors.
5. Given the number of undocumented minors who are exploited for labor in our study and in recent investigations, the US government should consider expanding work authorization to eligible migrant youth, particularly those who are being released into U.S. communities after being in the care and custody of the federal government.

2. Recommendations to Create New Programs and Procedures to Prevent, Identify and Assist Survivors of Child Labor Trafficking

The following recommendations are primarily programmatic focused. We would recommend piloting the ideas locally, using a stepped wedge cluster randomized control trial design to measure effectiveness and scalability.

- a. **Targeted outreach and awareness materials for specific communities.** Some of the survivors interviewed for this study mentioned that if there was some awareness brought to the issue of child labor trafficking in their schools, they might have reached out for help. More specifically, they discussed how CLT looks different in different communities and cultures. For example, the types of work and abuse those might face while living within certain religious communities looks different from the types of work and abuse that youth living in immigrant communities might experience. Thus, CLT outreach and awareness materials geared towards specific types of communities and cultures should be created and distributed in schools, after school programs, local businesses and communities.
- b. **Work and career development programs in public middle and high schools.** Not working was not a viable option for most youth in this study. Whether they were sending money home to their families overseas, paying off a smuggling debt, supporting their siblings in the U.S. or just trying to survive on their own, earning money was an imperative and as a result, many of the youth were “willing” to work in abdominal conditions. In order to minimize the exploitative jobs that many of these youth end up working in because of their age, immigration status, and/or juvenile justice history, work and career development programs should be developed and implemented in public middle and high schools. It is important to note that the average age of the child labor trafficking victims in this study was 14, which means that youth are often working while or when they should be attending middle school. The work and career development programs would not only focus on training youth for the part-time workforce, but also help them find and maintain minimum wage paying (or more) jobs while also attending school. Additionally, financial literacy courses should also be required as part of these programs.
- c. **Safe, rapid, subsidized alternative housing options for minors.** Almost 50% of victims lived in the same home as their trafficker and had few housing alternatives outside of the child welfare system other than waiting until they could enter a runaway and homeless youth shelter at age 15 or 16. Safe, rapid, and subsidized alternative housing options should be provided to minors within working age, regardless of immigration status. Access to this housing should not require a parent or guardian giving permission for the young person to live there.
- d. **Immigration attorneys/law school clinics working with and in schools (including night and vocational schools).** Immigration attorneys and law school clinics should work with and in schools (including night and vocational schools) to assist minors with work authorization, U and T visa applications and expungement of charges related to their trafficking experience, including forced criminality. These clinics should be concentrated in communities with a high number of unaccompanied minors and immigrant families and justice involved youth.

3. Recommendations for Future Research

Finally, we identified numerous gaps in our current understanding throughout the course of this study that call for additional research. We note four main areas where additional research and exploration is needed.

1. More research is needed on specific populations of young people who may be at heightened risk for exploitation such as young people with physical and intellectual disabilities. Although we identified some such cases in our study, we know less about the ways that a young person's disability is exploited for economic gain or to keep young people in conditions of abusive labor. Disability is not routinely screened for by legal advocates, law enforcement, or others who may be looking out for labor trafficking and as a result is likely under identified. Knowing a person has a disability may be critical for providers to offer appropriate services or advocate for particular needs. Understanding more about the vulnerabilities faced by young people with disabilities and the ways that exploiters may manipulate young people because of their disability will help improve identification and inform efforts to prevent victimization.
2. This study identified numerous cases of familial trafficking where a parent, guardian, or someone else who plays a controlling role in a young person's life coerces them into labor. Nearly a third of all victims identified in the study had family members or guardians involved in their recruitment into labor trafficking or the actual exploitation. Despite the prevalence of families and guardians in labor trafficking cases, we know very little about the risk factors for familial exploitation, the relationship of labor exploitation and other forms of violence and abuse in families, and the best strategies for preventing or disrupting familial exploitation. We also identified numerous cases involving coercion through spiritual control, in which young people were coerced or forced into labor in the service of a church or spiritual group, often in situations where the spiritual group had significant influence over the minor and/or their family. Although there have been some high-profile cases of labor trafficking involving churches and spiritual groups, we have no systematic research exploring the mechanisms of spirituality as a form of coercion.
3. More research is needed to help us understand the nexus of immigration status and vulnerability. While lack of immigration status and correspondingly, lack of work authorization, creates vulnerabilities leading to labor exploitation, additional research will help us understand how the immigration status of the parents, guardians and caretakers of children may impact vulnerability to child labor trafficking. If parents or guardians are undocumented, it is important to understand how this familial vulnerability may have contribute to labor exploitation and trafficking of children. Our research identified several cases where sponsorship of unaccompanied minors led to vulnerability for labor exploitation. More research is needed to understand how and if the type of sponsor (e.g., parent, legal guardian, adult relative, non-familial custodian) may create situations that protect against or facilitate child labor trafficking. Additionally, more research is needed to better understand the experiences of unaccompanied minors placed with sponsors.
4. More research is needed on specific opportunities and challenges for systems such as the child welfare system to respond to child labor trafficking allegations and indications of abuse or neglect. Stakeholders and adult victims of child labor trafficking were critical of child welfare systems and generally did not see the system as protective for children who were vulnerable to labor trafficking. In some cases, young people actively avoided detection by child welfare systems despite needing help. More research and potentially pilot programming is needed to explore the efficacy of alternative models for providing support, resources and protection to young people who are vulnerable to labor trafficking outside of traditional child welfare models. These might include independent teen living arrangements, financial assistance, and training program opportunities.

Conclusion

Child labor trafficking is a largely hidden and rarely identified phenomenon that impacts economically and socially vulnerable young people, putting them at risk for harm and leaving them susceptible to long term negative consequences. This study provides a preliminary look at the nature of child labor trafficking for a sample of cases that were identified by legal advocates or prosecuted federally. Interviews with stakeholders and adult survivors of child labor trafficking made clear that identified cases of child labor trafficking victimization were rare and often occur because of chance encounters where someone with knowledge of human trafficking identifies harm that has gone unnoticed by many others. Systems designed to identify labor exploitation and abuse have largely failed to protect children who by their very status as minors are often dependent on those who are responsible for their exploitation. As a result, we recommend serious consideration of the coercive nature of any situation where a minor

is experiencing violations of labor laws as a form of labor trafficking. Shoring up labor protections to identify labor trafficking and protect children who are working is a step in the right direction but is not fully sufficient. Our study highlights numerous situations where young people are exploited in jobs that are not protected by labor laws such as those in the illicit economy and less formal work environments such as family-based domestic work. We are clear in the recommendation that minors should have opportunities to work. Work provides economic support and avenues for young people to build skills and grow in developmentally appropriate ways. It is the responsibility of adults and systems that look out for youth to ensure that work is fair, free from abuse, and importantly that young people have opportunities to walk away from bad working situations without risking the protections of safety, housing, sustenance, and emotional support and that we must guarantee all children.

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Appendices

Appendix A: State Child Welfare Laws Concerning Child Labor Trafficking

State	Links	Language
Arkansas	<p>Child Abuse and Neglect Statute/Law- https://law.justia.com/codes/arkansas/2020/title-12/subtitle-2/chapter-18/subchapter-1/section-12-18-103/</p> <p>Child Labor Law - https://www.labor.arkansas.gov/wp-content/uploads/2020/08/FINAL-Child-Labor-Rules-062220.pdf</p>	<p>Abuse is defined as:</p> <p>(viii) Recruiting, harboring, transporting, or obtaining a child for labor or services, through force, fraud, or coercion, for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery; or</p>
Colorado	<p>Child Abuse and Neglect Statute/Law- https://codes.findlaw.com/co/title-18-criminal-code/co-rev-st-sect-18-6-401/ https://www.shouselaw.com/co/defense/laws/human-trafficking/#:~:text=Trafficking%20people%20for%20involuntary%20servitude,other%20crimes%20in%20its%20class.</p> <p>Child Labor Law - https://hr.colostate.edu/wp-content/uploads/sites/25/2020/07/Child-Labor-Laws.pdf</p>	<p>CRS 18-3-503 makes it a felony under Colorado state law to traffic people for involuntary servitude.</p> <p>CRS 18-3-503 states that “A person who knowingly sells, recruits, harbors, transports, transfers, isolates, entices, provides, receives, or obtains by any means another person for the purpose of coercing the other person to perform labor or services commits human trafficking for involuntary servitude.”</p>
Hawaii	<p>Child Abuse and Neglect Statute/Law- https://www.findlaw.com/state/hawaii-law/hawaii-child-abuse-laws.html</p> <p>Child Labor Law - https://labor.hawaii.gov/wsd/files/2013/01/12-25.pdf</p>	<p>“Child abuse or neglect” means:</p> <p>The acts or omissions are indicated for the purposes of reports by circumstances that include but are not limited to:</p> <p>(F) When the child has been the victim of labor trafficking under chapter 707</p>

State	Links	Language
Idaho	<p>Child Abuse and Neglect Statute/Law - https://legislature.idaho.gov/statutesrules/idstat/title16/t16ch16/sect16-1602/</p> <p>Child Labor Law - https://legislature.idaho.gov/wp-content/uploads/statutesrules/idstat/Title44/T44CH13.pdf</p>	<p>The state law classifies human trafficking under the felony offenses category, meaning you're likely to face up to life in prison and fines if deemed guilty. The law also includes specific provisions for the human trafficking of children, which attract even harsher penalties.</p>
Illinois	<p>Child Abuse and Neglect Statute/Law - https://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1460&ChapterID=32</p> <p>Child Labor Law - https://labor.illinois.gov/laws-rules/fls/child-labor-law-compliance.html</p>	<p>"Abused child" means a child whose parent or immediate family member, or any person responsible for the child's welfare, or any individual residing in the same home as the child, or a paramour of the child's parent:</p> <p>h) commits or allows to be committed the offense of</p> <p>involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons as defined in Section 10-9 of the Criminal Code of 2012 against the child;</p> <p>IC 35-42-3.5-1</p>
Indiana	<p>Child Abuse and Neglect Statute/Law - https://www.in.gov/dcs/files/3.08.pdf</p> <p>Child Labor Law - https://www.employerpass.com/employer-insights/indiana-child-labor-laws</p>	<p>Promotion of human labor trafficking</p> <p>Sec. 1. A person who, by force, threat of force, coercion, or fraud, knowingly or intentionally recruits, harbors, provides, obtains, or transports an individual to engage the individual in labor or services commits promotion of human labor trafficking, a Level 4 felony.</p>
Kansas	<p>Child Abuse and Neglect Statute/Law - https://www.findlaw.com/state/kansas-law/kansas-child-abuse-laws.html</p> <p>https://www.kslegislature.org/li_2020/b2019_20/statute/021_000_0000_chapter/021_054_0000_article/021_054_0026_section/021_054_0026_k/#:~:text=(3)%20Aggravated%20human%20trafficking%20or,than%2014%20years%20of%20age</p> <p>Child Labor Law - https://www.sloanlawfirm.com/child-labor-laws-in-the-kansas-workplace/</p>	<p>(3) Aggravated human trafficking or attempt, conspiracy or criminal solicitation to commit aggravated human trafficking is an off-grid person felony, when the offender is 18 years of age or older and the victim is less than 14 years of age.</p>
Louisiana	<p>Child Abuse and Neglect Statute/Law - https://legis.la.gov/legis/Law.aspx?d=73202</p> <p>https://www.legis.la.gov/Legis/Law.aspx?d=73195</p> <p>Child Labor Law - https://legis.la.gov/legis/Law.aspx?d=83837</p>	<p>(2) "Abuse" means any one of the following acts that seriously endanger the physical, mental, or emotional health, welfare, and safety of the child:</p> <p>(b) The exploitation or overwork of a child by a parent or any other person, including but not limited to commercial sexual exploitation of the child.</p>

State	Links	Language
Mississippi	<p>Child Abuse and Neglect Statute/Law - https://law.justia.com/codes/mississippi/2010/title-97/5/97-5-39</p> <p>Child Labor Law - https://www.minimum-wage.org/mississippi/child-labor-laws</p>	<p>A parent, legal guardian or caretaker who endangers a child's person or health by knowingly causing or permitting the child to be present where any person is selling, manufacturing or possessing immediate precursors or chemical substances with intent to manufacture, sell or possess a controlled substance</p>
Nebraska	<p>Child Abuse and Neglect Statute/Law - https://nebraskalegislature.gov/laws/statutes.php?statute=28-707</p> <p>Child Labor Law - https://cdn.education.ne.gov/wp-content/uploads/2019/05/Child-Labor-Law-NDOL-eff.-1-1-2019.pdf</p>	<p>Placed in a situation to be a trafficking victim as defined in section 28-830</p>
New Hampshire	<p>Child Abuse and Neglect Statute/Law- https://law.justia.com/codes/new-hampshire/2022/title-xii/title-169-c/section-169-c-3/</p> <p>Child Labor Law- https://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-XXIII-276-A.htm</p>	<p>It is a class A felony to recruit, entice, harbor, transport, provide, obtain, or otherwise make available a person, knowing or believing it likely that the person will be subjected to trafficking as defined in paragraph I or II. Notwithstanding RSA 651:2, a person convicted of an offense under this paragraph involving a victim under the age of 18 shall be subject to a minimum term of not less than 7 years and a maximum term of not more than 30 years, if the offender knew or believed it likely that the victim would be involved in a commercial sex act or sexually-explicit performance.</p>
New York	<p>Child Abuse and Neglect Statute/Law- https://www.findlaw.com/state/new-york-law/new-york-child-abuse-laws.html</p> <p>https://casetext.com/statute/consolidated-laws-of-new-york/chapter-penal/part-3-specific-offenses/title-m-offenses-against-public-health-and-morals/article-230-prostitution-offenses/section-23034-a-sex-trafficking-of-a-child#:~:text=Penal%20Law%20%C2%A7%20230.34%2DA,-Download&text=Section%20230.34%2DA%20%2D%20Sex%20trafficking%20of%20a%20child%201.,less%20than%20eighteen%20years%20old.</p> <p>Child Labor Law- https://dol.ny.gov/hours-work-minors</p>	<p>The Family Court Act of the state of New York defines child neglect or abuse as the act, or failure to act, by any parent or caretaker that results in the death, serious physical or emotional harm, sexual abuse, or exploitation of a child under the age of 18</p>

State	Links	Language
North Carolina	<p>Child Abuse and Neglect Statute/Law- https://www.nccourts.gov/help-topics/family-and-children/abuse-neglect-and-dependency</p> <p>Child Labor Law- https://www.ncleg.net/enactedlegislation/statutes/html/bysection/chapter_95/g_95-25.5.html</p> <p>https://www.nccourts.gov/help-topics/family-and-children/abuse-neglect-and-dependency</p>	<p>A child is considered abused if his or her parent, guardian, custodian, or caretaker does any of the following:</p> <p>Commits a crime of human trafficking, involuntary servitude, or sexual servitude against the child, or allows another to do so.</p>
Oklahoma	<p>Child Abuse and Neglect Statute/Law- https://law.justia.com/codes/oklahoma/2022/title-21/section-21-843-5/#:~:text=C.,Any%20person%20responsible%20for%20the%20health%2C%20safety%20or%20welfare%20of,by%20imprisonment%20in%20a%20county</p> <p>Child Labor Law- https://www.oscn.net/applications/oscn/DeliverDocument.asp?CitelD=77429</p>	
Pennsylvania	<p>Child Abuse and Neglect Statute/Law- https://www.legis.state.pa.us/cfdocs/legis/LI/consCheck.cfm?txtType=HTML&ttl=18&div=0&chpt=43&sctn=4&subctn=0#:~:text=(1)%20A%20parent%2C%20guardian,of%20care%2C%20protection%20or%20support.</p> <p>Child Labor Law- https://www.legis.state.pa.us/CFDOCS/LEGIS/LI/uconsCheck.cfm?txtType=HTML&yr=2012&sessInd=0&smthLwInd=0&act=0151.&CFID=341765195&CFTOKEN=69173171</p>	
South Carolina	<p>Child Abuse and Neglect Statute/Law- https://www.scstatehouse.gov/code/t63c005.php#:~:text=Whoever%20cruelly%20ill%2Dtreats%2C%20deprives,and%2C%20upon%20conviction%2C%20must%20be</p> <p>Child Labor Law- https://www.scstatehouse.gov/code/t41c013.php</p>	<p>(v) encourages, condones, or approves the commission of delinquent acts by the child including, but not limited to, sexual trafficking or exploitation, and the commission of the acts are shown to be the result of the encouragement, condonation, or approval;</p> <p>(b) a child is a victim of trafficking in persons as defined in Section 16-3-2010, including sex trafficking, regardless of whether the perpetrator is a parent, guardian, or other person responsible for the child's welfare. Identifying a child as a victim of trafficking in persons does not create a presumption that the parent, guardian, or other individual responsible for the child's welfare abused, neglected, or harmed the child.</p>

State	Links	Language
Texas	<p>Child Abuse and Neglect Statute/Law- https://statutes.capitol.texas.gov/Docs/FA/pdf/FA.261.pdf</p> <p>https://statutes.capitol.texas.gov/Docs/FA/htm/FA.261.htm</p> <p>Child Labor Law- https://hr.untsystem.edu/sites/default/files/child_labor_laws.pdf</p>	<p>“Exploitation” means the illegal or improper use of a child or of the resources of a child for monetary or personal benefit, profit, or gain by an employee, volunteer, or other individual working under the auspices of a facility or program as further described by rule or policy</p>
Utah	<p>Child Abuse and Neglect Statute/ Law- https://le.utah.gov/xcode/Title76/Chapter5/76-5-S109.html</p> <p>Child Labor Law https://le.utah.gov/xcode/Title34/Chapter23/C34-23_1800010118000101.pdf</p>	<p>Creating or exploiting a relationship where the individual is dependant upon the actor</p> <p>A violation of subsection is a second degree felony</p> <p>Human trafficking for labor includes any labor obtained through force, fraud, or coercion as described in subsection 2</p>
Virginia	<p>Child Abuse and Neglect Statute/ Law- https://law.lis.virginia.gov/vacode/title18.2/chapter8/section18.2-371.1/#:~:text=1.,of%20a%20Class%206%20felony.</p> <p>Child Labor Law- https://law.lis.virginia.gov/vacodefull/title40.1/chapter5/#:~:text=%C2%A7%2040.1%2D100.1.,or%20death%20to%20such%20child.</p>	
West Virginia	<p>Child Abuse and Neglect Statute/Law- https://code.wvlegislature.gov/61-8D/</p> <p>Child Labor Law - https://code.wvlegislature.gov/21-6/</p>	<p>As applied in this article, forced labor shall not include labor, work or services provided by a minor to the minor’s parent, legal custodian or legal guardian, so long as the legal guardianship or custody of the minor was not obtained for the purpose of compelling the minor to participate in commercial sex acts or sexually explicit performance, or perform forced labor or services; nor shall it include physical restraint of a minor, or the threat of physical restraint to a minor, by his or her parents, legal custodian or legal guardian if conducted in an otherwise lawful manner and for the purpose of discipline, supervision or teaching.</p>

Appendix B:

Domains of Harm Definitions and Examples

<p>Exploitative Labor (e.g. not paid, denied access to hygiene facilities, worked in hazardous environment)</p>	<ul style="list-style-type: none"> • Victim never received pay that was promised. • Victim worked on a construction site starting at the age of 11. • Victim worked approximately 105 hours per week (15 hours per day). • Employer paid victim \$30 per week. • Employer withheld pay from victim and gave wages to trafficker. • Victim worked construction and landscaping jobs without protective equipment. • Victim worked from sunrise to sunset and was given one 10-minute break for lunch. • Victims lived on a trailer on the labor site without running water. • Victim was not allowed to attend school because they had to work during the day.
<p>Deception and Lies (e.g. deceived about consequences of leaving, didn't anticipate labor during recruitment, received less pay than promised)</p>	<ul style="list-style-type: none"> • Trafficker told victim they would go to hell or that God would not love them if they did follow trafficker commands. • Victim came to the U.S. due to promises of education and was denied access to schooling upon arriving in the U.S. • Trafficker claimed connections to the police and could have the victim arrested. • Victim was told that if they reported the abuse to their family, then their family members would be mad at the victim. • Victims told they would be homeless and have nowhere else to go if they left trafficker. • Victim was told she would be helping babysit trafficker's children but ended up working as a full-time nanny
<p>Freedom Restricted (e.g. monitoring or surveillance, denial of access to medical or support services, control over housing)</p>	<ul style="list-style-type: none"> • Victim was not allowed to attend school, have a cell phone, or access the internet • Victim lived in area without public transportation and could not drive • Victim was not allowed to communicate with guests in the home or leave the home unsupervised • Trafficker coerced the victim into cutting off communication with members of their family • Trafficker recorded the victim's phone calls to his mother • Victim had to extract an infected tooth herself with pliers because she was not permitted to see a dentist • Trafficker called police who helped force victim back into the trafficker's car after an escape attempt • Victim reported being raped and was told she did not deserve to see a doctor • Trafficker took and withheld the victim's medical benefits card • Victim was having a mental health crisis and trafficker brought members of the community into the home to pray over and 'exorcise' her

<p>Intimidation or Verbal Abuse (e.g. humiliation, threats to harm reputation, insults)</p>	<ul style="list-style-type: none"> • Victim was told she was “fat” and would “go to hell for being Muslim.” • Victim was told she owed her traffickers \$10k for bringing her to the U.S. and could not leave until her debt was paid. • Trafficker spread lies about the victim being involved in sex work to members of her family. • Victim was treated differently than the other children in the home who lived normal lives. • Victim was told that her family and friends did not love her anymore. • After victim reported a rape to her organization, she was told that if she was to remain a part of the organization, she had to drop her complaint and say that she lied because she was mentally ill. • Trafficker told the victim that all of her friends were Trump supporters and because she was an immigrant, nobody would help her if she tried to leave or report her trafficking. • Victim was told she had to “braid until your hands break.”
<p>Threats or Physical Harm (e.g. harsh rules and punishments, threats of deportation, physical or sexual abuse)</p>	<ul style="list-style-type: none"> • Victims would be locked in closet for weeks as punishment for disobedience. • Trafficker threatened to physically harm members of the victim’s family. • Victim was groomed by adult trafficker into a sexual relationship. • Trafficker threatened to separate victims who were young parents from their children. • Victims had to choose a punishment from a ‘punishment jar’ which included things like eating condiments that made them sick, being forced to exercise excessively, and being sprayed with bleach. • Victim was forced to kneel on grains of rice as a punishment. • Victim witnessed their trafficker commit acts of violence against other people. • Trafficker brandished gun. • Victim would be beaten for taking food from the refrigerator. • Traffickers forced victim who was a young mother to physically harm her daughter on camera and threatened to show police the videos if she tried to report her abuse. • Victim was forced to sleep on the floor and bathe outside. • Trafficker locked the food cabinets and did not allow victim to eat meals with the rest of the household. • Trafficker laced victim’s food with cocaine. • Victim was denied food and given appetite suppressants and caffeine pills due to malnutrition.