



Delivering Justice for Human Trafficking Survivors

Implications for Practice

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System actors, including criminal justice stakeholders and social and legal services providers, face challenges in understanding, identifying, and responding to human trafficking cases and survivors' needs. At the same time, survivors of human trafficking often experience misconceptions regarding their victimization, stigma due to perceived involvement with illegal behavior, xenophobia, and criminalization. To date, few studies have documented these challenges for both survivors and system actors, as well as how survivors and system actors conceptualize "justice." This brief is intended for practitioners, including social and legal service providers, law enforcement officials and leadership, prosecutors, judges, and advocates to learn about the study's major findings and how they can inform their daily work with survivors. In addition to findings, this brief includes recommendations made by survivors and stakeholders to improve survivors' experience with service provision and the criminal justice system at several decision points, including arrest, investigation, and prosecution.

The Bending Towards Justice: Perceptions of Justice among Human Trafficking Survivors study is the first to ask survivors of human trafficking how they perceive their interactions with the justice system and how they define justice in their own terms. Drawing from qualitative interviews with 80 survivors of sex and labor trafficking and 100 human trafficking stakeholders, this brief presents the study's research findings for practitioners; recommendations for service provision, the criminal justice system, and policy; and a tool developed for practitioners to engage with survivors and map their needs and priorities over time.

BOX 1

Bending Towards Justice: Perceptions of Justice among Human Trafficking Survivors

This brief is one of four products from the Urban Institute's Bending Towards Justice: Perceptions of Justice among Human Trafficking Survivors study. Recognizing the underrepresentation in the field of survivors' perceptions of justice, this study asks the following questions:

- What are human trafficking survivors' perceptions of justice in their cases?
- What are human trafficking stakeholders' perceptions of justice?
- What are survivors' experiences with the criminal justice process?
- What alternative forms of justice may survivors desire?

This brief presents the study's findings for a practitioner audience; presents recommendations for service provision, the criminal justice system, and policy gathered from interviews with survivors and stakeholder; and presents a tool developed for practitioners to engage with survivors and map their needs and priorities over time. Other findings can be found on the study's project page, urban.org/perceptionsjustice.

Methodology

This study applied a qualitative research design that used in-depth, semistructured interviews conducted between July 2016 and May 2017 with 80 human trafficking survivors and 100 human trafficking stakeholders, including legal and social services providers and criminal justice stakeholders, in eight diverse metropolitan sites in the US (two in the Northeast, three in the West, two in the South, and one in the Midwest). To recruit survivor respondents, we worked closely with a human trafficking service provider in each site, who screened past and current clients for eligibility (clients needed to be at least 18 years old and willing to share their story). Interpreters were present for interviews with survivors with limited English proficiency.

Our sample of 80 human trafficking survivors included more women (n=55) than men (n=24), and most respondents (n=44) were between the ages of 25 and 44. The largest share of respondents identified as Latinx (n=32), and most survivors were born outside the United States (n=58).¹ The vast majority of respondents (n=76) had legal authorization to live in the United States (e.g., through citizenship, permanent residence status, continued presence, or immigration relief such as T and U visas). Although survivors were originally from a range of geographical regions, the largest proportion was interviewed in the West (n=27), followed by the Northeast (n=23), South (n=22) and Midwest (n=8). The sample included more survivors of labor trafficking (n=45) than sex trafficking (n=29). Fifty-five percent of the sample (n=44) had participated in a criminal case, either during the investigation or prosecution phase. Notably, more than a third of our sample (n=28) had prior criminal justice involvement as a defendant in their own case. Of our sample, 72 percent of sex trafficking survivors and 16 percent of labor trafficking survivors had prior involvement as a defendant.

Half our sample of stakeholders was made up of service providers (n=50), including social services providers (n=32) and legal services providers (n=18). Criminal justice stakeholders, including law enforcement officers, prosecutor's office and judiciary staff, defense attorneys, and pretrial services staff, were the second-most-represented stakeholder type (n=43). We also interviewed six advocates and one non-criminal justice government official.

For information on study limitations, see appendix B.

Major Findings

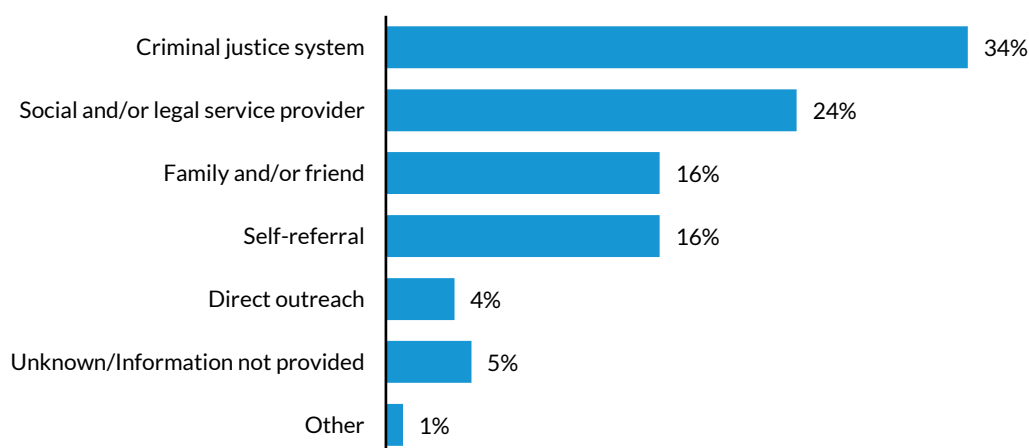
This study focuses on survivors' perceptions of justice and their experiences with the justice system and considers whether alternatives to traditional criminal justice measures would better meet survivors' needs. Below is an overview of the study's major research findings focused on survivor engagement with service provision, methods of building trust with service providers and the justice system, and survivors' and stakeholders' definitions of justice.

Survivor Engagement with Service Provision

All survivors we interviewed had received services through at least one service provider, either a social services provider or legal services provider. We asked survivors how they were referred to their current service provider, and they described a diverse set of referral mechanisms, including the criminal justice system (prosecutors and courts, correctional facilities, and law enforcement), other social or legal services providers, family and friends, self-referral (including hotlines and walk-in clinics), and direct outreach (figure 1).²

FIGURE 1

How Are Survivors Referred to Service Providers?



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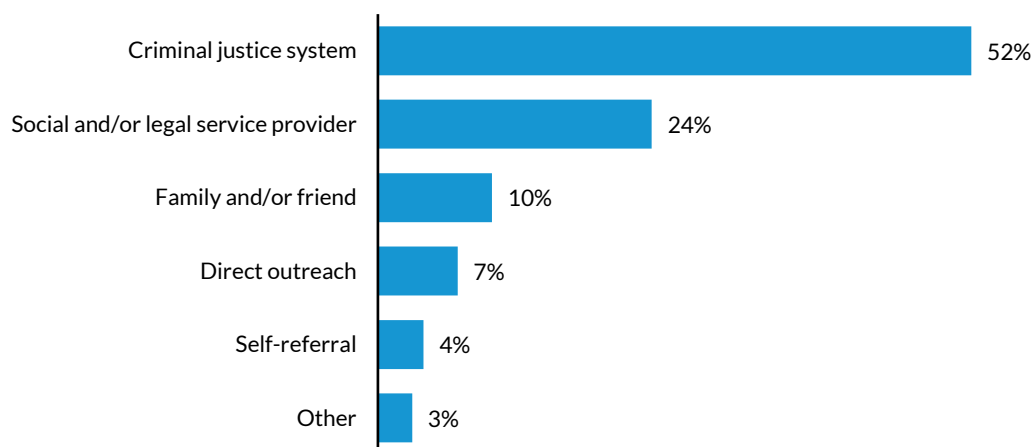
Source: Qualitative interviews of 80 human trafficking survivors.

Of the 34 percent of survivors referred through the criminal justice system, **85 percent were referred by law enforcement**, which includes local police officers, immigration, DEA agents, and the FBI.

Differences were found in how sex and labor trafficking survivors were referred to service providers. **Sex trafficking survivors** were more likely to be referred by criminal justice officials (52 percent). Self-referral was the least common method (4 percent) for sex trafficking survivors (figure 2). **Labor trafficking survivors** were more likely to be connected to service providers through self-referral (27 percent) and family and friends (22 percent; figure 3).

FIGURE 2

How Are Sex Trafficking Survivors Referred to Service Providers?

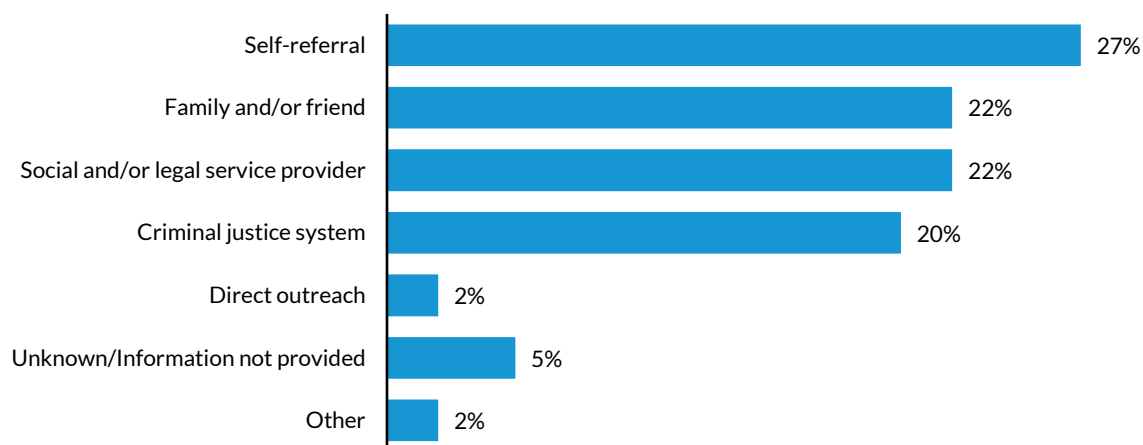


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Source: Qualitative interviews of 29 sex trafficking survivors.

FIGURE 3

How Are Labor Trafficking Survivors Referred to Service Providers?



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Source: Qualitative interviews of 45 labor trafficking survivors.

Survivors' primary concern upon meeting service providers was **obtaining temporary housing** to achieve stability and distance from their traffickers. However, survivors and stakeholders noted that the most common barrier or challenge to receiving services was a lack thereof, especially safe and supportive housing options. Survivors generally had positive experiences with service provision and felt they had control over service provision, a voice in the process, and an opportunity to tell their story.

Survivors generally agreed that they had a **sense of control over service provision** and were **provided the opportunity to express their needs and priorities**. These needs and priorities drove the process of determining next steps for service provision. Although survivors were empowered to make their own decisions, they were also provided with an array of options and guidance from service providers when, for example, deciding how to proceed with their immigration status. This empowerment and encouragement to take decisions into their own hands can serve as a form of healing for many survivors who lost control over their own decisionmaking while being trafficked. Survivors considered service provider insights but often had the final say in all decisions. Survivors also expressed their appreciation for having **control over whether to share their story** and how much to share with service providers:

We used to not to have a choice, and we always say yes. ...They empower us that it's always our choice. You can say no if you don't want to. (Site 7, survivor 9, survivor of labor trafficking)

I did tell [the service provider] my story, which helped her really help me start a foundation, but I liked how they weren't so pressuring on certain details and going into certain things. (Site 2, survivor 9, survivor of sex trafficking)

Survivors overwhelmingly said they had the **opportunity to tell their story** during service provision, with only a few instances in which a survivor did not have the opportunity to tell their story or did not wish to. Survivors felt that by telling their story, they had a **voice**:

They also give us a voice. They let us know that no one can go and go above us. (Site 5, survivor 1, survivor of labor trafficking)

In addition to these positive experiences, survivors noted some challenges with service provision. For instance, although some survivors were appreciative of having a voice, some pointed out that their voice did not translate into concrete actions or practice. According to some survivors, day-to-day practices were not survivor informed:

[Service providers] don't even know a lot of the words we even say. We've even offered having a class 101 to teach them some stuff. They weren't really open up for nothing or anything we had to say. (Site 2, survivor 8, survivor of sex trafficking)

There were also instances of what we identified as **restrictive service provision environments**. Some survivors even mentioned retraumatizing experiences in specifically residential programs:

Yeah, I was like, "You're acting like a pimp right now. You're threatening me if I leave. You're threatening [me] with my kid." I'm like, "That's sick." (Site 2, survivor 8, survivor of sex trafficking)

In three of our eight sites, survivors of sex trafficking pointed to rules and structures regarding curfew, chores, and midday check-ins. In some sites, survivors who miss curfew a number of times are expelled from the program.

Survivor and Stakeholder Definitions of Justice

We asked survivors to define justice for themselves. Stakeholders, including justice stakeholders and service providers, were also asked for their definitions of justice for the human trafficking survivors with which they work. Survivors and criminal justice stakeholders differed in their definitions, but survivors and service providers were more aligned.

Survivors, criminal justice stakeholders, and service providers all doubted the criminal justice system's ability to help survivors heal. The criminal justice stakeholders we interviewed viewed the justice system as necessary for ensuring public safety but not necessarily for supporting survivors. Survivors did not believe the justice system could remedy harm and protect others from harm in the future.

Criminal justice stakeholders defined justice based on their roles and responsibilities in the criminal justice system. For instance, **law enforcement** defined justice as **convincing survivors to stop engaging in prostitution**, which they perceived as a voluntary choice. **Other criminal justice stakeholders**, including prosecutors, defined justice as the **successful prosecution of the trafficker**.

Survivors defined justice as **protecting others from harm** but believed the criminal justice system is not the best way to accomplish this and expressed doubts that incarceration would prevent future trafficking. Survivors instead focused on justice as their **ability to “move on”** from their trafficking experiences, **achieve autonomy**, and **feel empowered** by accomplishing self-defined goals.

Lastly, **service providers** defined justice as **supporting survivors' access to resources and achievement of their goals**.

Methods for Building Trust: Criminal Justice

We asked survivors whether they felt they could trust criminal justice agencies during either the investigation or prosecution stage or both and what stakeholders did to help the survivor trust them. Remember that this sample is biased toward stakeholders whose work has focused primarily on investigating and prosecuting sex trafficking cases. As a result, this section is primarily focused on methods for building trust with sex trafficking survivors.

Survivors noted that a **consistent point of contact** was helpful in building trust throughout the criminal justice process. This meant the service provider was present at every appointment throughout the process. Survivors also placed importance on people **listening to their story**. Lastly, **relatability** also helped build trust between survivors and criminal justice stakeholders. Relatability could refer to their ethnicity or gender or simply looking like them (e.g., in dress, use of language, etc.).

As I talked to him, you could tell his philosophy wasn't "that mean fucking cop." Like, "Here's my badge." It was more like, "I understand you. I understand what you went through." I think that was really good about that detective that came out to see me. He had tattoos. I was like, "What the hell?" ...It made you comfortable, especially from my background where I had no choice than to hang around with this crowd of people because of this. It's like, I'm pretty sure you hang around with the wrong crowd, but you didn't turn out like—you get it? I think that was very comfortable for me. (Site 7, survivor 3, survivor of sex trafficking)

Stakeholders, including legal and social services providers and criminal justice stakeholders, agreed that **relatability** is critical in building trust. Law enforcement officials emphasized the need to dress in civilian clothes (i.e., remove badges, guns, and uniform clothing) when meeting with survivors for the interview and investigative process to make them more comfortable. Another tactic is to take into consideration the gender, ethnicity, and race of the survivor and see if a match is available from law enforcement's end.

It's important for our victim to be able to relate and to be able to feel comfortable in order to open up. If you send an investigator in there that looks like somebody that victimized her, she's not gonna talk. (Site 3, law enforcement officer 3)

This is relevant to law enforcement officers as well as judges and prosecutors. One judge told us, "I don't even wear my robe when I'm in the courtroom with them. I sit down at the table with them. I don't sit on the bench" (site 3, judge 1). Lastly, stakeholders said something as small as telling jokes or revealing parts of their personality while engaging with survivors can build trust and relatability.

Some of it is intangible, like just telling stupid jokes that make them think I'm this goofball. I feel like people have a lot of preconceived notions about what prosecutors are like, and so I wanna just put them at ease on that. Also, because I also—like I said, I try to tell them about myself a little bit, so they know me as a person rather than this weird entity. (Site 8, prosecutor 1)

Another prominent theme in building trust, according to stakeholders, is the need to maintain **honesty, fairness, and transparency**. This includes being honest with survivors about the criminal justice process and not overpromising certain outcomes that they may desire. Law enforcement officials, judges, and prosecutors referenced the need to establish honesty from the first interaction with survivors:

For many victims of abuse, [they] need to know you're not full of shit. Need to be honest: this is going to be a long road, and [the] criminal justice system doesn't always work the way you want. And I need to know how you're feeling because if I don't know, it's not helpful. Can't say I'm going to keep you safe, going to put [the] guy away for life—can't say [that] because you are too big for your britches. Can say I'm sorry this happened. I think this guy sucks. I think he is a creep, and I don't want him anywhere near you or anyone else. I try to leave it in the first meeting. I try not to oversell the system or make it sound like it's going to be terrible. Because they can smell bullshit way faster than average. (Site 4, prosecutor 2)

Whatever it is—being honest with them about our limitations, our humanity, and showing them our humanity in terms of recognizing then this fellow human being and seeing their pain, even if we can't fathom their pain. That's the most important thing, is that they feel like they were treated honestly and fairly throughout. (Site 1, prosecutor 1)

I think the number one rule is don't lie to them. Because they've been lied to and deceived so much that I think once you do that, if you give them any bit of information that's dishonest, that's obviously gonna be hugely problematic, and they put you in a different category. (Site 6, prosecutor 2)

BOX 2

Additional Methods for Building Trust in the Criminal Justice Process

- **Take the time to listen to survivor's stories**, when the survivor is interested in sharing their story.
- **Maintain a consistent point of contact.** This is critical given that the criminal justice system can be confusing. Having one point of contact helps survivors navigate the system more effectively.
- **Use survivors' preferred language and terminology.** One law enforcement official said, "Another thing we do is we try to get in their language. So if they're gonna call themselves that, I'll call them that. If they're gonna call their pimp their boyfriend, I'll call him the boyfriend until we reach the point that they see themselves as a victim" (Site 2, law enforcement 1).
- **Focus on survivors' basic and long-term needs rather than their status as a "victim."**
- **Provide assurance that the survivor will not be arrested, criminalized, or deported as a result of their trafficking experience.** One law enforcement official told us, "Yeah. You have to establish rapport as much as you can in a short period of time. It's really difficult because she's heard from the pimp or from the exploiter, 'Oh you're goin' to jail.' If we put a young lady in the backseat of a police car and take her to police headquarters, she's thinking the same thing. We have to reassure them that we are there for their benefit and not anything else. There's no intention of making an arrest" (Site 6, law enforcement 2).
- **Provide survivors with an array of options and decisionmaking power for their future.**

Methods for Building Trust: Service Provision

The most common theme cited by survivors as a method for building trust during service provision was a **nonjudgmental attitude from service providers**. This was especially critical in moments where sex trafficking survivors relapsed to their substance use disorder or reinitiated contact with their trafficker. One survivor mentioned how a nonjudgmental approach helped them: "They're there for you every step of the way. Whatever your choices. Whether you choose to exit the life or whether you choose to be in the life. They're not gonna judge you for whatever you choose. They're gonna help you with whatever you choose to do" (site 8, survivor 4, survivor of sex trafficking).

Other methods survivors cited included service providers **not pressuring** them into certain decisions and **empowering their decisionmaking**.

Well, they were very open with me. They did not hide things from me. Because one time, I remember back, I was approached by the people that brought me here saying that I need to come back. They persuaded me. It's like, "Oh, everything is gonna change. You're gonna go to college.

Just come back.” I wanted to go back, but then they said, “You know what? That’s your choice, but we think that’s not a safe environment for you.” They just put the pros and cons. For the fact that they were always there for me, that alone was trust—that they care for me, that they want my best interests at heart. They were just always trying—whenever I tell them I wanted to meet, they were there to meet with me. That’s trust to me. (Site 8, survivor 6, survivor of labor trafficking)

According to service providers, the most important method for building trust with survivors is **consistent relationship building**. This can manifest in various forms, and some are more common in formal or informal service provision; however, the intention is the same.

The entire premise of our work is based on the idea that the relationship is the intervention. That if you don’t build a trusting, sound, consistent, trauma-informed relationship with this young person, the rest of the services aren’t gonna matter [because] you won’t get them to engage [because] they don’t have to engage [because] they actually have a lot of other life strategies that they don’t need to come live at your shelter. (Site 8, service provider 5)

Being consistent as a point of contact is a critical part of this relationship building.

Then when I discharged her, she said, “You were so helpful [because] you were always consistent.” I was like, “I say that in trainings all the time. I’m glad it’s actually true.” Because if you say you’re gonna call them at 9:00 a.m., call them at 9:00 a.m. If you say you can give them a gift card, give them the gift card. If you don’t know, don’t tell them sort of thing because they cling to things. They hear something that they want and need, and if you don’t follow through, they blame you, and they’re gonna stop trusting you. A lot of it is all about that engagement and consistency in working with them and following their lead. (Site 1, service provider 3)

Stakeholders also noted the need to **maintain honesty**, which can be achieved by sticking to promises and not overpromising services or opportunities outside of the service provider’s control. **Listening to survivors tell their story** is another way to build trust.

BOX 3

Additional Methods for Building Trust during Service Provision

- **Speak in the survivor’s native language or provide an opportunity for translation.**
 - **Use survivor’s preferred terminology.** One victim services provider told us, “Try to use the same language. We’re not calling someone a trafficker that they think of as their boyfriend, right? If they don’t feel they’re a victim, we won’t use that term, but we’ll say, ‘These are your rights. This is what you could do if you want to pursue it’” (Site 7, service provider 9).
 - **Assure confidentiality when appropriate** while survivors participate in service provision.
 - Establish clear expectations for the survivor and the service provider.
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Conclusion

Survivors were primarily referred to service providers by criminal justice officials, mostly law enforcement. Key differences were found in the referral experiences of sex and labor trafficking survivors. Sex trafficking survivors were more likely to be referred to service providers by criminal justice officials. Self-referral was the least common method of referral for sex trafficking survivors, but it was the most common method for labor trafficking survivors.

Survivors' primary concern upon meeting with service providers was obtaining temporary housing to achieve stability and distance from their traffickers. Foreign-born survivors with expired work visas or pending deportation orders were also concerned with their immigration status and their ability to obtain a visa and relocate family. The services most frequently provided to survivors included housing and immigration assistance.

Survivors generally agreed that they had a sense of control over service provision and were allowed to express their needs and priorities. These needs and priorities helped determine next steps for service provision.

In terms of methods for building trust in the criminal justice system, survivors noted that a relatable and consistent point of contact with a willingness to listen to their story was critical. Criminal justice stakeholders agreed that relatability was an important part of building trust along with maintaining honesty, fairness, and transparency.

Survivors cited a nonjudgmental attitude as the most important way for service providers to gain their trust. It was also crucial that providers not pressure survivors into certain decisions, empower their own decisionmaking, and maintain honesty. Service providers added that consistent relationship building, sticking to promises and not overpromising services and opportunities, listening to survivors tell their stories, and being a consistent point of contact also helped build trust.

Survivors and criminal justice stakeholders differed in their definitions, but survivors and service providers were more aligned. Criminal justice stakeholders defined justice based on their roles and responsibilities in the criminal justice system and viewed the justice system as necessary for ensuring public safety but not necessarily for supporting survivors. Some stakeholders, particularly law enforcement, defined justice as convincing survivors to stop engaging in prostitution, which they perceived as a voluntary choice, and others defined justice as the successful prosecution of the trafficker.

Survivors, however, defined justice as protecting others from harm but believed the criminal justice system is not the best way to accomplish this. Survivors instead focused on justice as their ability to “move on” from their trafficking experiences, achieve autonomy, and feel empowered by accomplishing self-defined goals. Lastly, service providers defined justice as supporting survivors’ access to resources and achievement of their goals.

Recommendations from Survivors

We asked survivors to provide recommendations for service providers, the criminal justice system, immigration, policy, public awareness, and for other survivors. Below, we outline their recommendations for you to consider in your daily practices working with survivors.

Survivor Recommendations for Service Providers

- **Increase and expand supportive services** specific to the experience of being trafficked.
- **Extend service provision** beyond only a few months to ensure resettlement or give survivors the opportunity to continue receiving services beyond their initial stabilization period. Allow survivors to reconnect with the service provider if they need assistance in the future.
- **Have staff members and volunteers who are survivors themselves** to increase relatability and understanding and minimize judgement.
- **Provide opportunities for support and peer mentorship groups for survivors and encourage them** to share their stories and build a support network.

- **Share success stories of other survivors** to encourage survivors in their own recovery.
“Share them—like the person rescued recently. Share them stories about other survivors and tell them that you don’t have to be in this situation forever because you have opportunity. You’re going to change, and you will be someone who is stronger and empowering others.” (Site 7, survivor 2, survivor of labor trafficking)
- **Provide an interpreter for survivors and their support system.**
- **Start service provision with what the survivor identifies as their priorities and needs.**
- **Provide specialized training and expertise for staff members to meet the needs of survivors.**
- **When hiring staff, conduct more rigorous screening** for soft skills beyond a degree in social work.
“It’s not that you graduated from social services, then you can work just like that. Not everybody. You can see the compassion that they can give to the survivor and their understanding.” (Site 7, survivor 9, survivor of labor trafficking)

Survivor Recommendations for Law Enforcement

- **Focus on survivors instead of crimes, and treat them as human beings with their own stories.**
“Treat us like human beings. Just because you’re being trafficked doesn’t make you any less of a human than the police themselves are. Treat us with the same respect that you would treat your mother and your sister. No one child ever wakes up one day and says, ‘Hey, I wanna be a prostitute and I wanna be trafficked for the rest of my life.’ No. Nobody says that. Nobody.” (Site 8, survivor 4, survivor of sex trafficking)
- **Do not criminalize survivors.**
- **Provide training for law enforcement officers**, including sensitivity training and training focus on building a knowledge base to distinguish between sex and labor trafficking.
- **Adopt a compassionate, trauma-informed approach** in interactions with survivors.
“They don’t have to put you in cuffs because they say, oh, they’re doing it for safety reasons. But cuffs for a prostitute means you’re being bound. They’re not sensitive to that. You’re already patting me down. You’re already doing this. You’re already making me feel violated even further.” (Site 8, survivor 3, survivor of sex trafficking)
- **Improve arrest techniques** to consider survivors’ needs:
 - » **Inform survivors on initial contact that they will not be criminalized for the situation.**
 - » **Have a female officer present for suspected situations of sex trafficking and prostitution.**

- » **Explain rights to people being trafficked during engagement and ensure that they will not be arrested or deported.** This can build trust and allow survivors to open up about their conditions.
- **Improve investigative techniques** to consider survivors' needs:
 - » **Provide interpreters for survivors and family members and friends.**
 - » **Wear nonuniform clothes and remove badges during interviews.** This allows survivors to feel more comfortable engaging with law enforcement.
 - » **Wait until a certain level of trust is established and time has elapsed before asking survivors about their stories.**

"I understand that in order for them to build a case they need to know what's the story, what happened. We don't have a choice to tell the truth for them to know. If they can hold on, to wait a little bit for us to talk, maybe it was a good idea." (Site 7, survivor 9, survivor of labor trafficking)
 - » **Have a caseworker, victim advocate, or social services worker present during each interaction between survivors and law enforcement.**
 - » **Speak in softer tones and use friendly language** to make survivors comfortable.
 - » **Provide each survivor time for their individual case.** Survivors noted that investigators would sometimes use time with them to inquire about other trafficking cases or traffickers instead of focusing on theirs.

Survivor Recommendations for Immigration

- **Improve regulation and procedures** at immigration agencies, including the border patrol, to protect people from human trafficking. For instance, border patrol officers should improve their inspections of people entering the country with a visa to detect early signs of trafficking.
- **Implement education** at immigration agencies and for people arriving at the border to make people more aware of this issue. This includes an **explanation of rights** upon arrival into the country and **educational materials** about how to notice the signs of trafficking. More specifically, survivors recommended that visa officers explain to people entering the country that they have a right to retain their own passports and work permits and do not need to hand these over to another person (e.g., their employer). Another suggestion is to have a pamphlet or informational brochure for people entering the country that educates them on trafficking and provides phone numbers should they experience exploitation or abuse.
- **Have border patrol officers who speak Spanish or identify as Latinx** so they can speak with people entering the country and explain their rights.
- **Show empathy** when interacting with survivors of human trafficking. Survivors often said that officers spoke rudely, firmly, or harshly in a way that discouraged them from speaking about

their experiences and could trigger a stressful reaction given the circumstances of being trafficked.

“I went with my lawyer, and I guess he was the immigration boss official, head honcho. He had a very serious way of speaking, almost kind of shouting at me. Where I come from, I come from a very violent place where people beat me a lot and where people in my family would yell and scream at me a lot. It made me very nervous and stressed the way he spoke to me.” (Site 3, survivor 2, survivor of labor trafficking)

- **Promote changes in immigration policy, including the establishment of continued services after receiving an immigration visa**, to support continued recovery and a path to the survivor’s desired immigration status. Another adjustment to immigration policy would be a better tracking system for people who are trafficking others to guarantee they do not receive a visa in the future.

Survivor Recommendations for Courts

- **Develop appropriate methods and considerations to keep survivors safe while testifying.**

“I had my follow-up court date for my charges, and they scheduled my trafficker to be in the same courtroom at the same time, same courthouse—everything exactly the same time. Thankfully, again, my lawyer is amazing, and my lawyer picked up on this by reading the docket and removed me from the courtroom before this person entered, literally minutes before this person entered the courtroom, and got me into a safe situation. However, my court date was postponed about a month and a half out to be able to resolve my issues, which puts me a month and a half out longer on probation and everything. Even though it’s not much time and I’m not really worried about it at this point in my life, that’s bullshit, absolutely bullshit. They should have turned him away. First off, they should’ve never scheduled us to be in the same courtroom at the same time, especially knowing the details of the situation, because at that point they knew everything that was going on. But the fact that I had to wait longer to resolve my issues, already being a victim of this situation, is absolutely ridiculous. I just felt like a victim of the system at that point. That was really overwhelming.” (Site 2, survivor 14, survivor of sex trafficking)

- **Maintain a consistent point of contact** during the prosecution process.

Survivor Recommendations for Policy

- **Strengthen policies and provide more efficient funding** for both sex and labor trafficking survivors, recognizing that many people may fall into multiple categories of exploitation and abuse (e.g., domestic violence).
- **Guarantee immunity for certain criminal charges** related to trafficking, such as prostitution.

- **Strengthen laws for trying human trafficking cases under human trafficking laws** instead of lesser crimes.

Survivor Recommendations for Other Survivors

- **Join a support network of other survivors** as a means of learning your rights and what is happening with antitrafficking efforts domestically and internationally and participating in advocacy efforts.
- **Find a person you can trust and feel comfortable opening up to.** The more you can speak up and tell everything with as much evidence as possible, the stronger your case.

“Well, couple years ago, because I was non opened, many people ask me stuff. I feel I was like, ‘Everything is fine.’ Because I couldn’t tell. But now I know, you need to have a voice. [Because] if you don’t have a voice, nothing can happen. How are people gonna know to help you when you don’t speak up? But we can’t speak up because we have fear inside us.” (Site 4, survivor 7, survivor of labor trafficking)

Recommendations from Stakeholders

We also asked stakeholders for any recommendations they may have for service providers, the criminal justice system, immigration, policy, public awareness, and for survivors.

Stakeholder Recommendations for Service Providers

- **Increase coordination as a community and system** to respond to survivors’ needs. This includes establishing communication between service providers and other stakeholders and cross-training between organizations and agencies to establish common language, expectations, and understanding.

“So the key is that they understand what our processes are and don’t separate it from what [the] victim is going through—that they see this as a seamless process where everyone all has [a] job, [a] stake in this and moves this person forward.” (Site 8, law enforcement officer 2)

- **Enhance training and education for legal service providers**, specifically regarding the legal options available for survivors.
- **Present survivors with opportunities for civil justice.**
- **Increase trust from service providers toward law enforcement.**

“I would say, as whole, building trust amongst each other, but mainly law enforcement. Just like law enforcement, we need to learn to trust everybody else. They need to learn to trust us. Instead, it always seems like it’s the cops and the prosecutors are here and then everybody else is here. We all just need to work together. Even though we have different missions. We all want the same thing. We all want

people to avoid be[ing] exploited and victimized. We just go about it differently.” (Site 4, law enforcement officer 1)

- **Ensure that services are survivor led, survivor informed, and survivor centered.**
- **Prioritize physical safety in terms of a safe place to stay, sexual health, and emotional health for survivors.**
- **Focus on the long-term well-being of survivors** and resolving long-standing trauma resulting from child sexual abuse, physical abuse, and other past victimization experiences.
- **Do not force survivors into services.** For instance, survivors may be pressured into participating in an investigation in order to receive services.

“No, I can talk for this forever because people just don’t get it. You cannot tell—dictate to the client what they have to do because then I become the perpetrator.” (Site 4, service provider 3)

- **Engage the community** as volunteers for local organizations that support survivors in activities that are appropriate for nonspecialized people (e.g., advocacy work).

Stakeholder Recommendations for Law Enforcement

- **Approach survivors as survivors, not suspects, during the investigation process.**
- **Use appropriate language when engaging with survivors, traffickers, and families.**

“What comes to my mind immediately is the need for training law enforcement officers about language when you talk with victims of human trafficking so, for example, you’re not referring to a child victim as a child prostitute, so that you are not referring to an adult victim as a prostitute.” (Site 6, prosecutor 1)

- **Address the issue of demand for sex trafficking.**
- **Establish a “soft interview room”** to make survivors feel more comfortable during investigations.

“I used to think it would be great if we had a soft interview room at our office, which would be good. But it has to be outside our secure officer perimeters [because] I wouldn’t want to have to bring them into the secure zone because then, if they need to go out, well, then they have to be escorted. That’s a hassle alone, but it’s also intimidating to somebody. Here I am in this area where they say I’m free to come and go, but I’m really not [because] I don’t have the key card to get back in. I would like to have our own interview space that was as benign as possible outside our secure area. Sometimes we’ve had to meet our victims or witnesses who are not suspects at a Starbucks, and that’s just really not ideal because there isn’t another location that’s available when we need it. Having space like that at my office would be really beneficial.” (Site 8, law enforcement officer 3)

- **Provide social media training** for law enforcement officials to understand how to navigate various platforms, including Backpage and Snapchat.
- **Believe survivors when they tell their stories.**
- **Communicate investigation outcomes with survivors** when a case moves forward into prosecution or is not accepted for prosecution.

Stakeholder Recommendations for Immigration

- **Educate legal services providers on T visas** and how they can be used for survivors.
- **Believe survivors in immigration detention when they tell their stories.**

Stakeholder Recommendations for Courts

- **Pay attention to safety concerns in the courtroom.**
“Then, as far as safety concerns, I know at sentencings what we try to do is take a look at the courtroom first. We’ve done this where the trafficker’s family members might be in there, and it makes a big difference to at least tell the victim before they go in the courtroom, “This person is in there, but you can sit next to me on the other side of me.” This is when the defendant is coming into the courtroom and he’s not allowed to turn around and look at you or interact with you, but he’s gonna be there. And if you testify, he’s gonna see you and he’s probably gonna be staring at you the whole time. As long as you can prepare them for that and do things the right way, you’re okay.” (Site 2, law enforcement officer 1)
- **Provide training to defense attorneys on victim-centered approaches.**

Stakeholder Recommendations for Policymakers

- **Expand social services for people over 18 years of age.**
- **Provide federal benefits, such as health care and affordable housing, for people who are awaiting T visas, U visas, or asylum relief.**

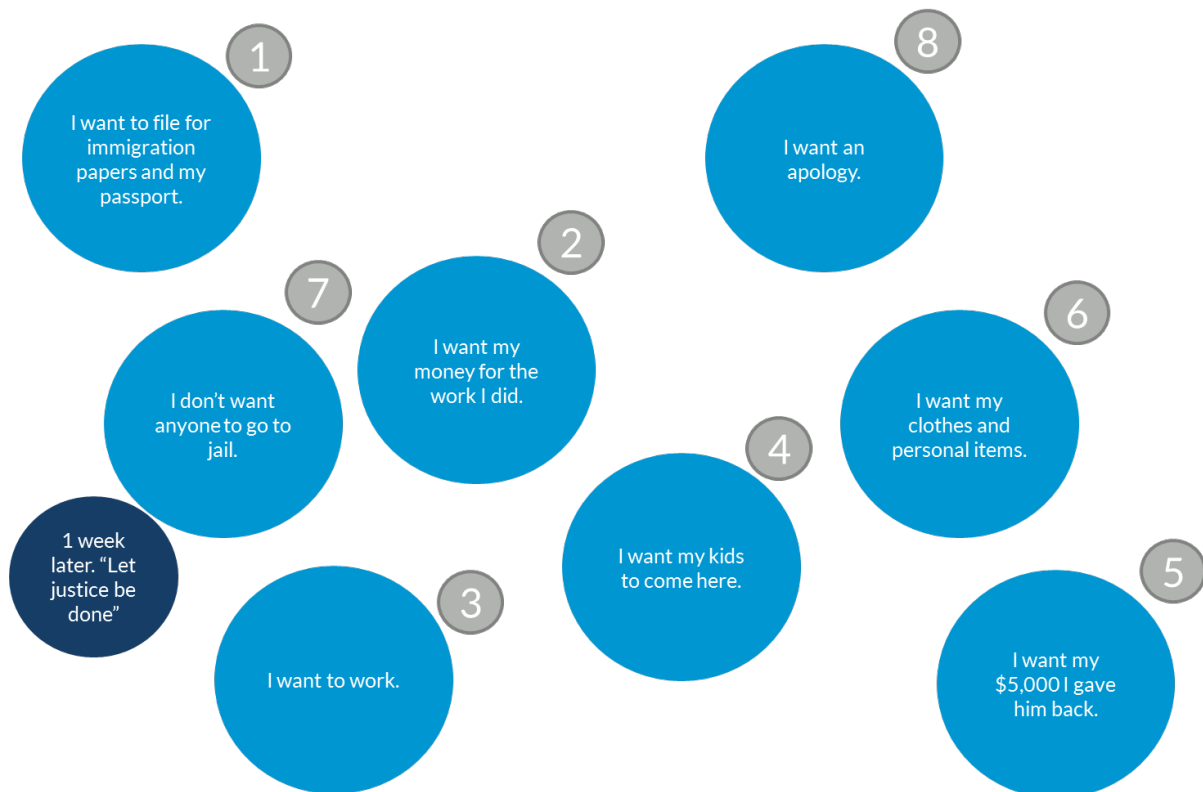
Appendix A. Innovation Spotlight: Survivor-Led Justice Inquiry Tool

The Survivor-Led Justice Inquiry Tool, developed by Lisa Palumbo, project consultant and supervisory attorney of the Immigrants and Workers’ Rights Practice Group at LAF, allows a survivor of human trafficking to direct “justice goals”—that is, to name the actions that they believe will result in justice. It also helps advocates create more informed work plans based on survivor-directed goals. Allowing

survivors to direct and prioritize justice goals through a specific visualization tool provides them with a greater sense of control and collaboration with advocates. These goals, which are periodically reviewed with the survivor, take into account that advocates will first provide survivors with a general understanding of the forms of justice that are available (e.g., getting back their passport, reporting trafficking to an investigator and seeking criminal charges, reuniting with family, finding housing, etc.), regardless of whether the advocate can actually provide these services. The survivor then identifies their justice goals on a form that has various large, randomly placed circles. After dictating these justice goals, survivors then number the smaller circles next to their goals with a number to reflect the hierarchy of each goal. This signifies the order of their goals from most to least important, starting with 1 as most important. The light blue circles signify the first round of priorities expressed by the survivor, and the dark blue circles represent priorities added at a later time. This tool should help advocates direct their work and their discussions with survivors about how to meet their justice goals or what hurdles may exist in meeting those goals. The form should be reviewed regularly to examine progress and make changes to the goals or hierarchy. A sample of this form is included in figure A.1.

FIGURE A.1

Survivor-Led Justice Inquiry Tool



Source: Lisa Palumbo, Immigrants and Workers' Rights Practice Group, LAF.

Appendix B. Study Limitations

Our findings should be interpreted with several limitations in mind. First, this study draws from a convenience sample of human trafficking survivors. Survivor recruitment was made possible through partnership with service providers, meaning data were collected only from survivors who had received some form of legal or social services and remained in contact with their service provider. This might exclude survivors who needed services but did not engaged with formal systems. Future research that engages such survivors is needed.

Second, this study relies on data collected only in urban metropolitan areas. Although the primary service provider in each site served a large geographic area, survivors who lived in more remote, rural locations at the time of our interviews are not represented. Our sample does include survivors who experienced trafficking in rural, nonurban areas but lived in or near each site's metropolitan core at the time of data collection. Third, despite attempts to balance our sample between survivors of labor and sex trafficking, it remains skewed toward labor trafficking. Finally, we had too few respondents with civil justice case experiences to draw definitive conclusions about survivors' perceptions of the civil justice system.³

Our sample of stakeholders is biased toward those whose work has focused primarily on investigating and prosecuting sex trafficking cases. Although this is reflective of current investigative and prosecutorial priorities and not an intentional omission of labor trafficking stakeholders, it does bias our findings as they relate to stakeholders' perceptions of justice and definitions of successful outcomes. Thus, when interpreting findings, it is important to understand that most service provider respondents worked with both labor and sex trafficking survivors while the majority of criminal justice stakeholder respondents worked only with sex trafficking survivors.

Notes

¹ Latinx is a gender-neutral term for people of Latin American descent

² Direct outreach refers to when survivors are contacted by service providers at their place of work, through outreach materials at local organizations, or while incarcerated.

³ For a discussion of civil litigation in cases of human trafficking see Martina Vandenberg, *Ending Impunity, Securing Justice: Using Strategic Litigation to Combat Modern-Day Slavery and Human Trafficking* (New York: The Freedom Fund; and Washington, DC: The Human Trafficking Pro Bono Legal Center, 2015); Martina Vandenberg, "Palermo's Promise: Victims' Rights and Human Trafficking," *Anti-Trafficking Review* 6 (2016): 138–41; and Daniel Werner and Kathleen Kim, *Civil Litigation on Behalf of Victims of Human Trafficking* (Montgomery, AL: Southern Poverty Law Center, 2008).

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