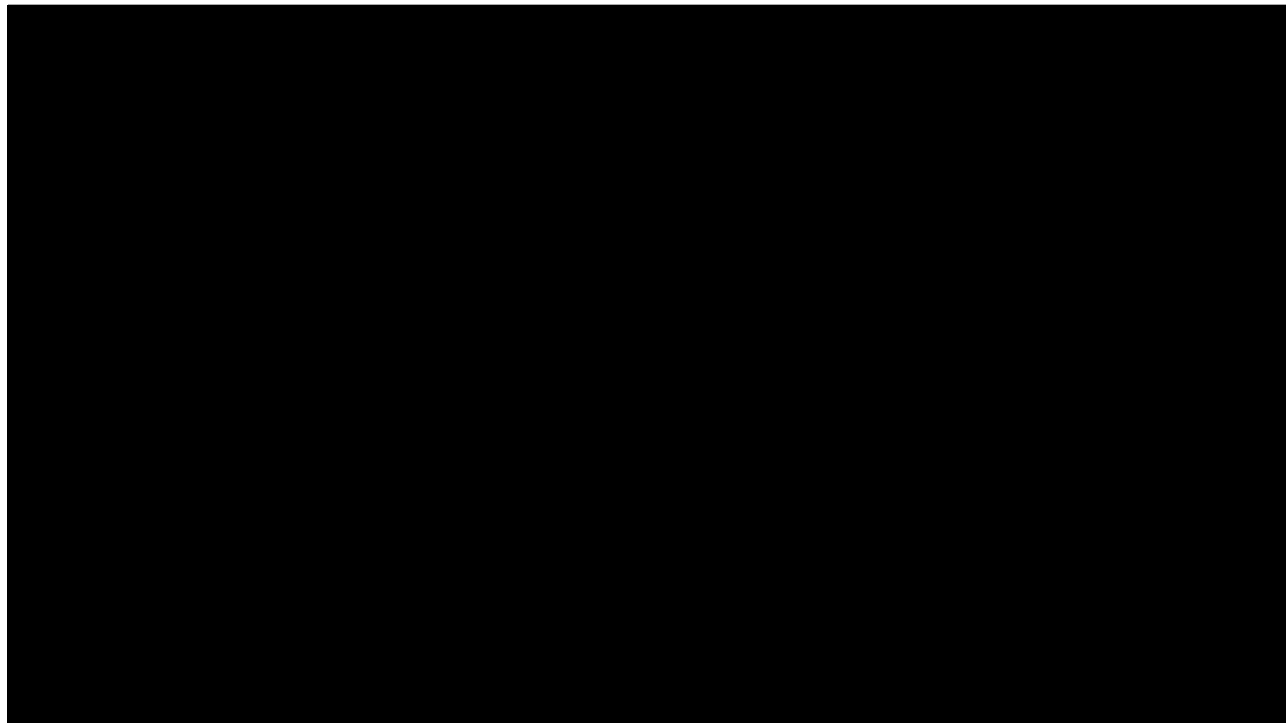


An Analysis of Child Labor Trafficking Arrest Cases in the United States
exploring characteristics and patterns of child labor trafficking



Bandak Lul, MA
Office of Sex Trafficking Intervention Research
Arizona State University



Legal vs. Illegal Child Labor

Federal-level child labor protections are below international standards, especially in agriculture

- Children of **any age** may work in certain small (“exempt”) farms
- Children **as young as 12** may work in “non-hazardous” farm jobs

Parental consent and school hours requirements apply to all above scenarios

- Youth **16 and older** have virtually no special protections compared to adults
- Few restrictions around hazardous jobs during school hours

ILO’s Minimum Age Convention: Most work illegal under age 15, hazardous work illegal under 18

- Ratified by 171 countries -- **not the U.S.**

3

Child Sex Trafficking

Children under 18 years of age involved in commercial sex do not need to have experienced force, fraud, or coercion in order to be considered victims of a severe form of trafficking in persons.

It’s always child sex trafficking because a child cannot consent to sex.

Child Labor Trafficking

Children under 18 years of age in labor trafficking situations are subjected to a higher legal standard, and must have been subject to force, fraud, or coercion in order to be considered labor trafficking victims.

Child employment is permissible under certain circumstances, only becomes trafficking and/or exploitation when employer uses force, fraud, or coercion to maintain control over the child.

4

In what venues does labor trafficking take place?

- Agriculture
- Health and beauty services
- Factory/Manufacturing
- Domestic workplace
- Hotels/Hospitality
- Restaurant/Food industry
- Selling goods (magazines, etc.)
- Traveling sales crew
- Small businesses

(2016) U.S. Office of Juvenile Justice and Delinquency Prevention

5

Child Labor Trafficking Study

An Eight-Year Analysis of Child Labor Trafficking Cases in the United States
Exploring Characteristics, and Patterns of Child Labor Trafficking

6

Scope of the Problem

- While there have been modest improvements in data collection measures for child trafficking since the passage of the TVPA, these efforts are primarily focusing on sex trafficking (Kaufka Walts, 2017).
- Efforts to estimate reliable statistics of the incidence and prevalence of child labor trafficking is difficult due to the criminal nature of the activity, lack of uniform definitions among those collecting data, the lack of a centralized database, and under-recognition of victims (Greenbaum et al., 2017).
- This study used a systematic search method to determine the arrests for child labor trafficking of both U.S. citizens and foreign nationals in the United States from 2011 to 2018.

7

Purpose of this Study

1. To gain insight into the factors that contribute to children becoming victims of child labor trafficking in the United States .
2. Explore the outcomes of arrest cases of labor traffickers of children and trends of victims' involvement in cases .
3. Add to the literature regarding the vulnerabilities of migrant and domestic child workers exploited.

8

Methods: Research Design

Structured online search that produced an eight-year picture of the arrests in the United States of the specific charges of *labor trafficking* of children from January 1, 2011, to December 31, 2018.

2-step process:

1. a broad search through web-based media reports to identify national cases that received prosecutions on child labor trafficking charges, which resulted in a master list of names and some details of the trafficking situation
2. a targeted review of electronically filed court documents and governmental reports. Four cases were not included in the study once the documents were reviewed and they were determined they were for human smuggling only.

9

Key Findings: The Cases

34 cross-section child labor trafficking criminal cases in the United States from 2011 to 2018

Trafficking Type

- Nearly three quarters (n = 25, 73.5%) of the cases were child labor trafficking cases only
- More than one-fourth (n = 9, 26.5%) were both child sex and labor trafficking

10

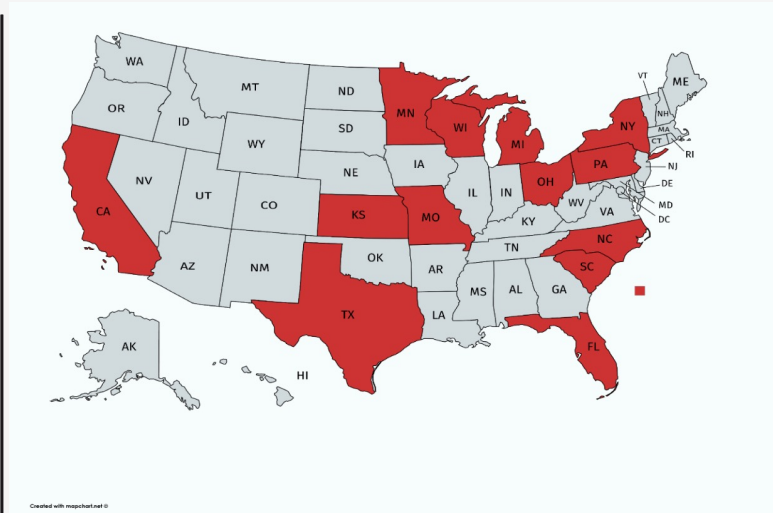
Key Findings: Arrest Locations

13 States had documented arrests for child labor trafficker over the 8-year period.

- 26% (n = 9) Texas
- 14% (n = 5) Wisconsin
- 8.8% (n = 3) Ohio
- 8.8% (n = 3) North Carolina
- 5.9% (n = 2) California
- 5.9% (n = 2) Michigan
- 5.9% (n = 2) Minnesota
- 5.9% (n = 2) Missouri
- 5.9% (n = 2) New York
- 2.9% (n = 1) Florida
- 2.9% (n = 1) Kansas
- 2.9% (n = 1) Pennsylvania
- 2.9% (n = 1) South Carolina

11

Map of child labor trafficking arrests in the United States from 2011 to 2018



KEY FINDINGS: ARREST LOCATIONS

12

Some trafficking venues/settings were used for dual purposes, where the victim was both harbored and exploited.

- Trafficker's house (n = 20, 58.8%)
- Hospitality industry (hotels, spas) (n = 11, 32.4%)
- Street (panhandling and street vendors) (n = 6, 17.6%)
- Trafficker's apartments (n = 5, 14.7%)
- Group homes/home healthcare (n = 5, 14.7%)
- Agricultural fields (n = 4, 11.8%)

Child labor trafficking venues/settings

13

Case Identification

- 36.4% (n = 12) of the cases were identified after victims asked for help.
- 27% (n = 9) of the cases were reported by a person in position of authority (healthcare, social worker, etc.)
- 9.1% (n = 3) were a tip-off from an anonymous caller
- 9.1% (n = 3) investigation for other illegal activities
- 6.1% (n = 2) were identified after suspicious advertisements by law enforcement
- 6.1% (n = 2) were identified through immigration sweep/sting
- 3% (n = 1) traffic/car stop
- 3 (n = 1) proactive investigation case

14

**KEY FINDINGS:
THE PRIMARY
TRAFFICKERS**

Gender N = 34	Ethnicity N = 34
<ul style="list-style-type: none"> • 70.6% (24) male • 29.4% (10) female 	<ul style="list-style-type: none"> • (n = 4, 11.8%) Pacific Islander/Asian • (n = 7, 20.6%) Caucasian • (n = 12, 35.3%) African American • (n = 10, 29.4%) Hispanic/Latino(a)

15

**KEY FINDINGS:
THE PRIMARY
TRAFFICKERS**

Citizenship Status N = 29	Occupation N = 20
<ul style="list-style-type: none"> • 48.3% (n = 14) American-born citizen • 31% (n = 9) undocumented immigrant • 13.8% (n = 4) naturalized citizen • 3.4% (n = 1) non-citizen with visa • 3.4% (n = 1) lawful permanent resident 	<ul style="list-style-type: none"> • (n = 5, 25%) agricultural sector • (n = 4, 20%) education sector • (n = 3, 15%) restaurant sector • (n = 2, 10%) hospitality and hotel industry • (n = 2, 10%) in-home healthcare • (n = 1, 5%) construction sector • (n = 1, 5%) authority figure (police, military) • (n = 1, 5%) transportation sector • (n = 1, 5%) other sectors

16

Victim Type N = 34

- 52.9 percent (n = 18) involved a minor victim only
- 47.1 percent (n = 16) involved a trafficker trafficking both minor and adult victims

Age

- Ranged from ages 8 to 17 years old
- Average age of 15.2

Gender (N = 27)

- Female (n = 17, 63%)
- Male (n = 8, 29.6%)
- Transgender (n = 2, 7.4%)

***KEY
FINDINGS:
THE
VICTIMS***

17

Relationship to trafficker N = 32

- 18 (56.3%) were acquaintances
- 11 (34.4%) complete strangers
- One (3.1%) friend
- One (3.1%) romantic partner
- One (3.1%) family member

Victim origin

- 58.8% (n = 20) of the 34 cases had a victim who originated from another country other than the United States
- 41.2% (n = 14) had a victim who is either a U.S. citizen or permanent resident of the United States.

***KEY
FINDINGS:
THE
VICTIMS***

18




Key Findings: Recruitment Tools

Channels Used N = 31


- online job advertisements (n =7, 20.6%)
- staffing agencies (n = 7, 20.6%)
- emails and phone calls (n = 8, 23.5%)
- Backpage.com (n = 6, 17.6%)
- word of mouth (n = 3, 8.8%)

19

Key Findings: Recruitment and Control Tactics

 <p>Force</p> <p>41.2% physical violence 14.7% sexual violence</p>	 <p>Fraud</p> <p>70% offered victim a place to stay 50% promised money/wealth 50% tricked victim into thinking they would be doing another job</p>	 <p>Coercion</p> <p>94.1% used threats of harm and psychological violence against the victim 23.5% threatened to report the victim to immigration 20.6% withheld victims' passport/visa</p>
--	--	---

20



Key Findings: Transportation and Movement

- **50%** (n = 17) of the labor traffickers crossed national borders from six different countries with their victim(s).
- **76%** (n = 13) of the 17 child labor trafficking cases had victims who originated from Mexico and Central America
- **58.8%** of the labor traffickers bought airline tickets or provided for other means of travel to recruit victims.
- **51%** of the labor traffickers crossed state lines with their victim(s), moving them across up to 8 states within the US.

21

CASE STUDY: LUCINDA LYSONS SHACKLEFORD, 53

22

<p>Prosecution More than 73% (n = 25) of the cases went to trial Most (n = 19, 56%) of the cases were prosecuted by a federal court</p> <ul style="list-style-type: none"> • 58.8% (n = 20) were investigated by the Homeland Security Investigation • 41.2% (n = 14) were Investigated by the Federal Bureau of Investigation 	<p>Case Resolution N = 29</p> <ul style="list-style-type: none"> • 62.1% (n = 18) of the cases showed traffickers took a plea agreement • 20.7% (n = 6) found not guilty • 17.2% (n = 5) nolo contendere • 35.3% (n = 12) of the cases had child labor traffickers who were ordered to pay restitution ranging between a minimum of \$5,600.00 to a maximum of \$212,000. 	<p><i>PROSECUTIONS, AND CASE RESOLUTION</i></p>
---	--	---

23

Implications

- Increased Research and Awareness about child labor trafficking
- Improving child victim benefits and compensation
- Providing person-centered and trauma-informed services

24



Potential Immigration Remedies

The Violence Against Women Act (VAWA) Self Petition - Victim of extreme cruelty by United States Citizen (USC) or Legal Permanent Resident (LPR) spouse

Asylum - Trafficked through threats that form basis of well-founded fear (defense to removal)

Special Immigrant Juvenile Status - Unaccompanied minors due to abuse, neglect, or abandonment

Humanitarian relief for children and family members prior to filing for T Visa

25

Thank you!

Questions?

Bandak Lul, MA
bandaklul@gmail.com

Dr. Dominique Roe-Sepowitz, MSW, Ph.D.
Dominique.Roe@asu.edu

Claudia Letsie, BA
claudialetsie@gmail.com

ASU Office of Sex Trafficking
Intervention Research
Arizona State University

<https://socialwork.asu.edu/stir>

www.sextraffickinghelp.com

26