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More than "Modern Day Slavery": Stakeholder Perspectives and Policy on Human Trafficking in Florida

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More than “Modern Day Slavery”: Stakeholder Perspectives and Policy on Human Trafficking in Florida

by

Nathaniel Dickey

A thesis submitted in partial fulfillment of the requirements for the degree of Master of Arts
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Abstract

In recent years, Florida has acquired a reputation as fertile ground for human trafficking. On the heels of state and federal anti-human trafficking legislation, a host of organizations have risen to provide a range of services. In this thesis, I discuss findings from 26 interviews conducted with law enforcement, service providers, legal representatives and trafficked persons to contextualize the variability in the way anti-trafficking work is conceptualized by stakeholders across the state. Additionally, I explore how conflicting organizational policies on the local, state, and federal levels impact stakeholder collaboration and complicate trafficked persons’ attempts to navigate already complex processes of social/health services and documentation. Lastly, I provide policy recommendations that attempt to address the major issues associated with anti-trafficking work identified through the analysis of participant interviews.
Chapter One: Introduction

National estimates indicate that roughly 15,000 – 20,000 individuals are trafficked into the U.S. each year, although the covert nature of this crime makes the tenability of such estimates suspect. Despite the lack of any solid statistical data for estimating the number of trafficked persons in the state, Florida is frequently cited as one of the top three states that serve as destinations for trafficked persons (Florida Responds to Human Trafficking, 2003:27). One of the primary reasons for the hotbed of human trafficking in Florida can be attributed to the state’s large agricultural, service and tourism industries, which are specifically susceptible to this type of crime. Moreover, large international air travel hubs and ports-of-entry in some of the major cities increases the ease with which traffickers can ferry people into the state (Florida Responds to Human Trafficking, 2003:1).

This research study is a critical, multi-level analysis of state and federal anti-human trafficking policies in Florida, which utilizes the experiences of service providers, state and federal law enforcement officers, immigration attorneys, trafficking victim advocates, and governmental workers in order to investigate the following research questions:

- What are the scope and properties of human trafficking in the state of Florida?
• What are the experiences of trafficked persons during their application for services and residency? How does the current legislation impact their access to health care and social services?
• How do issues of organizational collaboration between stakeholders such as law enforcement and service providers impact trafficked persons access to services?
• What is the effect of an overall policy focus on crime prevention through the education of law enforcement officers rather than concentrating on the overarching political-economic factors that sustain the human trafficking industry?

This research builds upon data collected through two previous seminar projects that investigated human trafficking in Florida. My initial experience in researching this widespread issue allowed me to establish contacts among stakeholders from across the state, most notably Partners Against Trafficking (PAT; this name is a pseudonym) a statewide service provider and advocacy organization for trafficked persons. The local branch office of PAT in Tampa-Clearwater served as the primary location for my internship, where I interviewed a number of their clients. These PAT clients (n = 4) are foreign nationals who were trafficked to Florida and exploited for labor in the service industry, primarily as restaurant servers. Interviews with the clients elicited a significant amount of information with regard to their experiences interacting with law enforcement, their service provider, as well as difficulties experienced when attempting to register for certification as a “victim” of trafficking. The clients also related experiences of everyday life without legal status, as none of these participants were provided official documentation for continued residence in the U.S. Although the anti-trafficking
stakeholder interviews (n = 22) provide the majority of context with regard to the setting of human trafficking in Florida and evidence of policy breakdown among stakeholder entities, I place the narratives from PAT client interviews first as it provides a clear case study of issues, which stakeholder interviews then expanded upon more broadly. In this way, the very real local manifestations of anti-trafficking policy can first be understood which is instructive before exploring on a larger scale how these policies and stakeholder relationships come to have this effect on trafficked persons.

Literature sources do point to inconsistencies in human trafficking policy on a broad international scale (Kim & Hreshchyshyn, 2004; Sadruddin et al., 2005; Chacon, 2006; Chang & Kim, 2007; Srikantiah, 2007), but there is a paucity of literature that analyzes how this policy impacts the everyday lived experiences of trafficked persons attempting to access services in local areas, as well as stakeholders’ ability to conduct their assigned anti-trafficking activities. In addition, there are only a few sources that cover human trafficking issues in the state of Florida (Coonan, 2003; Florida Responds to Human Trafficking, 2003; Reid, 2008; FSU Strategic Plan, 2010; Potocky, 2010), and there are none that specifically incorporate local stakeholder and trafficked person experiences of implementing, and dealing with, policies that emanate from the Victims of Trafficking and Violence Protection Act (2000) and its multiple reauthorizations (the body of legislation will be referred to as the TVPA/PRA in this thesis).
Indeed, this research study seeks to augment the information provided by these other sources, particularly the recently released Strategic Plan on Human Trafficking (2010) from the Florida State University Center for the Advancement of Human Rights, and further contextualize some of the ongoing issues that have plagued actors in Florida’s anti-trafficking field for many years.

In this spirit, this thesis research will greatly add to the literature base, provide recommendations for current human trafficking policy in Florida, and point to areas for further anthropological and public health study in this field. Nonetheless, given the limitations of this study elaborated in the concluding remarks of this paper, these other sources provide information and perspectives that I encourage readers to reference in order to compose a greater synthesis of the inherent complexity of this issue in Florida specifically, and the U.S. in general.

Background

As background to the research focus of this thesis, it is instructive to briefly outline the current state of human trafficking in Florida as well as the important provisions created by recent trafficking legislation.

Most of the legislative direction regarding this issue was created through the Victims of Trafficking and Violence Protection Act (TVPA), passed by Congress in 2000. This act is one of the first and most comprehensive pieces of anti-trafficking legislation that sought to provide law enforcement with legal direction to tackle human trafficking crimes. The TVPA defines the crime of “trafficking in persons” in two primary ways; namely, either individuals compelled to commit commercial sex acts, termed sex
trafficking, or those providing labor and other non-sexual services, known as labor
trafficking, through “force, fraud and coercion” (TVPA 2000:114 STAT.1466). The
TVPA has been subject to subsequent reauthorizations that generally have sought to
increase the amount of protection afforded to trafficked persons under U.S. law as well as
extend the power of the prosecutor to criminalize those indirectly benefiting from human
trafficking (Kappelhoff, 2008). Specifically, the William Wilberforce Trafficking Victim
Protection Reauthorization Act of 2008 extended federal funding and appropriations to
combating trafficking through the 2011 fiscal year, enacted a mandate for the creation of
an integrated database accessible to different governmental departments for the
monitoring and analysis of human trafficking, and increased legislative protections
afforded to trafficked children (Wyler, Siskin & Seelke, 2009:40-41).

Despite the availability of support and benefits under the TVPA, trafficked persons
must apply for these through a certification process, which deems the person to be a
“victim of trafficking,” with either the U.S. Department of Health and Human Services
(DHHS) or the Office of Refugee Resettlement (ORR) (Florida Responds to Human
Trafficking, 2003:63). Similarly, to receive this certification, the “victim”/applicants
must also follow specific guidelines of cooperation with law enforcement during the
prosecution of the trafficker as well as garner proof of “continued presence” in the U.S.
from the Attorney General to underscore their intrinsic worth as a witness (Florida
Responds to Human Trafficking, 2003:63). The issuance of certification as a “trafficking
victim” paves the way for application (and most likely eventual acceptance) for the T-
visa (also known as T Nonimmigrant Status). The T-visa provides a residency permit for
three years along with federally funded services such as Medicaid, food stamps,
Temporary Assistance for Needy Families (TANF), and Cash Assistance, among others (Florida Responds to Human Trafficking, 2003:68-69). Additionally, pre-certified trafficked persons who are in the process of applying for the T-visa or securing certification from law enforcement in the form of a “continued presence” may be eligible for services and benefits from the state during this indeterminate time (DCF Operating Procedure, 2009).

The Florida legislature has also passed a number of statutes that have provided additional direction for responses to human trafficking issues. The state passed its first law criminalizing human trafficking in 2004 (SB 1962), which officially created a new section in the Florida Criminal Code that defined human trafficking offenses for forced sex work and labor (F.S. 787.06). Moreover, this bill also established penalties for trafficking activities, such as a first-degree felony for trafficking domestic minors for sex (F.S. 796.035), and second-degree felonies for the trafficking of adults for labor (F.S. 787.05) and sex work (F.S. 796.045). Amendments to the law (F.S. 787.06) were developed in 2006 that importantly expanded the circumstances of labor trafficking to include fraud and coercion against an individual, incorporated the destruction and withholding of documentation into trafficking provisions, and mandated that law enforcement officer training include basic education on human trafficking crime prevention and investigation. The 2006 amendments also included establishing human trafficking as a crime allowable for civil prosecution in order to provide financial restitution to the trafficked person (F.S. 772.04).
Subsequently, the Florida legislature passed a bill in 2007 (HB 7181) that essentially required the Florida Department of Children and Family Services (DCF) to provide foreign trafficked persons with access to state-funded refugee services as well as create an ancillary fund from these refugee services for trafficked persons who have not yet been certified (i.e. pre-certified individuals). A following amendment to the Florida human trafficking law occurred in 2008 that officially dropped the requirement for a minor trafficked for sex (or participating in pornography or stripping) to prove that the trafficker used force, fraud, or coercion in order to compel in the individual into sex work (F.S. 796.035) (FSU Strategic Plan, 2010). Lastly, the most recent addition to state statutes on human trafficking occurred in 2009, which created the Florida Statewide Human Trafficking Task Force as a means to analyze human trafficking in the state and plan a coordinated response to this issue. This provision allowed for membership on this task force to be appointed by the Governor, however these members ultimately serve without any financial compensation and the task force itself is subsequently slated for abolition in the summer of 2011.

**Previous Research Findings**

As mentioned earlier, the development of the current topic has benefited heavily from previous research that I have conducted on human trafficking in Florida. The majority of this research was conducted for final projects in two graduate-level anthropology seminars. Although the findings from these projects were constrained by small sample sizes and time, they nonetheless provided compelling information that calls for a more comprehensive study to corroborate and build upon this foundational research.
My first research experience with human trafficking issues in Florida was part of a graduate seminar in Anthropological Research Methods and primarily focused on the general issues and policy implications of collaboration between a local service provider (PAT) and a local law enforcement agency. After conducting interviews with multiple participants in the PAT Tampa-Clearwater branch as well as with one of the lead officers in the Clearwater Trafficking Task Force, my findings indicated that the two entities had different conceptual understandings of human trafficking cases. Specifically, this related to a problem cited by one of the PAT participants, in which police officers often relied on the ambiguous definition of “trafficking in persons” provided by the TVPA/PRA in order to designate trafficking cases. This lack of a substantial description of human trafficking coupled with a dearth of case law on this type of crime resulted in a constrained understanding of trafficking cases by officers. Yet this issue further becomes problematic due to the pivotal role law enforcement plays in certifying individuals as “trafficking victims” and thus determining those eligible for health care and social services. Participants from FCAHT conveyed that collaboration with law enforcement could be difficult at times due to this issue, especially when certification of their clients ran into law enforcement resistance. Though this contingency was said to be the exception to the rule, it does represent a glaring issue within existing policy on human trafficking.

The second research project that informs this proposal was conducted for my graduate seminar Issues in Migrant Health. As part of a research team that included anthropology graduate students Sarah Smith, Hannah Helmy, Karen Dyer and Mary Bristol, I helped to examine multiple issues of human trafficking in Florida with a primary focus on access to healthcare. This project took advantage of a timely summit on
the state of human trafficking in Florida that was followed by the first meeting of the newly assembled Florida Statewide Taskforce on Human Trafficking. During both the summit and the meeting, our group was able to conduct short interviews with a variety of law enforcement officers, state officials, academics and service providers. Additionally, we collected data through observing discussion among stakeholders at the informational workshops and panels that were part of the summit. From these data, our team found that, in general, many services were unavailable or difficult to access for trafficking survivors. Extended-stay housing for survivors was considered to be a severe need across the state. Likewise, expensive forms of healthcare, most notably dental care, were often out of reach due to the modest budgets of many service providers. This is particularly true during the time before trafficked persons have been certified and given a “continued presence” status. As the certification process can take months, service providers expressed uncertainty on how coverage could be met during this time. Moreover, one participant indicated that even the documentation process for trafficking survivors was fraught with difficulties and obstacles that could preclude the trafficked person from ever receiving government services.

Finally, our study also indicated that the provision of services after certification could still be a difficult endeavor. Services based on “continued presence” documentation were only available for a set period of time, often elapsing before trafficked persons received renewed coverage through their T-visas. As a result, the situation for service providers and their clients was very confusing and compelled providers to search for other available aid in order to piece together some form of coverage.
**Terminology**

Throughout this thesis I will be referencing particular types of stakeholders and, for the purposes of clarifying this study’s findings, this section will provide general definitions for terms used in this research. A service provider organization, or service provider for short, is a type of non-governmental organization (NGO) that either networks with other organizations to provide services, such as health clinics or shelters, or provides services directly to trafficked persons that have been referred to their care. These organizations may also conduct case management for the criminal cases of their trafficked clients and assist with applications to the various documentation or certification processes. Law enforcement generally refers to local, state, and federal law enforcement investigators on human trafficking cases that arrest the trafficker as well as interact with trafficked persons on the prosecution of the cases.

I also use the term trafficked person instead of similar terms such as trafficking victim or trafficking survivor, which are frequently used in the human trafficking literature. This is in accordance with ideas stated in the literature that use of a blanket term such as “victim” to describe these individuals constructs an identity based on their exploitation and does not provide room to describe other aspects of this complex experience or their agency in stages of the migration process (Goodey, 2004). To elaborate, the literature indicates that some trafficked persons play an active role in their migration from one country to another for purposes of employment, however once in the host country these individuals are forced to pay unforeseen or unspecified debts associated with their illegal entry (Shinkle, 2007). Furthermore, the PAT clients interviewed for this thesis relate their active decision to migrate for economic
opportunities in the U.S. (through what they thought were legitimate and legal channels) in later chapters. These people carried beliefs and aspirations to support family members back in their home country, while concurrently becoming ensnared within multiple global phenomena that impact their health, legal status, and right to personhood. By labeling such individuals as “victims”, not only is their unique experience of migration to a foreign nation half a world away essentialized solely to moments of exploitation within a span of incalculable tenacity and courageousness, but it also occludes mechanisms within the state that inherently contribute to their marginalization and increased vulnerability to be trafficked. Moreover, and in a more legal vein, a “victim of human trafficking” is a term heavily associated with a presumed government-granted legal status that, as this thesis will endeavor to explicate, not all trafficked persons necessarily have been granted.

Since the recent promulgation of legislative responses by both the state and federal governments to human trafficking, a significant body of scholarly literature has been produced that explores this issue through different academic perspectives. Thus, this thesis will subsequently review the relevant literature that further contextualizes issues relating to the main research focus of this thesis and provides important theoretical contributions that will be utilized in the analysis of the research data. The following chapters will then explain the research methodology implemented for this study, present findings from interviews with the PAT clients and anti-trafficking stakeholders, analyze the findings by incorporating concepts from the literature, and finally provide policy recommendations for state and federal anti-trafficking activities as well as limitations to this research study.
Chapter Two: Relevant Literature

To further assess the research question, it is necessary to frame this study within a synthesis of the broader themes in human trafficking literature both in the U.S. and on the international level. Thus, the following examination of the literature covers topics such as the influence of globalization and macroeconomic processes on human trafficking; the difference between international and domestic trafficking persons; definitional and policy issues associated with trafficking; the nature of health and social service access; as well as anthropological and contributions to theorizing and conceptualizing this field.

Global and Economic Processes Influencing Trafficking

To begin, it is instructive to discuss the global and economic processes that reinforce human trafficking as an industry. The recent and ongoing globalization and liberalization of markets around the world have created economic disparities that have disproportionately impacted less-developed countries as well as marginalized populations such as ethnic minorities and women (Bertone, 2000; Aronowitz, 2001; Sassen, 2002). Moreover, the opening of markets has provided what is often referred to as the “push” and “pull” factors of migration, an outpouring of labor migration from less-developed countries with fewer economic opportunities heading to developed countries that have burgeoning economies and a growing need for additional laborers (Aronowitz, 2001; Chaung, 2006). Yet, the inherent disparities in the economic, social, and political power
of migrant populations have provided avenues through which potential migrant workers can be easily exploited into human trafficking for labor or sex work (Diep, 2004). Likewise, economic disparities between developed and developing countries foster human trafficking through the creation of alternative or “shadow” economies in developing nations that encourage market forces supporting the sex industry for economic development in other areas (Sassen, 2002:2; Truong, 2003).

Most of the literature referencing the impact of these global economic liberalization policies on the propagation of human trafficking around the world does so with overwhelming reference to the trafficking of women and children for sex work. This gendered and sex-specific focus is, in part, due to theoretical stances that reference how the current global political economy reinforces the economic marginalization of women and subsequent feminization of migrant labor, with a particular emphasis on sexual labor (Pettman, 1997). Due to the burgeoning sex industries in developing nations with few opportunities for employment in other labor fields, the literature relates there has been a concurrent rise in sex tourism (Cabezas, 2004) as well as human trafficking activities (Benoit, 1999). Furthermore, the boundaries between sex tourism, romantic relationships, and more exploitative forms of sex work can often be blurred in these unregulated economies (Cabezas, 2004). The literature also references the concept of “transactional sex”, in which the disparate economic impact on women can create situations in which sex is used as a means to acquire needed material and social goods.
Transactional sex has been associated with a number of health issues, primarily HIV/AIDS and physical and sexual violence, as it often reduces the ability of women to negotiate safer sexual behaviors with their partners (Dunkle et al., 2004; Ferguson & Morris, 2007; Maganja et al., 2007).

Additionally, the literature suggests that the imposition of multi-national armed forces for peacekeeping missions in war-torn areas may serve to promote human trafficking, and particularly sex trafficking activities, in the occupied country (Murray, 2002; Agathangelou & Ling, 2003). Agathangelou and Ling (2003) convey that peacekeeping activities extend structural inequalities and bolster neo-liberal policies due to the wealth and power afforded to these soldiers and their subsequent support and use of “desire industries”, such as human trafficking. Furthermore, their support of the illicit sex industry serves to restructure local concepts of race, class and gender through their “hyper-masculinization” of labor roles (2003:141).

**Differences Between International and Domestic Trafficked Persons**

Within the available literature, there do seem to be explicit differences between domestic and international human trafficking. Most sources focusing on U.S. citizens as trafficked persons overwhelmingly cite domestic sex trafficking of minors as the major type of trafficking that occurs throughout the U.S. (Raymond & Hughes, 2001; Friedman, 2005; Shared Hope International, 2008). Domestic minors trafficked for sex are generally female and often African American or from other ethnic minority groups, and economically marginalized within U.S. society (Raymond & Hughes, 2001:21). Likewise, sources indicate that runaway and homeless minors are often those most at risk
for being trafficked into sex work (Friedman 2005; Raymond & Hughes, 2001). In contrast to sex trafficking, an exhaustive search on domestic trafficking revealed a large gap in the literature relating to issues of domestic labor trafficking, despite the existence of court cases in which this was prosecuted. The dearth of literature on the trafficking of U.S. citizens for labor may represent an oversight on the part of anti-trafficking organizations and human trafficking scholars.

Two factors stand out in the literature that differentiates the experiences of domestic and international trafficked persons: the focus of the TVPA on international over domestic persons, as well as domestic persons’ refusal to believe that they are “victims” of “trafficking” (Friedman, 2005). Pertaining to the former, Friedman (2005) explains that despite the TVPA mandate that any minor under the age of 18 engaging in sex work is automatically a “victim” of human trafficking, many law enforcement agencies do not distinguish age differences and view all instances of prostitution as criminal offenses (2005:4). This situation is further expressed in a fact sheet by Shared Hope International (2008), which maintains that in 8 out of 10 locations at which the organization assessed the status of domestic minor sex trafficking, trafficking victims under the TVPA law were detained in the justice system for prostitution crimes. In a more in-depth assessment of trafficking issues in the Clearwater, FL area, Shared Hope International (2008) described the detention of trafficking victims as one of the main issues on which local law enforcement agencies needed improvement.

Domestic minors’ “complicity” with being exploited for sex work is the second factor cited in the domestic trafficking literature that is most often at odds with the literature on international victims. According to Friedman (2005), many pimps or would-
be traffickers prey on minors that have become socially or economically marginalized and create a dependence relationship through drug-addiction or an amorous “courtship” period. The psychological manipulation of these minors results in their belief that they are willing participants in their own sexual exploitation and maintain that the trafficker has their best interests in mind (Friedman, 2005:4-5).

While psychological and violent coercive elements are still very present in cases of international trafficking, in many instances coercion is described as the withholding of documentation and fraudulent promises of legitimate jobs upon arrival in the destination country (Kelly & Regan, 2000; Raymond & Hughes, 2001; Bales & Lize, 2005; Chacon, 2006). One example is the use of student and tourist visas to provide “legal” access into the country. This could be considered a form of coercion since their eventual expiration results in the illegal residence of these individuals in the destination country (Raymond & Hughes, 2001). Additionally, the process of becoming certified as a “trafficking victim” involves providing testimony to law enforcement that proves their exploitation and unwilling consent to be trafficked (Florida Responds to Human Trafficking, 2003:63). The routes available for trafficked domestic minors to receive services are different from those available to international victims, in that domestic minor victims receive a “determination of eligibility” from the Office of Refugee Resettlement (ORR) that seems to be based more on age than actual testimony (Gozdziak & MacDonnell, 2007:173).


One major theme addressed by the trafficking literature is the conflation of various terminologies within the illegal migration discourse. In many cases, terms such as *human trafficking*, *smuggling*, *illegal migration* and *asylum seeking* are used interchangeably and without regard to the large differences in meaning that exist among them (Salt, 2000; Iselin & Adams, 2003; Chacon, 2006; Srikantiah, 2007; Tavella, 2007). This is particularly alarming given the difference in legal status afforded to these designations where, as Iselin and Adams (2003) provide in an example, individuals seeking asylum are conducting a legal activity as opposed to those who engage in illegal human smuggling. Additionally, Kung (2000) relates the malleability of these different terminologies when looking at revisions to the U.S. Illegal Immigration Reform and Immigrant Responsibility Act (1996) that can impact how groups of migrants are perceived by the state. In this case, an amendment to the IRIRA allowed for the provision of refugee status to individuals who had been forced to undergo sterilization or abort a pregnancy. This new amendment essentially aided in legitimizing the migration of smuggled Chinese nationals to the U.S., as many of these “illegal” migrants utilized this new addition to refugee status through claims that they were victims of China’s stringent one-child family planning programs (Kung, 2000:1294). Indeed, some sources attempt to provide a conceptual framework for identifying different types of undocumented migrant populations, such as “the customer relationship” that attempts to discern whether individuals have been trafficked or smuggled (Iselin & Adams, 2003). Using this concept, the authors explain the differences between smuggling, in which the “customer” is the one being smuggled, and trafficking, in which the customer is the intended buyer of
the commodity (the trafficking survivor). The level of control (or the complete lack thereof) exercised by the individual upon whom the smuggling or trafficking actions are enacted, essentially dictates status as either customer or commodity (Iselin and Adams 2003:5-6). Likewise, Srikantiah’s (2007) concept of the “iconic victim” relates that the overrepresentation of trafficked persons as innocent, white women trafficked for sex work is reinforced through official anti-trafficking discourse and the media and occludes recognition and activities aimed at other populations that fall under the definition of human trafficking victim. Moreover, she introduces the idea of a “migrant-victim spectrum” that illustrates the diverse severities and occurrences of exploitation in experiences of migration and, in which, the “iconic victim” foil could be used to measure experiences along this spectrum (Srikantiah, 2007).

The difficulty of establishing precise definitions of what a “victim of trafficking” truly represents impacts service provision and healthcare for this population. Indeed, policy gaps in providing social and medical services to trafficked persons have a negative impact through the mishandling of cases that represent trafficking crimes (Sadruddin et al., 2005; Gozdiak & MacDonnell, 2007; Shinkle, 2007). Referring back to the TVPA and its re-authorizations in 2005 and 2008 (henceforth abbreviated to TVPA/PRA), although these laws do provide healthcare services, food stamps and other forms of relief to certified trafficking victims, the certification process does not take into account those individuals who would otherwise qualify for trafficking victim status. In particular, Shinkle (2007) identifies individuals who willingly consent to smuggling activity but are coerced into being trafficked, as well as those who are too traumatized to comply with legal and law enforcement protocol, as examples of viable cases that are not pursued as
trafficking crimes (2007:5). Ultimately, the literature cites difficulties discerning which individuals qualify for human trafficking victim designation, within larger issues associated with ongoing implementation and interpretation of the TVPA/PRA legislation and similar provisions against human trafficking.

Often the most visible indicator that the TVPA/PRA has been ineffective to date in its implementation is expressed through the overall low number of T-visas provided to certified “human trafficking victims”, based on the total estimated trafficked persons in the U.S. (Kim & Hreshchyshyn, 2004; Chacon, 2006; Payne, 2006; Srikantiah, 2007; Mariconda, 2009). The inception of the TVPA is also not representative of a comprehensive reform to criminalize human trafficking in the United States, since historically there have been provisions in place that cover statutory crimes related to human trafficking (Chacon, 2006). Chacon (2006) explains that the TVPA should instead be conceptualized as just adding another piece to the “patchwork” of provisions covering trafficking-related crimes, allowing for a few additional protections to trafficked persons, but unable to provide recourse for the systemic problems already present in this area (2006:20). Similarly, given the TVPA/PRA specification that only those individuals who suffered an “extreme form” of human trafficking are allowed full documentation benefits, this legislation complicates “victim” designation and definition as there exists less extreme forms of this crime (Chacon, 2006; Sadruddin et al., 2005).

Building on some of these fundamental issues, the literature also relates one of the largest critiques of this legislation is that the TVPA/PRA is predominately utilized as a prosecution tool against traffickers at the expense of its preventative and humanitarian functions. This is most clearly conveyed through a provision in which the services and
benefits that ultimately stem from certification as a “victim” of human trafficking are contingent on the trafficked person’s cooperation during the criminal court proceedings on the accused trafficker (Chapkis, 2003; Chacon, 2006; Srikantiah, 2007; Haynes, 2009). Not only does this allow law enforcement and legal units the ability to build an effective case from the reports of the principal eyewitness (Chacon, 2006; Srikantiah, 2007), but it also further contributes to securing the U.S. border from “undeserving” migrants by obligating even those that are “deserving” to state their worth (Chapkis, 2003).

Moreover, the disparate rates of prosecutions favoring sex trafficking cases over labor trafficking cases reflect the overall predominance of sex trafficking within the operational policies of the TVPA/PRA (Chacon, 2006; Srikantiah, 2007; Haynes, 2009). On this note, Srikantiah (2007) provides an instructive concept regarding the heavy focus of anti-trafficking stakeholders and media elements on sex trafficking through her idea of the “iconic victim” of trafficking. The “iconic victim” refers to a preference for relaying a specific image of the “common” trafficked person through the discourse generated by the TVPA/RA, namely an innocent, white female trafficked for sexual exploitation (Srikantiah, 2007). This idea is expressed by other authors who emphasize that the policymaking discourse surrounding the creation of the TVPA almost exclusively focused on a conception of human trafficking occupied by sex trafficking of women (Chacon, 2006:24; Haynes, 2009). The predominance of migrant women as sex trafficking “victims” and thus victims of human trafficking has a significant impact on which individuals will be most likely certified by law enforcement, precisely because certification is directly tied to prosecutability (Srikantiah, 2007).
Ultimately, those law enforcement agencies that are assigned to the human trafficking case decide whether the case warrants a trafficking designation and the client represents a “good witness” for the prosecution (Srikantiah, 2007). As previously noted, potential trafficking victims are obligated to cooperate with elements of law enforcement in order to receive a “continued presence” designation that allows eligibility for the T-visa and its respective benefits (Sadruddin et al., 2005; Shinkle, 2007). Law enforcement consensus is a time-consuming process, as seen in the case of trafficked children’s eligibility for benefits, where the time span between interdepartmental verification of applicants for trafficking status and the actual issuance of documentation has resulted in a major obstacle for service provision to these children (Gozdziak & MacDonnell, 2007:180).

In addition to criticisms of the tenuous trafficking victim definitions and legal procedures promulgated by the TVPA/PRA, given the patchwork nature of legislation on this crime the literature also cites the need to apply an umbrella provision to include the many various statutory charges associated with human trafficking under one expansive human trafficking charge (Finckenauer & Liu, 2006; Payne, 2006). The illegal employment practices of both small, U.S. citizen employers and corporations are specifically mentioned as one area in which human trafficking prosecution needs to be more effectively implemented (Chacon, 2006; Finckenauer & Liu, 2006; Srikantiah, 2007). Chacon (2006) relates that the TVPA/PRA prosecution focus is primarily on non-citizen traffickers that exploit women for sex work, therefore allowing U.S. corporations to take advantage of stringent immigration laws and the anti-immigrant sentiment in the U.S. generally. The author explains this process through an analysis of the 1986
Immigration Reform and Control Act (IRCA), which criminalized the act of knowingly employing undocumented workers and set up corporate sanctions as a federally-administered penalty (Chacon, 2006). Despite this landmark legislation, the provisions protecting undocumented workers’ rights were by definition self-regulatory by the particular employer, thus enforcement of these provisions by law enforcement agencies has been historically sparse (Chacon, 2006:13). Moreover, sources explain that the IRCA sanctions can play into the employers’ hand at the expense of marginalizing undocumented workers further (Chacon, 2006; Stuesse, 2010), as these sanctions provide a legitimate pretext for corporations to terminate these workers’ employment, specifically during attempts at organization (Chacon, 2006).

The Immigration Law/Human Trafficking Relationship

A brief focus on the relationship between current U.S. immigration law and its impact on prevalence of human trafficking is also important with regard to this study, specifically literature analyzing the ongoing U.S. Guest Worker Program (GWP). One of the largest critiques of the GWP, and the H-2A (agricultural labor) and H-2B (non-agricultural labor) temporary seasonal work permits that are offered to foreign nationals, is that this program inherently restricts the rights of migrant laborers granted this documentation (Smith-Nonini, 2002; Shea, 2003; Sarathy & Casanova, 2008; Haynes, 2009; Krögel, 2010). As Haynes (2009) relates, there are many levels of certification that a potential worker must acquire before becoming a legal guest worker, which includes an approval by the Department of Homeland Security, a visa from the Department of State, and a certification from the Department of Labor that must be petitioned for the
individual by the employer (2009:15). Furthermore, the work permit is valid only for labor with that specific employer, and the multitude of restrictive guidelines to be met by both the foreign national and employer are specifically a countermeasure to protect against job displacement of U.S. workers (Haynes, 2009).

The relative absence of federal regulation or investigation of non-compliance with the few protections afforded to guest workers essentially leaves these individuals bound to, and at the mercy of, their employers, which significantly increases the chance of their exploitation (Sarathy & Casanova, 2008; Haynes, 2009; Krögel, 2010). Krögel (2010) conveys the exploitative conditions experienced by Quechua sheepherders holding H-2A guest worker visas in Wyoming, where the lack of federal regulations on appropriate housing for this labor group resulted in unsafe and unhealthy living conditions. Additionally, these workers feared speaking out or contesting the low wages, long work hours, and inhospitable work environment due to the tenuousness of their legality in the U.S. portrayed through the ability of their employers to terminate their work contract over any dispute (Krögel, 2010). In some cases, a “black list” is created, where employers bar workers that contested working conditions from employment with their company (Smith-Nonini, 2002; Haynes, 2009). To be sure, guest worker populations may not face any less exploitative situations than their undocumented counterparts, as Sarathy and Casanova (2008) explain through their analysis of work conditions for both undocumented and H-2B permit-holding forest laborers in the U.S.
Ultimately, the power afforded to employers through provisions in the U.S. Guest Worker Program, along with the often un-enforced federal mandates against labor exploitation in the TVPA/PRA, allow for the increased marginalization of these guest workers and a greater potentiality for human trafficking (Chang & Kim, 2007; Haynes, 2009).

**Lack of Labor Trafficking Sources**

Although mentioned earlier, there is a relative lack of literature sources that detail cases of domestic or international labor trafficking. What is conveyed through the literature is the uneven focus on sex trafficking despite reports from organizations that labor trafficking is possibly more widespread in the U.S. and internationally (Plant, 2002; Chacon, 2006; Chang & Kim, 2007, Srikantiah, 2007; Haynes, 2009). Chang and Kim (2007) note that this overemphasis on the criminalization of sex trafficking and prostitution does violence toward those exploited for labor purposes by shifting law enforcement focus away from identifying more instances of labor trafficking.

Aside from discussion on the uneven focus on types of human trafficking, sources describe issues associated with continued case management to persons trafficked for labor in the U.S. (Brennan, 2010), and specific socio-cultural and economic conditions that create vulnerabilities for labor trafficking in Nepal (O’Neill, 2001). Relating issues with regard to the TVPA/PRA provisions for the resettlement of former trafficked persons, Brennan (2010) points to concepts of importance to this research study. In particular, she notes a “disconnect” between the stated resettlement goals of the TVPA/PRA and what can actually be accomplished by caseworkers on the ground.
(2010:1600). Moreover, the benefits associated with continued T-visa support were indicated to be insufficient as a means for assisting trafficked persons out of poverty, obligating individuals to seek potentially exploitative jobs in order to continue sending remittances back to their families (Brennan, 2010).

**Health Issues and Access to Services for Trafficked Persons**

Gaps in health and social services to trafficked persons are hard to assess through the existing corpus of literature. What is available conveys the existence of many unmet medical needs for this population. Studies based on interviews with trafficked persons relate that while basic medical check-ups are provided, more intensive treatment for vision care, dental care, gynecological exams, and chronic disease treatment are lacking (Aron, Zweig, & Newmark, 2006:22; Clawson & Dutch, 2008). In addition, a lack of shelters for trafficked persons necessitates their dispersal to both domestic violence and homeless shelters, both of which represent non-ideal residences due to the shelters’ inability to provide specialized care for victims (Aron, Zweig, & Newmark, 2006:25-26; Clawson & Grace, 2007; Clawson & Dutch, 2008; Potocky, 2010). Furthermore, the literature relates that access barriers to services such as lack of translation capacities for some languages exist (Clawson & Dutch, 2008).

There is plentiful literature on the physical and mental health issues of trafficked persons in general, and persons trafficked for sex specifically. Regarding sex trafficking, due to the performance of numerous acts of commercial sex work and the lack of power to negotiate condom use or safe-sex practices, the prevalence of STIs such as syphilis, gonorrhea and HIV are significant among this population (Beyrer & Stachowiak, 2003;
Barrows & Finger, 2008; Silverman et al., 2008; Zimmerman et al., 2008). Moreover, other physical symptoms such as pelvic pain, stomach pain, and back pain were mentioned and often occurred in concert with STIs and other physical injuries (Zimmerman et al., 2008) Social factors of health also contribute to the overall health risks of trafficked persons. The interplay of poverty and health (Gushulak & MacPherson, 2000; Logan, Walker, & Hunt, 2009) as well as the process of migration generally, and human trafficking specifically, all impact the physical wellbeing of trafficked persons (Gushulak & MacPherson, 2000).

Mental health issues were also cited frequently in the literature, specifically with regard to the trauma sustained by persons trafficked for sex work. Trafficking related sexual and physical traumas were indicated to be extreme and were the root cause of somatic stress-related conditions such as digestion issues and chronic headaches, as well as forms of post-traumatic stress disorder and anxieties (Gajic-Veljanoski & Stewart, 2007; Clawson & Dutch, 2008; Tsutsumi et al., 2008; Zimmerman et al., 2008; Potocky, 2010). Although these sources stressed the provision of mental health counseling as part of a service package to trafficked persons, very few discussed in any specific detail on what mental health counseling would be most appropriate. Specifically focusing on mental health counseling for domestic minors trafficked for sex work, Clawson and Grace (2007) note the utility of trauma-informed mental health services such as cognitive behavioral therapy, dialectical behavioral therapy, and eye movement desensitization and reprocessing (2007:6).
There was a general lack of literature focusing on issues negotiating the bureaucracies of health care providers or partner service providers in order to offer trafficked persons with a variety of services. However, one study on service provider activities for trafficked persons in south Florida cited difficulties in accessing health care with a partner clinic, in which the service provider had to contend with issues such as acquiring clinic ID cards for clients and filing the appropriate paperwork for services (Potocky, 2010:378). Moreover, this study also related that staff turnover at the south Florida service provider created issues with managing service provision to their clients, which was compounded by cuts to their funding sources (Potocky, 2010:379).

**Law Enforcement Roles**

Briefly surveying the available literature for discussions on law enforcement’s anti-trafficking roles, authors point to the overall need for specialist units within law enforcement agencies that are highly trained for detecting and combating cases of human trafficking in their jurisdiction (David, 2007; Gallagher & Holmes, 2008). Moreover, in order for these specialists to truly be effective, the literature indicates the needs for a “multi-agency” or collaborative approach that pairs law enforcement agencies with other anti-trafficking stakeholders such as service providers and victim advocates (Holmes, 2002; David, 2007; Gallagher & Holmes, 2008). One instructive concept developed in relation to this collaborative approach is to design memoranda of understanding (MOU) between the various stakeholders in order to clearly define activities and ensure that partnering units understand the operational mission of the other (David, 2007; Clawson & Dutch, 2008).
Additionally, the activities of these law enforcement specialist units and their organizational partners would require consistent funding in order to be truly effective (Gallagher & Holmes, 2008).

Training and education are also mentioned as significant needs among both frontline police officers, who are likely to make first contact with trafficked persons, as well as prosecuting attorneys and judges who must be well versed on the current legal framework for human trafficking (Gallagher & Holmes, 2008). The literature did not relate many legal strategies or options for ensuring a greater conviction rate for traffickers, however case studies pointed to the use of civil penalties and elements of the RICO Act, or the Racketeer Influenced and Corrupt Organizations Act that provides legal recourse for extortion, fraud, criminal activity-derived proceeds and money laundering (U.S. House of Representatives, 2011), which can all be parts of human trafficking activities. Use of these legal devices is indicated to be effective in prosecution, although these laws do not technically reside under human trafficking crimes (Chacon, 2006; Payne, 2006; Gallagher & Holmes, 2008). Lastly, there was a lack of clear and defined strategies for the way in which law enforcement should interact with trafficked persons, and the “victim-centered approach” was mentioned only by name with little description (David, 2007).

**Gendered Discourse in Human Trafficking**

As previously mentioned, policies and discourse emanating from both national and international legislative measures on human trafficking, such as the TVPA/PRA in the U.S. case, have predominately privileged sex trafficking and constructed a
“deserving” human trafficking “victim” as an innocent female forced into sex work against her will (Chacon, 2006; Srikantiah, 2007; Haynes, 2009). Given policymakers’ overemphasis on the sexual exploitation of women in anti-trafficking discourse, it is perhaps unsurprising that the feminist literature is focused on sex trafficking and how this phenomenon relates to larger notions of the international sex trade and women’s place within the global political economy. Moreover, this literature conveys a large theoretical division among feminist scholars on how work relates to women’s rights. The so-called “abolitionist” perspective perceives sex work as an inherent subjugation of women’s rights, which perpetuates gender inequalities through the commoditization of women’s bodies and is result of the economic and social marginalization of women through the entrenchment of global neo-liberal economic policies (Pickup, 1998; Chew, 1999; Goodey, 2004; Miriam, 2005; Outshoorn, 2005; Sharma, 2005; Limoncelli, 2009). Thus, within this viewpoint there is no differentiation between trafficking and sex work, since both appear as forms of exploitation of women (Limoncelli, 2009). Conversely, the “sex work” or “liberal” perspective places sex work as a legitimate field of labor, and attempts to eliminate gender distinctions given the presence of both male and female workers in this field. Furthermore, since sex work is seen as a legitimate enterprise, this perspective also advocates for the regulation of the sex industry as a protection from labor exploitation and subsequently distinguished sex work from sex trafficking (Pickup, 1998; Chew, 1999; Goodey, 2004; Miriam, 2005; Outshoorn, 2005; Sharma, 2005; Limoncelli, 2009).
Given the contention created by these distinct theoretical perspectives within feminist scholarship, there has not yet been significant critical discussion on practical policy implications and strategies for assisting women that have been trafficked for sex (Limoncelli, 2009).

Aside from this major theoretical debate, the literature also provides points of criticism on prevailing anti-trafficking discourse and policies espoused by the U.S. and other western entities. In particular, Sharma (2005) relates the idea that anti-trafficking policies represent extensions of national and international security agendas that aid in controlling the migration of women and children, and contributes to the criminalization rhetoric of unauthorized forms of migration. Much of this anti-trafficking discourse can be characterized as a “moral panic” regarding the exploitation of innocent women and children, which obscures the overarching neo-liberal policies that have created increased vulnerability among women (Sharma, 2005:89; Limoncelli, 2009). Elaborating on this, Limoncelli (2009) calls for a “gendered political economy” that places both trafficking and prostitution on a continuum of women’s formal and informal labor activities, and would help to elucidate the ways in which women have become vulnerable in the global economy (2009:266). The literature also points to tendencies of current anti-trafficking discourse to equate sex work with sex trafficking, that contribute to further criminalizing this labor activity and essentializing all sex workers as victims of some form (Sharma, 2005; Day, 2009; Chaung, 2010).
Authors also scrutinize the use of the term “victim” particularly as a means of identifying females trafficked for sex work since, its legal status implications withstanding, these individuals have related differences of opinion with regard to identifying themselves, and their experience, as more than can be encapsulated by the victim term (Goodey, 2004).

**International Perspectives**

A look at international perspectives on human trafficking can also provide a valuable comparison to issues in the U.S. Berman (2003) notes that the criminalization rhetoric in Europe, or the focus on apprehending traffickers, reinforces the conflation of all forms of trafficking to “sex trafficking in women.” This, in turn, is used as a justification for the imposition of stricter immigration laws aimed at eliminating trafficking (Berman, 2003:39). Concordantly the same rhetoric exists on the other side of the Atlantic, which has led to the tightening of U.S. border security (Chang & Kim, 2007). Similarly, the literature suggests that overemphasis on law enforcement aspect of human trafficking legislation ends up doing violence to the women who are supposed to be protected, as they are no longer afforded legal means of crossing borders due to heightened security (Berman, 2003:47). Conflicting dialogues stress either the need for greater law enforcement coordination due to the fluidity of borders in the new European Union (Smartt, 2003) or maintain that trafficking prevention policies must move beyond current crime control paradigms and view trafficking through a human rights discourse (Zalewski, 2005).
The question of how the legalized sex work market in some countries would impact the scale of the illegal market in human trafficking was also indicated through multiple sources (Truong, 2003; Tavella, 2007). Explicating data collected in Europe, Truong (2003) argues that competition does exist between legal sex-work and illegal human trafficking, where self-employed sex workers may not be able to compete with the extremely cheap prices that are offered through the trafficking of persons for sex (2003:38). Thus, an equitable market that allows for the self-employment of individuals as sex workers necessitates the granting of documentation to all, including undocumented sex workers and trafficked persons (Truong, 2003:38). Although this idea runs up against EU immigration policies, the very debate of legalized commercial sex regulation is specifically European and at odds to the near-universal criminalization of sex-work in the United States.

**Anthropological Perspectives and Theoretical Approaches to Trafficking**

Given the exploratory nature of this study, the theoretical model that I utilize specifically incorporates concepts from a number of areas within the anthropological literature. In order to elucidate these important concepts, this section reviews both the theoretical and applied contributions from the Anthropology of Policy, Anthropology of Bureaucracy, Anthropology of Organizations as well as anthropological studies on migrant health and particularly the few scholars that engage studies of human trafficking.

There has been a recent call for a greater anthropological presence on critical policy studies and, indeed, specifically developing an anthropology of policy (Stack, 1997; Okongwu & Mencher, 2000; Wedel et al., 2005). As its name would imply, the
unit of analysis of an anthropology of policy is public policy, in which relations between
the state and local communities are explored, as is the impact that such policy has on the
everyday lived experiences of people in local places (Wedel et al., 2005:34). In
particular, ethnography is an effective tool to contextualize the experiences of those
individuals impacted by policy as well as to tease out the complex processes relating to
policymaking and policy implementation (Stack, 1997; Biehl, 2007). Okongwu and
Mencher (2000) describe a variety of arenas in which anthropologists have made, and
continue to make, an impact in public policy, however of importance to this study is the
anthropological literature associated with immigration and health policies.

In a study on French immigration policies related to the provision of
documentation to asylum-seekers, Fassin (2005) explains that government emphasis on a
humanitarian rationale for asylee claims ultimately resulted in a “biopolitics of asylum”,
where authorization was predicated on physical maladies that could be validated by
policy changes over the course of the 20th century and relates that many of these respond
to the potential health burden of immigrants on taxpayers, with the overall effect of
establishing a system whereby immigrant behavior is controlled internally by the state. In
contrast, Cornelius (2001) relates the impact of immigration policies that further
securitize the Mexican border; far from deterring further undocumented immigration,
these policies have only served to expand illicit smuggling activity, increase the mortality
rates of migrants attempting to illegally enter the country and generally further
marginalize undocumented migrants along this border.
In addition to increasing scholarly attention to the anthropology of public policy, there has been a similar call for anthropologists to focus research and scrutiny on health policies, specifically market-based medicine (Rylko-Bauer & Farmer, 2002; Horton and Lamphere, 2006). This call has been answered in a variety of health-related policy arenas, but particularly representative of the analysis of neoliberal ideologies in the health care field is seen within literature examining the impact of the Medicaid Managed Care plan instituted recently in New Mexico (Waitzkin et al., 2002; Boehm, 2005; Lamphere, 2005; López, 2005; Nelson, 2005; Kano, Williging & Rylko-Bauer, 2009). This compendium of anthropological perspectives provides nuanced analyses on the way in which the privatization of Medicaid services in the state created significant barriers for qualified individuals to enroll in the system (López, 2005), increased pressure on safety-net institutions to cover those people the system left out (Waitzkin et al., 2002; Boehm, 2005; Lamphere, 2005), and further marginalized and isolated particular groups of people with subsequent reform in behavioral health care (Kano, Williging & Rylko-Bauer, 2009). Likewise, anthropologists have investigated relationships between earlier attempts at large-scale U.S. health care reform and decisions by large religious organizations to weigh in on ensuing debates, advocating a specific cultural and religious “value-orientation” with regard to supporting particular health policies (Angrosino, 2001). Anthropological perspectives on health policy also extend to international contexts in which the impacts of these policies are experienced in culturally specific ways. This can be seen through policies reforming reproductive healthcare in Poland (Mishtal, 2009), Mongolia (Janes & Chuluundorj, 2004), as well as migrant populations negotiating reproductive biomedical policies and religious doctrine in France (Sargent, 2006).
Concepts developed within the Anthropology of Bureaucracy contribute to the literature regarding the role of governmental agencies and large organizations in the interpretation of policy and the distribution of power. One particularly important concept to social science studies of bureaucracy is the notion of “bureaucratic disentitlement” as a means through which social services can be reduced or diverted through bureaucratic means by those in power (Lipsky, 1984; Maskovsky, 2000; Lamphere, 2005; López, 2005). In his analysis of the retrenchment of social welfare programs in Boston, Lipsky (1984) related that government agencies essentially set up a patronage system in which non-profit and community groups both carried out, and were restricted by, the policy agendas of state officials that controlled the distribution of resources (1984:19-20). One key idea associated with the process of bureaucratic disentitlement is that conflict between government agencies and the populations their policies impact often does not occur within the public sphere, but rather in bureaucratic contexts (Lipsky, 1984). This process of social services disentitlement to marginalized populations is further elaborated with regard to the restriction of health care services and subsequent stress of safety-net institutions due to the imposition of a managed care system for Medicaid in New Mexico (Waitzkin et al., 2002; Lamphere, 2005; López, 2005).

An additional instructive concept emanating from anthropological studies of bureaucracy focuses on how organizational policies are both developed and enacted by “street-level bureaucrats” (Weatherly & Lipsky, 1977). These individuals are often the everyday face of a particular governmental agency to the public and, in effect, are the agency’s policymakers through their decisions on how best to allocate limited resources with tasks assigned by the agency (Weatherly & Lipsky, 1977:172). The ethnographic
analysis of decisions by street-level bureaucrats can often be crucial in contextualizing the informal circumstances in which official policies are showcased to the public and the way in which regulations are applied to complex realities (Heyman, 1995; Morgen, 2001; Heyman, 2004; Horton, 2006). This is particularly seen in Heyman’s (1995) exploration on the “thought-work” or rationalized decisions of U.S. Border Patrol agents in determining the classification of undocumented migrants and how immigration laws should be applied to these individuals. Given that bureaucracies wield power broadly over specific populations and minutely between different components, or levels, in a bureaucracy, multi-level ethnographic analyses are particularly valuable in discerning the organization of authority and power in these environments (Heyman, 2004).

The anthropology of organizations also contributes to further understanding how bureaucracies, namely in the form of corporations, governmental organizations, or third parties, internally operate as well as influence the outside world. Much of the literature in this field debates how best to analyze “organizational culture” and the different theories of what truly represent artifacts of this culture (Schwartzman, 1993; Wright, 1994; Lewis, 1999; Lewis et al., 2003). Susan Wright (1994) relates the contention over the representations of organizational culture between disciplines such as organizational studies and anthropology, in which the latter rejects the former’s explanation of this culture being a uniform system of relations bounded to members of the organizational group. Instead, the current anthropological literature maintains that in order to better understand the activities and interactions at play in an organization, and between an organization and the public sphere, culture should be related as more of a process that emphasizes power differences that are contested by actors (Wright, 1994:26-27).
Of particular importance to this study are concepts related to the way in which intermediaries, either imbedded on lower levels of governmental agencies or part of a different organization altogether, aid in minimizing the impacts of power differentials between organizations and marginalized populations (Edwards, 1994; Boehm, 2005; Lamphere, 2005; Horton, 2006). In direct response to the deterioration of the health care coverage brought on by the imposition of a Medicaid Managed Care program in New Mexico, Boehm (2005) explained that Federally Qualified Health Centers in the state subsidized the program by increasing the scope of their primary health care activities to clients unable to gain access through other providers.

The anthropology of migration and migrant health sources contribute to the literature on human trafficking by exploring concepts of deservingness of migrant groups in host countries (Horton, 2004), as well as teasing out experiences of structural inequalities that these groups face before, during, and after the migration. For example, Castañeda (2008) discusses the concept of reproductive stratification, in which discrimination and fear represent large barriers to the registration of undocumented pregnant migrants for temporary documentation and health services available to them in Germany. Ticktin (2006) also adds to the discourse on the “deservingness” of migrants by exploring how humanitarian definitions of asylum seekers are transformed into a politics that dictates on a moral ground who can and cannot receive residency in France (2006:35). Teasing out this moralistic framework inherent in the French humanitarian immigration model, Fassin and D’Halluin (2005) explain how systematic mistrust of asylum seekers’ testimony by the French government has engendered a protocol that values physical evidence over verbal in the search for signs of torture on the victims’
bodies (2005:598). This concept can be compared to the certification process for “trafficking victims”, who must provide both testimony and compliance with law enforcement in order to receive the benefits that come with such certification status (Florida Responds to Human Trafficking 2003:63).

Perspectives on migrant illegality also contribute to an understanding of human trafficking by explaining how the “illegal” designation is configured by the state and can also have significant consequences for health and illness among this population (De Genova, 2002; De Genova, 2004; Willen, 2005; Rosenthal, 2007; Castañeda, 2009). In the context of the formation of Mexican migrants’ illegality, this designation is itself conceived through the immigration law of the U.S. and inherently represents both a spatialized and racialized condition; in which the illegal nature of these individuals’ tenure in the host country is both cause for the constant possibility of deportation and part of their identity (De Genova, 2004). Elaborating on this, Castañeda (2009) contextualizes the health effects of illegality seen in a Berlin clinic where the condition manifests clear health risks through a lack of access to health care as well as a psychosomatic “illegal syndrome” brought on by stresses related to undocumentedness (2009: 1558-1559).

In addition to exploring how the state produces forms of migrant illegality, anthropological literature also reviews other means through which state actions impact everyday life for migrants. Stuesse (2010) relates the role that the U.S. federal government plays in emphasizing immigrant worker vulnerabilities through corporate employer sanctions. These sanctions ultimately facilitated under-the-table activities between undocumented workers and a large poultry corporation, which inherently provided the corporation with more power over an already marginalized and vulnerable
workforce. Likewise, Tormey (2007) explains how the Irish state was able to redefine citizenship rights based on \textit{jus sanguinas} by using a moral framework that cast asylees, particularly those of African origin and specifically pregnant women, as non-contributory towards the good of the nation. Lastly, the literature also provides examples of ways in which the state constructs different notions of cultural citizenship to specific migrant groups (Horton, 2004) and how it can also reinforce structural violence in the everyday experience of migrant laborers through neoliberal policies that de-regulate hiring practices and further marginalize this population (Benson, 2008).

There are relatively few anthropological perspectives that attempt to cover concepts specifically surrounding human trafficking, relating a general need within the discipline to engage this contemporary problem. In his exploration of the changes to the human trafficking landscape in Bosnia and Herzegovina, Dawson (2008) conveys that an increase in the mobility of rural populations and the recent withdrawal of large international aid and peacekeeping organizations has created a transition in rural communities to more disjunctured “non-places”. This rural disjuncture has created a climate in which illicit activities, such as forms of human trafficking, can flourish in small, local capacities (Dawson, 2008:135). Focusing more on trafficked persons’ interface with state institutions, Giordano (2008) relates that the process of documentation and residency for these individuals in Italy contributes to notions of both “confessional citizenship” and “cultural citizenship”. State policies mandate trafficked persons to provide an account of their experience as part of filing criminal charges that act as a confession, which is followed by a rehabilitation program that attempts to provide a culturally sensitive approach to suffering by reconnecting the migrant back to
their “culture of departure” (Giordano 2008:599). Although not specifically focused on human trafficking, Uehling (2008) provides an instructive example of conflicting agency approaches to child smuggling in the U.S., in which humanitarian policies of the Office of Refugee Resettlement (ORR) that seek to provide these migrants with supportive host communities conflict with the Department of Homeland Security (DHS) that harvests ORR data on these migrants to pursue deportation actions.

Considering the important theoretical contributions from the literature with the exploratory nature of this research, the overarching framework of this study borrows a critical health policy focus with a particular emphasis on elucidating a small, state-specific example on the political economic impact of immigration policies on migrant health, and particularly on trafficked persons. This study also embraces the position that applied research can integrate knowledge and concepts spread throughout the literature and provide generalizations that enhance multiple theories in anthropology (Rylko-Bauer, Singer & Van Willigen, 2006). Moreover, in the spirit of Singer’s (1995) concept of a system-challenging praxis, I maintain that applied anthropological work can help to advocate for changes to systems that breed inequalities through the collection of new information that helps to conceptualize alternative policies and inform standing immigration and labor policies that reproduce vulnerabilities among migrant populations.

Given the importance of how anti-trafficking policies are operationalized through bureaucratic measures, this study also adopts the theoretical conception that bureaucracies are instruments of power and represents a process that is negotiated between individuals at different bureaucratic levels (Heyman, 2004). Moreover, the concepts of bureaucratic disentitlement and street-level bureaucrats (Weatherly &
Lipsky, 1977; Lipsky, 1984; Heyman, 1995; Maskovsky, 2000; Lamphere, 2005; López, 2005) are used in contextualizing power differentials within bureaucracies and in clarifying the process of policy-making and implementation with regard to documentation and service provision to trafficked persons in this arena.

Since this study also focuses on the health and social impacts of being denied “trafficking victim” documentation, concepts of illegality and deservingness (De Genova, 2002; De Genova, 2004; Horton, 2004; Fassin & D’Halluin, 2005; Willen, 2005; Ticktin, 2006; Rosenthal, 2007; Castañeda, 2008; Castañeda, 2009) are very important to convey how the documentation process is shaped by the state and to augment understanding of trafficked persons’ experiences with this policy. Likewise, I find Srikantiah’s (2007) concept of the iconic victim useful in critiquing the inherent emphasis of current anti-trafficking policy on females trafficked for sex that aids in creating a disjuncture between discourse on human trafficking and the discourse on immigration and labor issues.

Particularly due to the importance of ethnography in providing a nuanced view of the local effects of state and federal policies (Stack, 1997; Biehl, 2007), a portion of the findings will be presented in narrative form particularly when relating the experiences of trafficked persons attempting to access services that technically ought to be available to them.
Chapter Three: Research Methods

The primary method of data collection implemented for this thesis research was in-depth, semi-structured interviews with various categories of stakeholders in the anti-human trafficking field. To this end, I conducted a total of 26 interviews; 22 interviews with professional stakeholders involved in anti-human trafficking activities in different locations across Florida and four interviews with trafficked persons who were clients of the service provider organization with which I conducted my internship. Of the 22 interviews conducted with the professional stakeholders, 21 were phone interviews with one interview conducted face-to-face. The four interviews conducted with clients of Partners Against Trafficking (PAT) were face-to-face at the organization’s regional office in the Tampa Bay area. All interviews were conducted between early June 2010 and mid-September 2010.

Recruitment of the professional anti-trafficking stakeholders was primarily accomplished through a contact list of roughly 300 individuals who attended the Statewide Summit on Human Trafficking, held in Miami, Florida from October 28-30, 2009 and included the first meeting of the newly convened Florida Statewide Task Force on Human Trafficking. This contact list contained the names of those who attended the summit as well as their professional title, organizational affiliation, location in Florida, telephone numbers, emails and office address.
The large size of this potential participant population, as well as the relative wealth of information provided in the contact list, allowed for the development of a broad sampling plan with respect to the different professions of stakeholders represented.

Originally for my thesis proposal, I constructed generalized categories of stakeholders that were important to represent in my research study, such as general service providers and victim advocates, law enforcement officers, specialized healthcare and medical professionals, and governmental workers and officials. Since each category has a different relationship with trafficking survivors specifically and the research problem generally, it was necessary to tailor interview guides to each type of stakeholder. Each of these four guides (see Appendix) was written so that all responses could be completed in roughly fifteen to twenty-minute time periods. Many of these individuals are extremely busy, and from past research experience with anti-trafficking stakeholders, I found it unlikely that the majority would have time for interviews of a longer duration.

Since the contact list from the Statewide Summit on Human Trafficking provided me with the email addresses of all attendees, I devised my sampling strategy based on the information provided in this resource. I coded the document with respect to the generalized category of stakeholders that I devised in my thesis proposal, then subdivided these categories by location in Florida and subsequently by the specific organization if there was more than one attendee from the same organization. I primarily based my sampling strategy on geographic regions in Florida in order to get the most accurate picture of trafficking in the state. Subsequently, I contacted by email the different stakeholders in each region using a convenience sampling strategy in which I followed up on any responses to my original email. Contact via email was observed to be the best
strategy, since many stakeholders primarily held office jobs with easy access to a computer. After scheduling an interview time with those individuals who agreed to participate, I immediately sent a confirmation email with the informed consent document enclosed. I gave each participant the options of scanning the signed informed consent letter and emailing it back to me, faxing the consent form to the Department of Anthropology main office with directions to provide a cover letter with my name on it to keep confidential, or to provide me with a physical address where I could send an envelope with stamps so the participant could then return it to me. Snowball sampling was also conducted during each interview. Phone interviews were recorded with a digital recorder and participants were initially given a chance to decline the recording of the interview. Only one participant declined the digital recording of the interview and, in this instance, I acquired the individual’s consent to take field notes. Informed consent was read to each participant before the start of the interview process and all participants agreed to the conditions of this consent.

The use of phone interviews as a primary research method provided limitations to the data I was able to collect for this thesis. First, this method did not allow me to personally meet many of the participants, which could have been very useful for attempting to procure additional contacts for prospective participants through snowball-sampling. Second, the lack of ability to meet my participants may also have impacted the information that they felt comfortable providing to me. Lastly, during the phone interviews, I was unable to accurately judge the disposition and mood of the participant as well as any non-verbal cues elicited from participants on particular subjects – all of which often are valuable ethnographic context.
Although conceptualizing different stakeholder categories proved to be a good heuristic for anticipating different experiences in anti-trafficking work, it nonetheless became problematic during preliminary research. From early interviews with service providers and law enforcement officers, I found that variability in professional roles of organizations involved in anti-trafficking work, organizational differences in the specific type of trafficked person commonly served, as well as the absence of important stakeholder categories from my sampling scheme, such as legal aid representatives and criminal prosecutors, necessitated the reevaluation of interview guides as well as the expansion of my investigation to include these additional types of stakeholders. Despite the increased complexity found within the population of anti-trafficking stakeholders as well as the aforementioned difficulties in labeling these stakeholders with somewhat artificial titles, I have nonetheless constructed a chart that provides some insight into the variety of participants sampled.

### Table 1: Frequencies of Anti-Trafficking Stakeholder Participants

<table>
<thead>
<tr>
<th>Participant Type</th>
<th>Number Interviewed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service Provider Organizations</td>
<td>12</td>
</tr>
<tr>
<td>State/Local Law Enforcement Officers</td>
<td>4</td>
</tr>
<tr>
<td>Immigration Lawyers/Legal Aids</td>
<td>2</td>
</tr>
<tr>
<td>Federal/State Prosecutors</td>
<td>2</td>
</tr>
<tr>
<td>Federal Law Enforcement Officers</td>
<td>1</td>
</tr>
<tr>
<td>Federal/State Policy Representatives</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>22</td>
</tr>
</tbody>
</table>
Likewise, in light of these unforeseen issues, the use of a semi-structured interview style was even more effective since I could examine how both statewide and inter-organizational policies impacted, for example, variegated service provider stakeholders who ranged from a director of a referral agency that facilitated a network of health and social service providers, to a project coordinator of an organization that provided educational courses and language training to both refugees and trafficked persons. The fact that the entire service provider community is fractured into groups specializing in care for certain types of trafficked persons (for example, foreign nationals trafficked for labor as opposed to domestic U.S. minors trafficked for sex work) will be expanded upon later in this thesis, however this service provider specialization made it difficult to use a convenience sampling strategy for a study focusing specifically on issues experienced by persons trafficked internationally to the U.S.

Interviews with the PAT clients greatly aided in focusing the majority of succeeding stakeholder interviews. This was due to the fact that all of the clients interviewed for the purposes of this research (n = 4) were internationally trafficked for labor to the U.S., particularly in the service industry. The narrative produced from these four interviews helped to problematize specific issues relating to international labor trafficking, which I was then able to interrogate through the bulk of my stakeholder interviews. Recruitment of these clients was accomplished through a PAT caseworker at their Tampa Bay area location. After being briefed on the nature of my research, the caseworker informed clients living at the shelter contracted by PAT about the opportunity to participate in this study. Ultimately, four of the clients living at the shelter agreed to participate and meetings were set up over the course of roughly two hours on a day and
time convenient to the participants. Again, before each interview, I explained in lay terms the informed consent procedure and ensured that all four participants understood the scope of my research. A digital recording device was not used during the interviews for this population due to the concern of maintaining participant confidentiality. Instead, I collected data through detailed ethnographic field notes, which were subsequently converted to an electronic Microsoft Word document upon return to my office. All physical copies of the field notes are stored in a secure location at my residence. All research methods and protections to human subjects described in this thesis were approved by the University of South Florida Institutional Review Board (IRB).

After collecting all of the data from both the anti-trafficking professional stakeholders and the key participants from PAT, I downloaded the recorded stakeholder interviews from my digital recorder into a password-protected file on my personal home computer. I then transcribed all recorded interviews verbatim and saved electronic copies of these transcripts using Microsoft Word in a password-protected file on the hard drive of my personal computer. After all interviews were transcribed, I systematically reviewed the transcripts for themes in the data. Next, I developed a series of codes for the most prevalent themes in the data that informed my initial research questions, which were then organized into groups of codes that related to larger issues within the anti-trafficking arena. My primary tool for analyzing the research data was Microsoft Word; each code had a corresponding highlighted color and text abbreviation that was applied to each participant interview transcript. After all of the transcripts were coded, the transcript text was separated by each code and organized into different Word documents that contained all of the text and participant quotes for each thematic code. ATLAS.ti or similar
qualitative data analysis software packages could have been used, with perhaps greater
efficiency for analyzing these data, however the cost and time of acquiring this software
proved prohibitive for the purposes of this thesis. Moreover, I analyzed interview data
from the PAT clients separately in a Microsoft Excel spreadsheet, in which codes were
developed based on the prevalent themes from these interviews. The codes developed
from the PAT clients were given corresponding highlighted colors and text abbreviations
and were also utilized in conjunction with narrative received from interviews with the
PAT caseworker in order to construct the case study in the research findings. Again, all
participant transcripts were systematically reviewed multiple times using the existing list
of codes in order to ensure accuracy in the analysis.

The findings from this research are explained in the following chapters and are
organized, first, with a case study depicting the background and experiences of the four
key participants from PAT, which problematizes current policies of documentation and
service provision to trafficked persons. Second, findings from interviews with the anti-
trafficking stakeholders are provided that focus on the general “landscape” of human
trafficking and stakeholder responses in Florida, the funding stream for anti-trafficking
activities in the state, perspectives on health issues associated with human trafficking and
service provision issues, law enforcement experiences in anti-trafficking work,
stakeholder collaboration experiences, and lastly definitional issues with human
trafficking. The PAT client interviews initially provide a range of critical observations
that are also represented in, and elaborated by, anti-trafficking stakeholder interviews.
Thus, throughout the presentation of these thematically organized stakeholder findings, salient issues and critical observations from the PAT client case study will also be reiterated and serve as an instructive local comparison to the broader issues discussed by the stakeholders.
Chapter Four: Research Findings

Introduction to Case Study of PAT Clients in Tampa Bay

In order to contextualize the complex network of interactions and policies that dictate whether individuals are granted services and documentation as trafficking victims, and to describe the proximity with which modes of human trafficking play out parallel to everyday life in Florida, I will relate the experiences of four clients of Partners Against Trafficking (PAT) whom I was fortunate enough to meet at the organization’s contracted shelter in the Tampa Bay area. Of these four clients, Steven (aged, 29), Stacey (34) and Charles (39) came from the Philippines and the fourth, Alice (29), came from Romania. In order to protect the identity of these clients, the names provided are pseudonyms and will be used throughout this thesis. The four clients that were interviewed for this study all expressed that they came to the U.S. to find a job in order to send money back to their families in their home country. Stacey and Charles indicated that they both had left young children and their partners in the Philippines for job positions in the U.S., while Alice and Steven also conveyed that they too had family members back in their home country that they were anxious to see.

All of these study participants could, at the very least, speak English at an intermediate level and could thus communicate without a translator during the interview process. Given the traumatizing nature of their trafficking experience, I declined to ask any interview questions covering the circumstances of their exploitation or any
information before they first encountered law enforcement and workers at PAT. Much of the background to this case study was explained to me by the PAT caseworker in charge of facilitating the ongoing deliberation regarding the status of these clients; however I also used information from my interviews with the organization’s clients in order to further elaborate on their situation.

To begin, all four participants were recruited in their home countries by the same international staffing agency with the assurance that once in the U.S., they would be provided lucrative, stable employment in the service industry, such as either restaurant servers or country club workers. This staffing agency, which I will call Service Ventures (henceforth SV), provided their newly minted “workers” with legal work authorization and subsequently placed them with employers in a large south Florida metropolitan area. During the migration process from their home countries to the U.S., SV also instructed the workers to memorize responses to questions posed in upcoming customs interviews so as to ensure the ease of their acceptance into the south Florida area. These “support services” from SV did not come cheap; in fact each individual was charged a service fee between $4,000 and $6,000 for travel, documentation and placement with an employer. Although this is a large sum in any context, to place the economic sacrifices of the PAT clients in stark relief: the CIA World Factbook (2011) estimates the GDP per-capita (PPP) in the Philippines to be roughly $3,500, while per-capita GDP for Romania is estimated at $11,600. Moreover, the caseworker explained that paying this initial fee left her clients with a large debt in their home country and thus a desperate need to earn money once in the U.S. in order to service this debt as well as provide for their families. It must be reemphasized that the PAT clients did not realize this process was in any way
facilitated by illegal actions on the part of the staffing agency and were under the impression that this was a legitimate company providing a legitimate means of earning money for their family in the U.S.

Once the workers successfully navigated customs in south Florida, they were brought to an SV-owned residence and told that they were to wait until the staffing agency called with information regarding their confirmation of employment with particular companies and subsequent shift hours. Eventually, SV contacted the workers with information regarding their employment, however both their assignment to an employer and the amount of hours available to work were not in accordance with the original contract signed during the recruitment phase of the process. Workers who believed they would be working fulltime as a restaurant server were instead farmed out to country clubs in the surrounding area and worked on an on-call basis; often only receiving a few hours of work a week. On top of the breach in employer contract and the meager amount of hours available to work, workers also began to notice that ambiguous fees were deducted from their paychecks on weeks that they actually received work. The staffing agency explained the fees as reimbursement for utilizing the company-owned residence as well as for phantom charges incurred during the relocation of the workers from their country to the U.S. The PAT caseworker explained that Stacey actually received a paycheck for negative $3.00 during her employment for SV. Relating the financial exploitation that all workers under this company endured, the caseworker expressed that, “They were not getting paid what their contract stated, and in most cases they were being paid less than minimum wage.”
This reality was clearly evident to the workers, who quickly realized that SV did not have any intention of providing them with legitimate forms of work in line with the contracts that were originally signed. In their own time, each of these workers confronted the staffing agency about these discrepancies in pay and work hours and subsequently threatened to quit and call law enforcement on SV’s shady dealings. Yet the staffing agency threatened the workers right back, claiming that if their work contracts were breached, under laws set out in the U.S. Guest Worker Program, the H-2B work authorization visas that allowed temporary legal residency would be null and void. Essentially, SV reminded the workers of their tenuous position in the U.S. and maintained control through threats that any deviation from the rules set out by the staffing agency would result in their arrest and deportation by immigration officials. Since the workers needed to make enough money not only to service their initial debts but also to ensure the livelihood of their families, these threats of deportation were considerably severe. Nonetheless, the staffing agency’s exploitative policies finally became too much to bear, and these workers decided to take their chances with law enforcement and terminated their employment with SV. Since the workers’ H2B visas were essentially tied only to work with that particular agency, their decision to terminate employment resulted in the loss of any recognized form of legitimate documentation in the U.S.; in effect, making them illegal residents.

All four participants explained that they were first introduced to law enforcement before being subsequently referred to, or contacted directly by, the service provider Partners Against Trafficking. Charles explained that the first time he met the PAT representative he was told that they wanted to help him and provided him with a gift card
to a local store for supplies. Reflecting on his situation upon meeting PAT, he told me, “I finally have hope.” PAT approached the other three participants in similar ways and eventually the organization was able to secure shelter in the Tampa Bay area for these clients while pursuing their cases with law enforcement in south Florida. Generally, PAT makes contact with trafficked persons in a variety of ways. Steven, Charles, and Stacey indicated that they were introduced to PAT through referrals by law enforcement agencies that made initial contact with these individuals. Alice also came into contact with law enforcement before meeting PAT personnel; however she related that a friend, who was also trafficked, introduced her to the service provider. In addition to law enforcement and personal referrals, PAT has also received phone calls from individuals attempting to flee from their exploitative jobs and asking for legal and material assistance. In some cases witnessed during my internship, these individuals did not reside in the state of Florida and thus PAT had to refer them to organizations in their local area. Additionally, the PAT caseworker related that first contact with trafficked persons often is an attempt to establish trust between the individual and the service provider. Therefore, gift cards to supermarkets and other forms of material support are provided to demonstrate the organization’s good intentions until the trafficked person decides to flee their exploitative situation and seek sustained shelter and services from PAT.

During this initial period when the participants arrived at the PAT shelter in Tampa, they related many different ways in which the service provider attempted to make them feel at home in their new surroundings. The facility in which these PAT clients resided was originally designed as a series of halfway apartments for low-income individuals on an institutional campus that also provided services to low-income and
needy individuals. These apartments were contained within a secure building that was regularly patrolled by a security/maintenance guard and required keycard access to enter. Within this building, apartment rooms were organized down a common hallway and were self-sufficient, including a bathroom and a small kitchen area. Alice explained that when she first met the PAT caseworker, “I didn’t think too much about it, because I was still very angry at my situation – I just wanted to leave.” Despite her feelings of frustration and anger, Alice recalled that one of the first things that workers from PAT did was to take her shopping for groceries, kitchenware and other items for her room at the shelter. Smiling, she remembered fondly that later on the PAT caseworker gave her a favorite childhood blanket that she kept with her throughout her stay. In addition to the gift cards and grocery shopping, Steven explained that PAT workers also helped him find a Filipino church in the area that he and the other Filipino clients would frequent on the weekend. Despite generally being cautious about their exposure to the public, Steven explained that the workers would also take him and other clients to parks and occasionally go bike riding. The organization also attempted to enroll their clients in job training courses when possible. Specifically, when asked about her schedule, Alice explained that she had daily culinary classes that she would travel to in the Tampa Bay area.

Although these services helped to ease the shock of the new clients’ transition to a shelter life in Tampa, the proceedings of their criminal cases against SV were anything but smooth. After preliminary interviews with PAT’s clients, the local south Florida office for Immigration and Customs Enforcement (ICE), the lead law enforcement agency managing the criminal cases, concluded that the four clients’ cases were not representative of human trafficking. Since the main route to acquiring trafficking victim
status is through law enforcement designation and authorization of a Continued Presence, as dictated by the current re-authorization of the TVPA legislation (TVPRA), this refusal of ICE to designate the cases as human trafficking cases greatly impacted the current reality of PAT’s clients. Since they were denied state and federal benefits as “trafficking victims,” they were now completely reliant on pro bono services from PAT and other organizations that the service provider could piece together. The lead agent at ICE in south Florida did allow for a parole to be granted with respect to their cases that provided the clients with a temporary work permit in the Tampa Bay area, yet this was given without any official documentation status. Furthermore it was very uncertain whether these work permits would be renewed any time after their initial authorization.

Elaborating on this somewhat nebulous provision couched in the ruling of the lead ICE agent, the PAT caseworker conveyed that ICE determined the cases of her clients to be in line with visa fraud as opposed to human trafficking outright. She explained that visa fraud was actually added to the TVPRA, however it was not added to a particular provision within the law (Chapter 77), which deals directly with the types of benefits that “victims” receive. Moreover, even if ICE pursued these cases under human trafficking laws, the fact that visa fraud was the only proven aspect of the case, in the opinion of the lead ICE agent, precluded the agency from providing these individuals with Continued Presence and thus government benefits and legal status. The PAT caseworker likened the situation of her Tampa clients to the ongoing situation of PAT clients in Orlando, who were exploited under the same conditions yet were only deemed by ICE to be victims of visa fraud and labor contracting rather than victims of human trafficking.
These individuals were similarly provided with *paroles*, but were not provided any lasting documentation.

Given the ruling of ICE, the PAT clients found themselves in a legal quagmire. With their initial work authorizations either soon expiring or already expired, these individuals were unable to travel back to their home countries without proper immigration approval yet they were also unable to legally stay in the U.S. If they are caught anywhere outside of the shelter, the PAT clients can technically be arrested for illegally residing in the U.S., further victimizing a population that has already endured similar conditions at the hands of the staffing agency.

After receiving the negative ruling on trafficking victim status, the PAT caseworker filed an appeal with ICE. However, the south Florida office has been very uncooperative on this issue, as the case managers there would not reply with any update on the case proceedings. Alice, a 29 year-old female from Romania, explained her frustrations with the ICE agent’s handling of her case. She first met her caseworker from ICE immediately following her decision to quit her job under SV and told the agent her story on the organization’s exploitative working conditions. Despite maintaining that she “was telling the truth,” Alice explained that the agent was skeptical of her claims and told her that she did not believe her story. Alice was only able to talk with the ICE agent this one time, over the next five months any attempts of making subsequent meetings with this agent was met with the reply that she was “out sick” and unable to schedule a secondary interview. When I met all four clients over the summer at the shelter, Alice was still waiting to reconnect with her caseworker from ICE.
Reflecting on this arduous waiting period and the skepticism with which her story was initially received she said, “It makes you feel like law enforcement is against you.”

Similarly, both Charles and Steven expressed some frustration when interacting with law enforcement officials on aspects of their cases. Initially, Steven described that after he was first connected with PAT it took immigration and labor enforcement officials nearly seven months to contact him regarding his case. Upon receiving this call, the participant related how happy he was to be able to participate in his own case, “Finally I can give my information…I can share everything that has happened.” Although both Steven and Charles were eventually scheduled meetings with law enforcement officers working on their cases, both participants related that they were frustrated that these officers did not provide them with enough time to properly tell their story. Regarding this, Steven explained that for some unspecified reason the officers explained that they were “out of time” and needed to cut his interview short. Worried about how both his nervousness might have impacted the decision to cut the interview short and the way in which it would affect his case, Steven explained:

“I didn’t have enough time to talk about the whole case…the first time I talk to them I want to be respectful, so I was just answering the questions asked. I was also nervous when I met them…that meeting was the only time I saw them.”

Charles also voiced Steven’s concerns and related that he wished the interview had been longer in order to give him time to reflect on his experience and convey it in words. Recalling the interview process, Charles maintained, “I might forget something when they were talking very fast…the situation happened a long time ago.”
Similar to Alice’s description of the frustrating wait period to talk with law enforcement, Stacey, Charles and Steven expressed a significant amount of waiting to hear any news about their ongoing cases from law enforcement. All of these clients indicated that they mostly remained in their small apartments within the shelter, watched television and occasionally talked to their families on the phone. According to Alice, “there is nothing for me to do here except sit around and wait. I sometimes practice my cooking, watch movies and smoke...”

Considering the fact that the majority of the PAT clients were the breadwinners for their families overseas, this long wait also had increased gravity. What Charles expressed as, “just sitting around waiting for my case to be settled” could also be a major and constant stressor in the lives of those who have not been given trafficking victim status. Instead of being able to work and send back money to families counting on their economic support, these individuals could only wait to hear news on their cases. Moreover, in this era of globalization and lightning-fast communication, these individuals were able to experience these moments of waiting all the more intensely due to the relatively constant contact that they had with their families; either through weekly phone calls or email messages. By finding it both difficult to legally leave the U.S. and impossible to be employed in the country, the clients were unable to be actively assist their family when problems or special occasions arose and could only play the role of passive recipient to news from their home country. Regarding this, the PAT caseworker conveyed that many of the clients had children, or had left girlfriends and wives back home who have since given birth to a child: “They haven’t even seen their own children yet...”
Lastly, the caseworker added that even if these clients were able to return home to their families, they still had to contend with the heavy debt left on them from financing travel to the U.S. She related that her clients have often voiced their shame in failing to be able to provide for their families back home, due to their exploitation by the trafficker as well as their inability to find work during the case proceedings. Remarking on this, the caseworker indicated that her clients expressed sentiments such as, “here they go to America….and look how bad they failed… [although the caseworker explained that] even though they technically didn’t fail, but in their minds they have failed.” This sense of failure often had higher stakes than just having to start over again in their home country. Given the great financial and personal risk involved in attempting to find work overseas, the caseworker explained the desperation that could take hold when clients were confronted with an uncertain future:

“some of [my] clients have mortgaged their homes to afford to come to the U.S., some clients have lost their wives or husbands because they can’t deal with the fact that they are not making money. Some of them really have nothing to go back to. Some of my clients have said, ‘if I have to go back home, I’d rather kill myself because what do I have?’”

How does this system, designed to help those exploited upon arrival in the U.S., fail people like Charles, Alice, Stacey and Steven? The following chapters of this thesis will explore findings from professional anti-trafficking stakeholders across Florida that attempt to elucidate some of the issues expressed through the experiences of PAT clients.
“Landscapes” and Funding Streams of Human Trafficking in Florida

The Florida Human Trafficking “Landscape”

One immediate finding that arose from the study’s convenience sampling strategy was a wide distribution of participants from localities across Florida. In addition, many of the stakeholders that opted to participate came from a variety of different anti-trafficking organizations that spanned the gambit of local law enforcement and federal prosecutors to immigration attorneys and service providers specializing in pre-certified trafficked person care. As a means of orienting the reader to the particular geographic areas and the general positioning of my participants, the figure below presents a map of Florida with the distribution of the study participants designated therein. The green dots denote the location of a type of “service provider” (organizations that provide social or health services, service referral agencies, victim advocates, immigration attorneys and state agency personnel) whereas the blue dots denote the location of “law enforcement” participants (police officers, special investigators, state and federal prosecutors and law enforcement instructors). From conducting study interviews across this broad spectrum of anti-trafficking stakeholders positioned in different areas of Florida, it became apparent that the way in which human trafficking was perceived, the resources available to stakeholders, and their responses to the issue varied depending upon their location.
Figure 1: Map of Florida with Participant Locations. Blue points on the map denote locations of participants from law enforcement, whereas green points denote non-law enforcement participants.

Regional Disparities

When discussing the availability of services for trafficked persons in Florida, participants indicated that there existed a general disparity between the different regions in the state. Northwest Florida, encompassing the capital city Tallahassee as well as the Panhandle, was indicated as an area that had issues identifying human trafficking.

1 Map retrieved from the Nations Online Project. 
policing the crime and providing services to trafficked persons. Although discussed in
greater detail in the next chapter, participants similarly indicated that law enforcement
offices in this area exhibited a lack of willingness to participate in training courses on
trafficking, instead maintaining that this was not an issue in their jurisdiction.
Conversely, the Tampa-Clearwater and Miami-Dade areas were considered to be
responding adequately to human trafficking, since both urban areas contained significant
networks of stakeholders and adequate resources; namely, federally-funded human
trafficking task forces along with Immigration and Customs Enforcement (ICE) regional
headquarters. Moreover, the Clearwater Area Human Trafficking Task Force was often
referred to by participants as exceptionally adept at responding to trafficking crimes and
was one of only a few designated “model” task forces in the U.S.

In addition to the variability in resources that different regions of Florida were
able (and willing) to commit to anti-trafficking activities, it was also indicated that the
specific type of trafficking may differ by region. Commenting on the unique geography
of human trafficking in Florida, one federal immigration officer from central Florida
related that, “what we encounter here they may not encounter on a border town or even
in Miami…it really depends on the population and the immigrant population you have
and the industry you have.” With regard to this, participant interviews related that sex
trafficking was more often policed in urban areas such as Tampa and Orlando, whereas
rural and agricultural areas such as Immokalee and Wimauma were associated with labor
trafficking.
Initial interviews with study participants also displayed that, among service provider organizations across the state, there was a sub-specialization on the type of trafficked person that the organization served. For instance, discussions with participants would convey that their organization specifically provided services to domestic minors trafficked for sex, while another organization focused primarily on adult foreign persons trafficked for labor. A project manager from the Florida Department of Children and Families (DCF) explained that it was commonplace for service providers to focus their activities based on particular divisions, such as either adults or minors, persons trafficked for sex or those trafficked for labor, and foreign persons or U.S. citizens (domestic trafficking). Moreover, the participant from DCF related that competition for funding sources from either federal agencies or private donors was the main reason to specialize. Given the need to meet grant requirements as well as provide performance indicators for evaluation (and future grant applications), small service providers like PAT clearly do not have the manpower or financial backing to provide services to wide range of trafficked person types; populations that participants explained as having unique needs that are quite time-intensive to fulfill.

Although focusing on one particular type of trafficked person for service provision appears to be a logical process based on cost-effectiveness, this specialization occurs in a decentralized manner – resulting in a system that has functioned much by word of mouth. Expanding on this concept, since human trafficking case management necessarily involves collaboration between a host of organizations (e.g. law enforcement entities, service providers and prosecuting attorneys), unless affiliated with a federally-funded task force, emphasis has been placed on these organizations to piece together
different connections in order to find trafficked persons safety, documentation, services and healthcare. Indeed, at the time of this study, there was no single network or database that housed all of the anti-trafficking stakeholders in the state.

**Funding Processes Associated with Anti-trafficking Stakeholders**

In a majority of the study interviews, participants described many of the general mechanisms through which their organizations were allotted funding to continue anti-trafficking activities. What became apparent from discussions on the source of funding for service provider organizations, human trafficking task forces and immigration attorneys was the existence of a complex and multi-directional system of governmental funding emanating from many different institutional offices and programs on both state and federal levels. From a combination of electronic research as well as descriptions provided by participants, I have pieced together a rough flowchart that documents this complex funding stream. The function of this flowchart is not to record every single means through which human trafficking funding reaches local service provider organizations like PAT. To be sure, there are many other smaller “players” not included in this chart that nonetheless are important in determining where and how funds designated for anti-trafficking work are disbursed. However, the flowchart presented here is purely meant to be a useful heuristic that may shed light on a particular topic that study participants indicated as confusing and occasionally detrimental to stakeholder collaboration.
As displayed in Figure 2, there are essentially two major streams of federal funding for anti-trafficking activities in both Florida and throughout the U.S.; namely, grants made available through the Department of Justice (DOJ), and funds disbursed through the Department of Health and Human Services (DHHS). These two separate streams of funding are partitioned and distributed to stakeholders in different ways. The main office in charge of transferring funds from the DOJ down the chain to stakeholders, is the Office for Victims of Crime (OVC), which itself funnels funds earmarked for anti-trafficking activities into two subsequent programs: the Crime Victim Fund and the Human Trafficking Task Forces currently active across the U.S. Funding for these task forces is provided by both the DOJ and DHHS, with the OVC acting as the intermediary between them.

See Bibliography Section for references to Figure 2.
forces is provided in the form of OVC grants, which are then distributed among the different service providers, victim advocates and law enforcement personnel that compose the task force. The Crime Victim Fund was created through the Victims of Crime Act passed in 1984 that allocated monies accrued through criminal fines and penalties and seized from criminal activities to be disbursed to victims of crime applying for a range of social and medical services (OVC, 2010).

A study participant from the Florida Office of the Statewide Prosecutor in charge of managing a portion of monies disbursed through the Crime Victim Fund explained that, from this general fund, state programs and law enforcement offices may apply for crime victims to receive either Victim Assistance or Victim Compensation. The main difference between these two avenues is that Victim Compensation makes funds available in the form of a direct reimbursement to the crime victim, whereas Victim Assistance provides funding to service provider organizations for expenses associated with these crime victims (OVC Fact Sheet, 2010). In any case, due to the quantity of other “crime victims”, only a small portion of funds from Victim Compensation and Victim Assistance is allocated to anti-trafficking activities. Additionally, it was indicated that the bulk of this small portion primarily concentrated on funding services and activities for pre-certified trafficked persons.

Resources available from the Department of Health and Human Services (DHHS) “arm” of federal anti-trafficking funding are primarily managed through the Office of Refugee Resettlement (ORR), which also oversees the disbursement of services such as Food Stamps, Cash Assistance, and Medicaid to registered refugees and asylees in each state. Through the ORR, funding is then transferred in the form of a grant to a large
service provider organization that competes to become the subcontractor of this grant to smaller service provider organizations that assist local trafficked persons. This large subcontractor deliberates on grant applications from a competing pool of local service providers and then awards the selected organizations to service either pre-certified or certified trafficked persons. The Florida Department of Children and Families (DCF) coordinates ORR funding for refugee services that certified trafficked persons are also able to access.

**Stakeholder-Identified Funding Issues**

One area of confusion indicated by participants was that there was a breakdown in the policy from the federal to the state level with regard to making avenues of service provision available for trafficked persons. Although technically eligible for social services due to their federal right as a “trafficking victim” (confluent with refugee and asylee designations) it was indicated that these services, managed and coordinated by state agencies, may not be available when organizations register their trafficked clients. One participant that serves persons trafficked for labor remarked on issues his organization encountered attempting to access refugee services for his clients:

“Yeah, food stamps or different parts of the Department of Health...we find that creativity has to be used there...we don’t have these to use like with the asylees or the refugees. A lot of it is the fact that, and a lot of government agencies have formulated set policies when it comes to asylees and refugees, but human trafficking victims are sort of the new group in the system and it’s just the fact that they don’t have the policies initially in place yet.”

Administrative difficulties between different service organizations and between organizations and federal and state funding agencies contributed to a lack of funding disbursement for necessary services for this population. Despite resources technically
existing that could fill the needs of their clients, organizations often could not manage to secure these due to mass amounts of red tape. Commenting on the process of finding safe shelter for trafficked persons, one frustrated service provider from north Florida noted:

“...it shouldn’t be that hard to get these people, foreign and domestic, into these beds and have them paid for. But it’s incredibly difficult...foreign or domestic. Even if you can read everything out there that says this is exactly who you call to pay for this bed, try that in real life...it’s a mass administrative battle.”

The issue of foreign trafficked person service provision can be further contextualized when viewed within the larger picture of the state refugee system of services and funding. One south Florida service provider with experience serving refugees, asylees and trafficked persons described the state of this system where, “funding is always less than the demand of the community.” He indicated that roughly 27,000 refugees came to the Miami-Dade area in the past year, where there existed only two adult service providers that could support just 6,000 of these people.

Among organizations that specialized in servicing domestic trafficked persons, the inaccessibility of funds allocated to human trafficking was even more apparent. Officially, trafficked U.S. citizens should be able to access more services than foreign persons typically through Social Security and Medicaid, yet paradoxically participants expressed the funding of services for trafficked citizens to be an increasing need for service provider organizations. Despite a perceived lack of governmental support for domestic trafficked persons, providers would attempt to piece together funding for their clients from various sources such as local health departments, Medicaid and the Crime Victims Fund. Regarding attempts to secure funding from the DCF for domestic minors that were trafficked, it was indicated that funding would only be provided if the individuals were registered “victims” from the DCF system.
Moreover, the provision of health care to trafficked minor “victims” from the state system was referred to as a “Catch 22”, where only those experiencing sexual abuse at home or victims of parental neglect qualified.

In addition to policy breakdowns and prohibitive administration, stakeholders also experienced issues associated with the time-sensitive nature of funding. For funds distributed through the ORR (and by extension, through the large sub-contractor organization) that were directed to serve trafficked persons, it was indicated that this funding was only available to each client for a total of thirteen months. This time limit could be broken down even further depending on what specific grant an organization has with the large sub-contractor. If an organization focused on providing services to pre-certified trafficked persons, those clients were only allotted nine months of funding at the pre-certified stage, followed by four months when they became certified. As the case study with the PAT clients show, there is no certainty that trafficked persons will be certified within a nine-month period. Regarding this a priori deadline for client certification, the PAT caseworker explained:

“...after that, no matter how much you spend on victims, they won’t pay you back. [...] You have to pray that they are certified, that they have a visa... Because after thirteen months, that’s it.”

In closing, time-sensitive funding limitations, incongruence of funding policies between the federal government and the state, and disparities of funding opportunities between types of trafficked persons created significant frustration for service providers and impacted their ability to provide services at their perceived optimum level. There were also indications that due to the current economic situation in the U.S., anti-trafficking funding from the Department of Justice and Office for Victims of Crime was
in the process of being curtailed to particular task forces and organizations; throwing in doubt how some experienced organizations would continue their work. Summing up his experiences navigating this complex system in order to acquire enough organizational funding, one participant remarked:

“...I wish we encountered a system that moved a little faster and where everyone spoke the same language. Instead the first question is, ‘what is there that will disqualify this person from services?’ Not ‘what do we have to do to make this fit?’ [...] There are all these reasons to disclude [sic] people and that just makes me crazy. You know? What are we supposed to be working on here?”

Health Issues and Service Provider Challenges

When participants were asked to discuss the common issues associated with providing trafficked persons with services, they indicated the pressing need to address both physical and mental health issues as well as find safe, reliable and appropriate housing for clients. The health issues associated with human trafficking often depended upon the type of trafficking the individual experienced. Participants related that physical health issues were common among persons trafficked for sex work and provided a laundry list of ailments; of these, sexually transmitted infections (STIs), trauma injuries and oral health issues were mentioned frequently.

In addition to the significance placed on physical health issues, participants mentioned that appropriate mental health care was also a major area in which services were needed for trafficked persons. Issues of mental health were generally characterized as post-traumatic stress disorders brought on by the extreme nature of the exploitative experiences; however, it was also emphasized that the type of care was specific given the unique nature of the crime. When asked what constituted these unique needs, participants often referred to foreign trafficked persons and the need for mental health services to
understand the particular “cultural” needs, including language issues and threats made to their family members in their home country. In some areas of the state, access to any mental health services in general were indicated to be scarce. One participant from a rural area of south Florida explained that although her shelter was chosen as a location to relocate domestic trafficked youth, her county lacked the specialized mental health services and facilities that some of the suburban and urban communities to the north had readily available.

Although mental health issues were not discussed as frequently in the case of persons trafficked for labor, participants still conveyed that forced labor was detrimental to the individual’s health. One service provider that offered legal aid to persons trafficked for labor related that the conditions in which individuals were forced to live often had severe health consequences, citing experiences where he aided trafficked persons suffering from malnutrition, dysentery and even tuberculosis. Additionally, the participant explained that foreign laborers occasionally relocate their family to the place of their work, recalling that he had witnessed the children of his clients develop health issues. The PAT caseworker conveyed a similar experience, in which one of her clients had been exploited in a chicken-packing factory in south Florida while pregnant. Due to the allegedly abysmal working conditions and environmental health hazards, the client’s child was born with severe birth defects and without higher brain activity. Having come to the aid of the mother, the PAT caseworker related how the exploitative situation can carry onto the next generation:

“'He has so many different health issues...literally from the day he was born the doctor said, ‘go ahead and make funeral arrangements because I don’t see this child surviving.’ So everything is already set, we assisted her and everything so once he dies...he will be taken care of.'"
Despite this great need for mental and physical health care that catered to the specific needs of trafficked persons, participants related that access to safe and appropriate housing for this population was even more critical. Shelters available for trafficked persons were often completely full or catered to a different type of client, such as the homeless or victims of domestic violence, which participants explained complicated the ability to provide the longer term care and privacy needed for this group. One participant from south Florida related issues associated with finding appropriate shelter for foreign persons trafficked for sex, mentioning that their lack of language skills and the psychological impact of the trafficking experience created, “a whole host of issues that are not seen by a woman who has just left her abusive husband in the same county as the shelter.” In addition, a service provider from north Florida explained that shelters also would need to cater to unanticipated “cultural” lifestyles of trafficked persons. Using an example of domestic minors trafficked for sex, he explained that shelters needed to understand that these individuals may be used to sleeping during the day and working on the streets at night; therefore shelter services needed to be flexible and offer meals and counseling during night hours until the individuals are able to acclimate. The participant warned that inabilities to tailor services to client needs could result with them returning to vulnerable situations in which they could be re-trafficked. Yet, even where shelters existed that had room for trafficked persons, participants related that another difficulty was acquiring organizational clearance to use the free beds. As related previously, participants explained that the shelter administrations were often a tangled bureaucratic mess, which complicated attempts to register clients for the open spaces.
Recently, in response to this critical need, other organizations in the state have begun to develop policy recommendations aimed at allocating more funding and directing state resources to meet this housing shortage (FSU Strategic Plan, 2010; HB 535, 2010). Reflecting on the new emphasis towards ensuring shelter facilities for trafficked persons, it is instructive to focus on one new human trafficking shelter model that this author came across during the course of the study research. The participant related that her organization had just opened a new model shelter in southwestern Florida in March 2010 that specialized in caring for female minors trafficked for sex. At the time of the interview, the shelter cared for four individuals and had the capacity to care for one more. The participant explained that their shelter model focused on providing “a healthy home dynamic...something they have never had”, in which the clients lived in a large house along with two parental figures available to provide continuous care and assistance. The shelter required that the clients stay a minimum of nine months, during which time they were provided food, clothing, education and “all the basic needs”. Additionally, this nine-month stay allowed for collaboration with law enforcement in order to resolve the trafficking cases for these clients. This model shelter also had a Florida licensed mental health counselor on staff and multiple tutors for one-on-one teaching in order to ensure that their clients did not fall behind their grade level. Lastly, when the client “aged out” of the shelter at eighteen, the organization had prepared a series of transitional host homes based on a “big sister model” that would pair one of the clients with an older female to provide support during college years or during their first job.
Although the shelter had only been open for a few months at the time of this study, the participant indicated that a few clients had already requested to stay for longer than the nine-month minimum. The participant was also aware of the growing shortage of shelters able to provide care to trafficked persons in the state and explained that her organization had plans to found multiple new shelters based on this model.

**Law Enforcement Views of Human Trafficking**

**Techniques of Policing Human Trafficking Crimes**

Law enforcement participants related a number of different activities and strategies that assisted them with initially identifying human trafficking crimes and subsequently prosecuting the offender in both state and federal courts. One method described as particularly effective in building a strong criminal case against would-be traffickers is what one state-level prosecutor described as a *buy-bust operation*. Essentially in a buy-bust operation, undercover law enforcement agents pose as traffickers that then attempt to sell agents posed as trafficked persons to suspected traffickers in order to create an “air-tight case” against that person or group of people. This type of operation is considered preferable as it liberates law enforcement from solely relying on the testimony of the trafficked person to convict the offender. Likewise, a federal investigator of human trafficking explained that it is generally an easier process for his organization to certify an individual as a “victim of trafficking” (i.e. provide the trafficked person with a Continued Presence visa) when law enforcement conducts a rescue operation that is able to substantiate trafficking claims with official police reports. Specifically in relation to exploitation in the massage parlor industry, a special
investigator from central Florida related that the advantage of going undercover aided in identifying possible trafficked persons and then removing these individuals from their exploitative situation through arrest. The officer explained that once taken away from the massage parlor, the individual could then be interviewed to determine whether or not they were in fact trafficked.

In addition to undercover work, one service provider for domestic runaway and trafficked youth conveyed that federal investigators were beginning to work with the foster care system in an attempt to discourage instances of trafficking domestic minors for sex. This strategy focused on building relationships between federal agents and foster care youth suspected of being trafficked for sex in order to create police informants that could assist in building a case and prosecuting the alleged trafficker. Other legal and law enforcement methods that were mentioned by participants as being utilized for the purposes of policing human trafficking included utilization of the RICO Act, which allows for federal prosecution of common components of trafficking activities such as extortion and fraud, as well as asset forfeiture, which focuses on penalizing criminal activity-derived proceeds and money laundering. Law enforcement also attempted to pursue additional penalties for traffickers through civil lawsuits, explained as additional avenues to recompense trafficked individuals monetarily for damages sustained during their exploitation.

The most often cited law enforcement method relating to anti-trafficking work (and indeed a term that is swiftly becoming the mantra of human trafficking experts in law enforcement) is the victim-centered approach to human trafficking cases. Very generally, the victim-centered approach, as its name implies, focuses on establishing a
harmonious relationship between law enforcement and the trafficked person, which often involves collaboration with a local service provider organization in order to meet the trafficked person’s assumed immediate needs of shelter, food and physical security after initial contact with authorities. The primary reason stated for this prioritization of trafficked persons’ material needs is to ensure their trust of law enforcement and, therefore, their complicity to aid in the prosecution of the trafficker. Reinforcing the necessity for law enforcement to focus on the needs of trafficked persons in order for cooperation, one high-ranking law enforcement officer directing anti-trafficking activities in central Florida remarked:

“It has to be mandatory victim centered approach. You can’t do these cases without the victim. So you have to make sure the victim is taken care of, you have to make sure the victim is safe, given the resources it costs...when you finally get to court, if that victim is not taken care of, you are gonna have a tough case...or no case at all when you go to trial.”

The main justification made by participants for this mandatory utilization of the victim-centered approach centered on two aspects of prior criminal cases on human trafficking: 1) experiences of the “uncooperative” nature of trafficked persons, and 2) the difficulties of securing a conviction of the offender under human trafficking crimes in these cases. Prosecution difficulties are, in fact, a much larger issue within policing human trafficking in the state of Florida and will thus be covered in the next section. The notion that potential “trafficking victims” were deemed uncooperative in law enforcement investigations was indicated as commonplace in cases by law enforcement participants.
Indeed, participants often expressed the usual behavioral reaction of trafficked persons to law enforcement was one of inherent distrust, stemming either from “cultural differences” or due to the extent of the trauma sustained:

“If you contact them at the scene, if it was something very traumatic, they might not want to talk about it. In a lot of cultures there is the inherent distrust of police, so they don’t initially trust us in the interview...it takes time to build a rapport.”

“...the victim is petrified of law enforcement, the victim is traumatized, the victim usually has health issues, the victim is usually insecure, lacks confidence, and many, many times if they’re international, illegal and frightened....so the victim is not in any way going to cooperate with law enforcement.”

Despite this awareness regarding both the mental and physical state of trafficked persons after their ordeal, law enforcement did not emphasize providing services and security purely for the restoration of the individual’s health when discussing the victim-centered approach. Instead, the emphasis still remained on the increased ability to extract needed information for the prosecution of cases. This emphasis is perhaps understandable given the nature of law enforcement work as fundamentally centered on the prosecution of criminal activity, yet it also raises questions on the efficacy of the victim-centered approach. To elaborate, the structure and training of a typical law enforcement corps often make it reliant on the assistance of other stakeholders, such as service provider organizations that are skilled in caring for these individuals, in order to carry out the victim-centered approach successfully. With regard to this issue, the same high-ranking central Florida law enforcement officer, who described the necessity of using the victim-centered approach, also commented its apparent shortcoming:

“...traditional law enforcement is not set up for long-term care of victims, you have to have that in place to make these cases, so if we didn’t have funding from the Department of Justice or our NGO partners, these cases might not get worked.”
Educational Needs of Law Enforcement

One particular issue that was communicated by both law enforcement and other anti-trafficking study participants is the chronic need for additional education on issues of human trafficking in Florida for state and local law enforcement officers. Although in general participants remarked on the progress that law enforcement has made over the past decade in recognizing “the signs of trafficking”, from participant interviews it nonetheless was evident that disparate levels of human trafficking awareness and education exist between regions of the state. For example, areas of North Florida and the Florida Panhandle were cited as unwilling to recognize that human trafficking crimes even occurred. A participant that provided human trafficking education to law enforcement officers related one particular case of sex trafficking in the Florida Panhandle which local law enforcement dismissed as a runaway youth. He explained that even after it was determined by other stakeholders to be a trafficking case, “they still didn’t admit that they had a problem, they have been approached by various non-governmental organizations to put this course on up there…they refused.” Contrasted with the Tampa-Clearwater area, home to one of a select few “model” federally-funded task forces in the U.S. that conducts regular community outreach events on trafficking, it is evident that the educational disparity between regions remains sharp.

Descriptions of the benefits of law enforcement education also brought to light recollections of prior cases that could have been tried as trafficking cases if “awareness” had been present at the time. A federal prosecutor from south Florida related that after he gave a speech to law enforcement on the signs of human trafficking, “you can see the light bulb go off on the top of their heads, going, ‘Oh, I know this situation, I’ve actually
been in the situation where if I have asked three or four more questions, it might’ve lead to a slavery prosecution.’” Echoing this statement and remarking on the toll of failing to identify this population, the director of a central Florida law enforcement agency related, “…so either that person has got deported or released and walked away, whatever the situation may be, but I think that officers don’t realize what they have. They let the person go.”

In conjunction with the issue of law enforcement education across Florida, participants explained that governmental policy on the provision of anti-human trafficking training courses was only a recent development that remained relatively unregulated and difficult to implement. Officially, new law enforcement recruits that matriculate through the police academies are required to take eight hours of anti-human trafficking training courses in order to successfully graduate. Yet, discussions with law enforcement participants threw doubt on the consistency of the current implementation of human trafficking education in these academies. Specifically, responses from a central Florida special investigations officer conveyed that there were an absence of instructors and courses partnering with the policy academy in his area that could provide this education to new recruits:

“For the most part there is no training in central Florida, in the Orlando area, for officers. Our academy doesn’t even offer…Valencia Community college here, the Criminal Justice Institute for the Orlando area, they don’t even offer any training on human trafficking…”

Despite the influx of new officers that are technically mandated to take human trafficking courses, participants stressed that this policy did not extend to veteran officers and investigators, who must voluntarily file a request through their agency in order to complete any available training sessions brought to their area. Conflicting opinions also
arose from participants regarding the necessity of establishing a mandatory requirement for *all* law enforcement officers to take eight hours of human trafficking courses. The director of a central Florida law enforcement agency explained that in his veteran officers’ opinion, “anything that you’re forced to do is really not, um, the best.” He maintained that a uniform eight-hour mandate of human trafficking education is too much for all his officers, given that specialized human trafficking investigators already exist in his unit. Rather, the law enforcement director proposed the need for a less-intensive training course that focused more on, “the signs to look for, what to look for at a traffic stop, what to look for when you go over to somebody’s house – that should be more important, and more emphasis on what the officer really needs instead of having stuff to fill the eight hours.”

Conversely, an instructor of anti-trafficking training courses for law enforcement believed that more education was necessary for this population. He conveyed that the eight-hour course was too little and only served to provide a broad introduction to human trafficking. Instead, he maintained that officers needed instruction on how to recognize the subtle signs of trafficking, different policing techniques to root out the crime, as well as a host of information on the current human trafficking landscape. Citing the Florida Department of Law Enforcement, which designated human trafficking as an “epidemic” in the state, the participant maintained that there needed to be more highly trained investigators statewide in order to crack down on this crime. Thus, he proposed that his 40-hour course should set the standard of proficiency for law enforcement knowledge on human trafficking issues.
Regardless of the amount of training participants believed appropriate for law enforcement, a critical piece recognized to increase the opportunities for law enforcement training was the collaboration of academic institutions, which was indicated to be infrequent. In addition to the lack of training sessions described by the central Florida special investigations officer, the law enforcement instructor also explained difficulties he experienced when attempting to coordinate his 40-hour course with community colleges across the state. Despite the interest generated by his intensive human trafficking training for being certified by state institutions as well as popular with law enforcement officers, the participant related that a local Tampa Bay area community college, which promised to host this course, instead dropped it last minute in favor of another law enforcement course. The instructor similarly maintained that the reason why the community college dropped his course (already filled to capacity) for another, which he quickly pointed out, was offered three times a year, was because of favoritism by the college administration (due to the friendly relationship between the professor and the administration members in charge of finalizing the course schedule). Given the lack of opportunities for an institution to sponsor his course, the participant conveyed that the only means for central Florida law enforcement officers to receive this intensive human trafficking training was if his course was to be picked up by another institution in time.

The lack of institutional willingness to sponsor the instructor’s training course already compounded the lack of capacity that this participant witnessed within law enforcement’s readiness to police human trafficking crimes.
Appealing to the morally hazardous nature of human trafficking as pretext for increased action to stop these crimes the instructor relates:

“We gotta train people, we have a major problem. I mean, I thought I ran into evil in my 35 years in law enforcement […] I mean when you put a six-year old girl on the street, offering oral sex, that’s evil. That’s evil. That is beyond description.”

Law Enforcement Difficulties Prosecuting Trafficking Crimes

Issues of identifying trafficked persons as “victims” were also indicated within the state and federal legal system, particularly in relation to difficulties experienced by law enforcement and their legal counterparts in successfully prosecuting human trafficking cases. In particular, participants expressed that there were multiple difficulties associated with the prosecution of these cases on the state level. One particular difficulty was that the caseloads of state prosecutors could be prohibitive to setting aside an amount of work and time necessary to understand and successfully prosecute intricate human trafficking cases. As one participant from central Florida explained, “...I think another problem here locally is that the prosecutors’ caseloads are so heavy, they don’t have the time to spend on understanding a trafficking case….they haven’t been trained on a trafficking case.” Likewise, it was conveyed that not only must state prosecutors attend to the cases brought up by local law enforcement agencies, but overworked federal prosecutors were also referring human trafficking cases to their state counterparts’ already cluttered desks. Indeed, one participant related that this added workload emanating from the federal level was cause for friction between federal and state prosecutors.
A subsequent issue that state prosecutors encounter during the proceedings for human trafficking cases was that preference was given to pursuing these cases in federal courts since prosecutors working for the federal government did not have to provide compulsory depositions to the defense. In contrast, state courts required the prosecution to turn over informant depositions to the defense. Explained by a Florida statewide prosecutor with experience in human trafficking cases, this state mandate provided the defense with considerable information, which could be used to critically analyze the testimony provided by the alleged trafficked person and thus poke holes in the prosecution’s case.

The final difficulty expressed by participants with prosecuting trafficking cases on the state level was that the federal penalties for a human trafficking conviction were greater than penalties in the state of Florida, further making the federal prosecution of these cases more attractive by law enforcement standards. A federal prosecutor from south Florida elaborated that in addition to convicted trafficking offenders fulfilling a longer prison sentence through the federal court system, trafficked persons are also afforded more social services through the federal government than are available on the state level.

In sum, the issues expressed by participants in prosecuting human trafficking cases in state courts have resulted in only a few prosecuted cases by the state, and even fewer state convictions on human trafficking charges. Moreover, participants explained that even those state cases that may fit the mold of human trafficking crimes might be prosecuted under a different set of crimes.
This was due to the perception that juries often do not understand what constitutes a human trafficking crime, as one law enforcement instructor on trafficking expressed:

“A lot of the defense attorneys today realize that our juries, uh...how can I say this nicely...our juries are not the sharpest knives in the drawer today. A lot of people get out of jury duty and some get trapped into it, and today the jury is, “if I don’t understand it...he’s walking.”

Anticipating a lack of jury awareness on trafficking crimes, prosecutors would thus attempt to convict the offender on crimes that were more familiar to the typical juror, such as “deriving proceeds from prostitution”, which would concordantly result in a greater chance of conviction. Despite the success of this legal tactic, the director of anti-trafficking activities in a central Florida urban area pointed out that, “our statistics are low, because oftentimes prosecutors will prosecute under another statute and not human trafficking.” Indeed, when referencing the total number of past human trafficking cases prosecuted in the state of Florida, only three were actually prosecuted by the state. Of those three cases, only one sex trafficking case secured a guilty verdict (FCAHT, 2009).

In addition to the lack of jury awareness on human trafficking, participants also conveyed that a lack of knowledge on the intricacies of trafficking existed among prosecuting attorneys and judges. One federal immigration officer explained that while a prosecutor may have a general idea of what human trafficking is, if his organization brings a case to their attention, “depending on the attorney’s understanding and conception of what a human trafficking case look like, they either may accept or reject it.” Given the multitude of cases designated to each attorney, the prosecution’s review of human trafficking cases may show preference to cases which are “open and shut” instead of more nuanced cases with a more dynamic definition of human trafficking. Participants also explained that judges could prove difficult to the prosecution specifically since they
have not taken the time to educate themselves on human trafficking crimes in Florida. Commenting on this, one officer related that, “Once somebody has become so accustomed to being in a position of power they sometimes become complacent and don’t want to learn new things. It’s not that they don’t want to learn, it’s just that they haven’t learned...”

The nature of the witnesses used in human trafficking case proceedings as well as the available testimony could also prove to be pitfalls for the prosecution. Both law enforcement officers and legal representatives particularly bemoaned managing these cases, often bereft of substantive testimony and accompanying police reports. In order to build a potential case, participants explained that events described by the witness (i.e. trafficked person) had to be corroborated in some way such as through the precise physical identification of a building where the individual was confined, available medical records, or information from the individual’s diary. Yet, witnesses often were only able to provide the prosecution with very vague descriptions of such key information. Moreover, participants explained that witnesses may make additions or deletions to testimonies at a later date, often due to the traumatizing nature of their experiences. Although participants maintained that witnesses did not intend to sabotage the prosecution of human trafficking crimes, these disparate stories nonetheless could be easily picked apart by the defense.

In addition to vague testimonies, participants related that in many cases the witness’ constructed identity could potentially undo the prosecution. Particularly in the case of foreign persons trafficked for labor, participants expressed that it was difficult to legitimize witnesses when both the defense and jury characterized these individuals as immigrants entering the country illegally.
Moreover, juror confusion was indicated regarding the differences between human trafficking, human smuggling and illegal migration, as described by one participant from law enforcement:

“People still think that trafficking is the movement of people, you know that is smuggling, and smuggling is different from trafficking and trafficking is slavery. So people don’t understand that part of it and they just think that it’s movement of people and they think that the trafficking is illegal immigrants that shouldn’t be here in the first place.”

Public confluations of human trafficking and human smuggling will be discussed in depth later on, however for the purposes of prosecuting trafficking cases it should be emphasized that these confluations have a deleterious effect on the prosecution’s case.

Law enforcement participants also maintained that witness character issues were prevalent among persons trafficked for sex. If foreign nationals or U.S. citizens had any prior background in the commercial sex industry, a history of drug use, or were found to be “living on the streets”, this information was used by the defense in order to sway the jury’s opinion of their victimhood. Participants expressed that the defense would occasionally go to extreme lengths to bring up insalubrious details of the trafficked person’s past, citing one example in which a former exotic dancer that was trafficked for sex was asked by the defense to describe the difference between a circumcised and uncircumcised penis. Her subsequent response describing the difference took away from the “innocent victim” image built up by the prosecution and, as a law enforcement participant maintained, contributed to a “not guilty” verdict for a member of the defense.

Lastly, the prosecution of these cases was also adversely affected by a lack of willingness from trafficked persons to testify against their trafficker in court. Issues of cooperation in the prosecution can start quite early in the process, as mentioned by the
special investigator from central Florida, “we may have a case that we know someone…and it fits all the profiles of being a trafficking case, but unless that victim says, ‘yeah, you’re right…I’m trafficked’ the prosecutor is not going to go forward with it.” Experiences by law enforcement also conveyed that the stresses of an ongoing case could prove emotionally draining for trafficked persons and, as a result, these individuals may wish to abandon legal retribution in order to put their traumatic experience behind them. Additionally, the fear of retribution from the convicted trafficker was indicated as a powerful stressor that held sway over the witness’ will to continue with the legal case. The fear of possible retribution for the trafficked person’s complicity in the prosecution was also related by service providers, most notably the PAT caseworker who had often experienced this situation with her clients:

“Some of the them are brave enough to be able to stand up to the person and say, ‘you hurt me by doing A, B and C.’ But some of the people are so scared, they just don’t want anything to do with this person because back in their home country, this person is very powerful. So they just want to lay low and not have to risk having future problems when they get back home.”

Stakeholder Collaboration Experiences and Issues

Human Trafficking Task Forces and Coalitions

The main administrative bodies through which participants described their interactions with other anti-trafficking stakeholders in Florida were either human trafficking task forces or local human trafficking coalitions (abbreviated respectively as HTTFs and HTCs). Similarly, there were significant differences between these two types of organizations in terms of funding, policy, and the scope of activities. At the time of this study, there were six HTTFs operating in different county jurisdictions in Florida,
such as Alachua and Collier counties, as well as others presiding over multiple counties in the case of the Tampa-Clearwater Taskforce and the South Florida Taskforce. As part of the initial federal response to human trafficking issued by the TVPA, the defined mission of these HTTFs was to enforce the new anti-trafficking legislation and, concordantly, provide direct services to trafficked persons. The accompanying federal funding, which was disbursed to service providers, victim advocates, law enforcement and prosecutors affiliated to each task force, allowed for the provision of an array of direct services to trafficked persons and the local population in their jurisdiction. Since all of the organizations were tied to this funding and were delineated responsibilities as per their grant requirements, there was a vested interest among organizations to operate efficiently and effectively on designated tasks or else face replacement. Thus, it was common practice for a taskforce to assign various anti-trafficking tasks to different organizations. Aside from the obvious focus on law enforcement, their service provider colleagues were usually tasked to provide care for either certified or pre-certified trafficked persons. As conveyed by participants, once a pre-certified trafficked person achieved certification from law enforcement, the individual would summarily be transferred from the “pre-certified service provider” to the “certified service provider”. Given trafficked persons’ continued needs of health services and social support regardless of their documentation status, collaboration between the different service providers was essential to ensure continuity of these services.
In contrast to the HTTFs, the creation of HTCs was described as a more organic and decentralized process that resulted from a “critical mass” of interest from organizations in a given area. Participants explained that affiliates of these HTCs primarily volunteered their time for coalition activities and often came from a variety of professional backgrounds such as religious organizations, food banks, homeless shelters, local law enforcement and political interest groups. In addition, unlike HTTFs, these coalitions developed their own overarching missions dictating the specific type of anti-trafficking activities that were conducted in their area. Study participants that identified as members of HTCs explained that the missions of these organizations were fundamentally different in scope than those promulgated by the HTTFs. Elaborating on this, one participant who volunteered on multiple south Florida HTCs explained:

“...at the coalitions in Broward County and Palm Beach County, our mission is very clear, our mission statement simply says that we will educate the community, we will provide community awareness, we conduct outreach activities but we don’t provide direct services.”

Thus, whereas HTTFs have the ability to police human trafficking crimes, provide care to trafficked persons and levy state and federal charges on trafficking offenders, HTCs by and large focused their efforts on awareness raising, educational activities, and represent, as one participant conveyed, “just an organization of interested parties that want to do something about human trafficking.” Despite the fact that HTCs did not receive federal funding from the Office of Victims of Crime in the DOJ, this does not mean that all are, by definition, unfunded. Organizations within these coalitions could apply for funding through the Crime Victims Fund or private donors in order to cover administrative costs, or in one case, provide a salary for a part-time coordinator position.
Difficulties of Collaboration in HTTFs and HTCs

Despite the differences between task forces and coalitions identified by study participants, there were also indications that stakeholders mistakenly conflated these two types of organizations with one another. Explanations of this issue reflected the confusion over the differences between taskforces and coalitions. In one instance, the head of a south Florida coalition received a survey from an unaffiliated organization meant to assess the readiness of his/her federally funded task force. In another, a police department attempted to refer trafficked persons to a local HTC in order to provide them with direct services that the coalition was unable to provide. Indeed, as related by one participant, this lack of stakeholder understanding regarding the difference in service capacity between HTTFs and HTCs could create serious issues during the referral process of trafficked persons:

“...someone says, okay, you have a coalition, um I have a victim...a certain police department, Police Department A, has a human trafficking victim, they call the coalition and say can you provide us with services? Well we can’t provide any services, we don’t provide services, we don’t have shelter we don’t have food and we don’t have clothing...”

Since the participant and her HTC had recognized the need for local police departments in areas without taskforces to refer suspected trafficked persons to services, they have since assembled an “emergency protocol” that essentially maps out potential locations for services. Yet, the voluntary nature of organizational membership in HTCs precludes this type of conglomerate to provide any form of direct health or social service. In fact, participants indicated that a reliance upon voluntarism was often a hurdle to effective inter-organizational collaboration and service provision. One victim advocate in southwest Florida related the difference in the speed of completing tasks and organizing
anti-trafficking activities when employing a part-time coordinator for her organization as opposed to having just a volunteer coordinator position. Similarly, a participant from an HTC in south Florida illustrated this difference when remarking, “We have a long way to go but this is also a group of volunteers. So in my world, this is one of many, many coalitions that I have to be on working with the population that I work with.”

The itinerant nature of some collaborators and the ensuing change of personnel in both HTCs and HTTFs were also identified as a problem. Specifically, participants related that this was the case for law enforcement officers affiliated with either type of organization; where knowledgeable and cooperative officers received promotions and were replaced by new officers, unfamiliar or unwilling to coordinate anti-trafficking activities with other organizations. These law enforcement transitions could occur multiple times, often leaving the HTC or HTTF with a diminished capacity to conduct their respective anti-trafficking activities. One member of an HTTF explained this process:

“...the first group we had was really excellent and part of that was that they had a case right away that got them a lot of attention. And then the next group or two didn’t do very much, it was a real problem they just had different attitudes about things...and the last group, the current group we have, is very proactive in their investigative approach, we have one investigator who is super proactive, unfortunately his boss was promoted so there was another transition.”

In addition to law enforcement officers, the replacement of service provider organizations on HTTFs could prove to significantly impact the ability to serve trafficked persons in their area. Due to the federal funding of HTTFs, service provider organizations that were not diligent in keeping track of their grant requirements and expenses could be subject to removal from the taskforce. Participants indicated through their experiences that this scenario did occur, with detrimental effects to both inter-organizational
coordination and service provision to trafficked persons. According to one victim advocate, a service provider affiliated with a southwest Florida taskforce received a large sum of federal grant money to oversee certain anti-trafficking activities, however this organization became “very big, very fast” and as a result did not have the skill or experience to effectively manage the grant. Thus, this service provider was dropped from the taskforce and replaced by a large charitable religious organization, which subsequently suffered from internal changes in personnel. Although the situation eventually stabilized, the participant remarked that nonetheless, “whenever those kinds of things happen, with the major players, you have issues. It’s a big impact.”

Indeed, this participant indicated that due to this reorganization of the taskforce service structure, the provision of services to many clients of the delinquent organization had been interrupted. Additionally, after the reorganization there was no follow-up on the progression of services that, due to their long-term service needs, was essential for maintaining the wellbeing of these trafficked persons. One central Florida service provider that specialized in caring for pre-certified trafficked persons indicated that the transition of her pre-certified clients (once given a Continued Presence by law enforcement) to a service provider specializing in care for certified trafficked persons was fraught with similar issues. In this case, during the transition from her organization to the other, she explained that trafficked persons could “fall through the cracks” due to the discontinuity in the quality of care and knowledge of the specific clients.
Reflecting on the difficulties of this transition, the participant conveyed:

“It’s just…the new providers and new grantees that they are under probably are not as familiar as we are. Eventually they will get the help that they need but it’s like starting all over again, we already know what their needs are and it’s our second nature. [...] I mean they do help them, but it makes the process longer. For the victims.”

Experiences of Good Task Force and Coalition-building Practices

Amidst all of the negative experiences associated with inter-organizational collaboration in both taskforces and coalitions, participants also recalled many positive practices and experiences that arose from these attempts at coordinating anti-trafficking activities. When asked to convey some of the elements associated with “good collaboration” with other organizations under the auspices of a HTTF or HTC, one of the most important pieces expressed was the value of long-standing relationships between law enforcement units on the local, state and federal level as well as with service providers in these units’ jurisdiction. One officer from a central Florida HTTF explained that the success of this relationship has emanated from, “our community policing philosophy, working with community organizations to solve problems has benefited us in this task force because the people we are working with today we were working with ten years ago and the relationships have already been built and have been sustained.”

Occasionally, elements of good collaboration were indicated as being a serendipitous or unexpected occurrence, where having “the right people and the right place”, as one participant noted, made the difference between a successful and unsuccessful collaborative experience. One participant from southwest Florida stated that the main reason for the successful formation of an HTC in her area was the recent election of a new county sheriff, who was enthusiastic to collaborate on anti-trafficking
issues. Similarly, a service provider from the north Florida area attributed the success of his organization, and the resulting success of the HTC in his area, to the discovery that the organization could better serve trafficked persons by changing their specific direct service-based focus and becoming more involved with the referral of trafficked persons to other service providers in the coalition.

Lastly, given the competitive nature of organizational funding for anti-trafficking work, good stewardship and equitable distribution of available funding to affiliate organizations in both HTTFs and HTCs was expressed as a positive way in which to build lasting relationships. In accordance with this idea, participants stressed dividing funding based on the responsibilities of each organization in the community. The service provider from north Florida elaborated that this equitable division is, “where we find success, be quick to put the money and resources into solving the problem rather than trying to treat that as your money. Spread the wealth basically.”

Conflicts of Interest between Stakeholder Policies

In general, when asked to elaborate about identified issues of collaboration between different types of stakeholders, participants conveyed a sense of doubt regarding the ability of different organizations to effectively carry out activities. Despite many service provider participants explaining the leaps and bounds over the past decade made by law enforcement on their response to trafficking cases, the issue of local law enforcement’s lack of awareness on identifying various forms of trafficking was still evident. This was specifically the case with identification of individuals exploited in sex work. On this note, experiences from participants in service provider organizations
indicated that, when picked up by law enforcement, individuals were recognized as
criminals and thus subject to incarceration or, in international cases, deportation.
Although service providers related that they would often argue the case for pursuing a
trafficking designation for these criminalized individuals, it was still believed that if local
law enforcement did not have training on human trafficking they were unlikely to
cooperate. One participant from north Florida expressed this sentiment:

“I mean it’s changing across law enforcement, [but] I think you’re just as likely
to have local law enforcement roll their eyes if you say that this young person
isn’t a prostitute, they’re a victim of human trafficking. If the proper training
hasn’t been provided within that particular department, then I think the average
officer on the street is just going to think that is a ridiculous statement.”

Similarly, a lack of trust in the capabilities and goals of service providers was also
indicated to exist among law enforcement in the state. One participant from central
Florida explained that his unit had recently begun to collaborate with multiple service
providers for assistance managing potential trafficking cases; however, since there had
not yet been any major cases that required service delivery by these particular providers,
he was unsure as to their level of commitment. Moreover, he expressed doubt that these
organizations understood the level of care needed by trafficked persons, and thus
believed they would not be able to, “step up to the plate when that time comes.” Another
participant from northeastern Florida expressed suspicion over the methods used by
service providers when attempting to certify individuals as trafficked persons. He related
a particular instance where, after allowing a service provider to visit detained individuals
suspected of sex work, the detainees allegedly knew the specific language to use that
would indicate them to be viewed as trafficked persons.
Reflecting on this, the participant expressed, “After that worker went in there, all these prostitution cases turned into human trafficking cases.”

Service providers and law enforcement were not the only groups that butted heads when attending to trafficking cases in their areas; immigration attorneys added further complexity to an already complex and contested arena in which stakeholders attempted to collaborate and share power. When asked about the environment of collaboration between immigration attorneys and other stakeholders, the PAT caseworker provided a veritable laundry list of experiences, which problematized what often was related to as an unstructured role for immigration attorneys within the state’s response to human trafficking. Particularly, she related that immigration attorneys have occasionally taken on trafficking cases themselves without alerting law enforcement, citing a recent case in north Florida, where one attorney attempted to secure a T-visa for the trafficked person without any outside assistance. It was only when the T-visa application was denied by the federal government that the attorney called PAT to ask for help managing this case.

Despite organizational difficulties collaborating with attorneys on trafficking cases, the PAT caseworker maintained that these difficulties were not uniform throughout the state and were dependent on the level of coordination of activities in each locality. Elaborating on this, she explained that the HTTF in Tampa-Clearwater allowed for great collaboration between law enforcement and immigration attorneys, however in another metropolitan area of central Florida no such collaboration existed. Aside from local differences in the amount of funds available for including attorneys in anti-trafficking activities, the participant pointed out that the self-petitioning property of the T-visa essentially made working with immigration attorneys an elective process. Although these
attorneys may have expertise that could facilitate the documentation process, service
providers or law enforcement still had the ability to successfully apply for this
documentation independently, thus making collaboration nonessential. Reflecting on the
general state of collaboration on trafficking cases in the U.S., the PAT caseworker
remarked:

“So right now, throughout the country, NGOs and law enforcement and
immigration attorneys are not on the same page. Even though the TVPA asks us
to work together….it’s not happening.”

One of the underlying reasons indicated by participants as complicating
collaboration was the inherent conflict between different organizational policies and
goals with respect to anti-trafficking activities. This issue was particularly notable in
accounts of the contrasting primary objectives between law enforcement and service
providers. Directed by the TVPA legislation, participants explained that the main
objective of law enforcement was to arrest the trafficker and successfully prosecute them
in court. However, in the case of undocumented persons, law enforcement had the
tendency to focus on the illegality of these individuals and seek prosecution for
immigration crimes, despite indications of human trafficking. A federal immigration
agent related this emphasis when comparing the missions of law enforcement and service
providers:

“Where they want to provide services for the victim, we are more interested in
prosecuting them and having them removed from the country…if they are illegal,
pressing charges. If they were victimized but doing something illegal…I mean
that’s pretty much where we run into the biggest push back from the NGOs.”

In contrast, the primary mission of service providers (as their name implies) was
to aid an individual in the recovery from their trafficking experience by providing access
to shelter, health care and social services and to ensure a successful integration into U.S.
society, or back in the society of their home country. Thus, given the difference in missions, collaboration between these types of stakeholders can be difficult, as one service provider indicated:

"With the foreign-born victims, folks at the federal level like ICE have more of a vested interest in removing that person….focusing on the illegal aspect of them being in the states. And so you have serious conflict between immigrant advocacy groups who want to focus on humanitarian concerns and help people to work towards citizenship…They don’t trust law enforcement and law enforcement doesn’t trust them because they are at odds in their missions."

These conflicts cropped up in a variety of circumstances, and in every case they appeared to problematize the working relationship between law enforcement officers and service providers in the human trafficking arena. One prosecutor who worked closely with law enforcement maintained that the service providers affiliated to current cases wanted to provide all of the suspected trafficked persons with T-visas regardless of whether or not these individuals actually were confirmed as “victims of trafficking”. Moreover, he believed that this practice encouraged others to apply for T-visas that actually may not deserve such documentation – in effect, exonerating someone that truly committed a crime. Thus, the participant viewed these service providers with suspicion and felt that their actions were disrupting the normal course of the law. In another instance, the PAT caseworker related an experience where the case of one of her clients was dropped by law enforcement because the client was unable to remember the address that they were taken to during their exploitative experience. Without this information, law enforcement deemed obtaining a warrant for arresting the trafficker as unlikely and thus, as the caseworker explained, “Since there could not be a chance of an arrest, law enforcement said, ‘oh well’ and that was it.”
Lastly, an administrator of state services explained how conflicting goals between law enforcement and service providers could manifest themselves in the legislative arena. The Safe Harbor Act (HB 535) was a piece of legislation supported by service providers that mandated the transfer of child sex workers from the Department of Juvenile Justice to the Department of Children and Families, the subsequent creation of safe houses for these individuals, and amended the current prostitution statute to re-define those under the age of 16 as “victims” (Kristi House, 2011). Unfortunately, despite heavy lobbying by well-respected service providers, the participant explained that the bill was eventually struck down under protest by certain law enforcement officials, citing that the provisions would adversely impact prosecution of traffickers.

**Stakeholder Collaboration Difficulties: Competition and Funding Issues**

Participants also expressed that inter-organizational competition over funding and jurisdiction complicated and obstructed collaboration on managing trafficking cases. As was discussed earlier, the majority of funding for anti-trafficking activities is disbursed through a competitive grant-based system that pits different service provider organizations against one another in vying for federal funds. Participants indicated that the large chunk of funds available for anti-trafficking activities has recently attracted organizations without any previous experience in this field. Although many of these “new” organizations are well intentioned and motivated to conduct anti-trafficking work in an effective and professional manner, participants indicated that this is not always the case. The PAT caseworker explained that some of these new organizations have professional grant writers that allow them to successfully apply for federal grants and
essentially develop a façade of legitimacy, however, behind the scenes, funds are
misappropriated and no anti-trafficking work is actually conducted. A similar experience
was echoed by another participant frustrated with the lack of output seen by new member
organizations in his coalition:

“\textit{You know, this is personal input, but I feel like participation in a coalition serves as the grant deliverable as opposed to finding and providing services to victims. So in other words, if everybody gets together and talks about the issue and says, ain’t it awful, or something... everybody goes away feeling like they are really engaged with this issue but they haven’t necessarily provided anything.}”

As the primary subcontractor of federal funds to anti-trafficking organizations in
the state, the Agency of Grants (AOG) does require its grantees to provide progress
reports on anti-trafficking activities as a means of monitoring each organization’s output.
If an organization failed to meet the grant requirements or produce measurable results, it
was unlikely that funding would be re-issued by the AOG. This type of competitive
system was indicated to motivate organizations to maintain diligent records. One
participant from the central Florida area expressed this as a major concern of her
organization:

“\textit{...we are a non-governmental organization and we are not the only ones who help victims of human trafficking in the nation, so when it comes time to apply for a new grant, there are over 40 faces that are going to be applying for it, and they are going to look at the progress report, the results, and so...we gotta be on the ball.}”

Although the AOG maintained this strict results-based system for funding, the
PAT caseworker remarked that there were still issues associated with policies developed
by the AOG to oversee the subcontracting of federal funds. In particular, she expressed
that one of the largest issues of contention was the extreme amount of detail required in
the monthly progress reports to the subcontractor. Unfortunately for Partners Against
Trafficking, these progress reports contained sensitive information on each client including testimony on their case and individual health records and were classified as discoverable documents by defense attorneys in these trafficking cases. Thus, it was in the best interest of PAT to limit the amount of documentation regarding the care and case management of their clients. As the caseworker related, AOG did not realize the potential damage that detailed progress reports could bring to the case of a trafficked person and maintained that such reports remain a requirement for funding. Moreover she explained that even when one abided by the rules of AOG, the reimbursement process was prohibitively long. Recurrent calls from AOG workers requesting further documentation or corroboration of activities as well as general mismanagement of grantees’ reports were indicated as aggravating delays to the reimbursement process. In fact, when this interview took place in July 2010, PAT had just received reimbursement for money that had been spent on clients in July 2009. Furthermore, the caseworker remarked, “they just called me and said, ‘we can’t find this report from December of 2008, can you send it to us?’ And you’re telling me this now, in the summer of 2010?! …It will be interesting to see if they get refunded.”

Lastly, as a requisite for funding, organizations were required to abide by specific culturally bound AOG policies. For example, if the AOG discovered that any of the grantees’ clients were receiving forms of contraception (i.e. condoms, birth control pills, IUDs), those organizations would immediately lose their contract. Although the AOG received the funding contract from the federal government, the organization was subsequently authorized to distribute grants to subcontractors with provisions based on their religious beliefs. Clearly frustrated with this policy, the caseworker remarked that,
“[…] we can’t just go tell [our clients], you can’t do this because [the AOG] says so…you know?” PAT was not the only service provider to have issues with this subcontractor, and at the time of this interview a prominent civil rights group had filed a lawsuit against the AOG specifically for denying grantees the right to provide contraception to clients.

Finally, rivalries broke out amongst stakeholders that perceived other anti-trafficking organizations were encroaching on their “territory”. One participant explained that his organization attempted to help other service providers on trafficking cases, particularly when these providers are in need of translation services. Yet this well-meaning intention was often taken negatively: “…we often ask them if they want our help, but they sort of shut us down because they feel that we are intruding on their turf.” These turf battles similarly played out between different units of law enforcement affiliated with trafficking cases. One law enforcement participant explained that in order for an agent to prosecute in a federal court, the individual often required a “pedigree” that denoted experience navigating federal law enforcement procedures. Thus, despite the investment of time and manpower from non-deputized officers and units that lacked the appropriate clout, the participant conveyed that those officers were required to partner with a federal agent that possessed this legitimization for the prosecution.
**Definitional Issues Associated with Human Trafficking**

When responding to questions regarding the identification and documentation of trafficked persons, participants often indicated that the term “human trafficking” itself created a significant amount of confusion among stakeholders. In particular, they related the difficulty explaining the differences between human trafficking and human smuggling to laypersons as well as other anti-trafficking stakeholders. The fact that both the terms trafficking and smuggling, through their literal definition, involved movement of some kind seemed to obfuscate the differences between the two actions, especially when stakeholders attempted to explain to a lay audience that movement was not a prerequisite for a human trafficking case. A service provider related this problematic connotation with the term:

“The term human trafficking is still very confusing to the average person to where you say it doesn’t involve the transportation of anybody, you can be trafficked sitting in your home never having left. And they can get that conceptually...sort of. But there’s no denying that human trafficking sounds a lot like moving people around.”

Although participants often related attempts at trying to parse out the differences between smuggling and trafficking humans, a federal immigration agent conveyed that the conflation of these two actions was due to more than just semantics. He explained that, in his experience with labor exploitation, human smuggling, human trafficking and document fraud could all be part of the same process, and all whittle away at the rights of an individual. Echoing elements of the PAT clients’ cases, the agent explained that while this process is generally considered to be labor trafficking, it is nonetheless technically not in the TVPRA and thus cannot be prosecuted under human trafficking crimes.
In part due to the confusion between trafficking and smuggling, some participants preferred to use the term *slavery* or *modern-day slavery*. They explained that these terms made it easier to convey the lack of an individual’s consent for participating in labor or sex work activities, as well as to bring more attention to a crime that often is very hidden from the public eye. One participant compared the human trafficking coalitions (HTCs) currently active in the state to the historical abolitionist coalitions that aided the fall of institutionalized slavery in the U.S. during the mid-nineteenth century, explaining that, “...religious groups, non-government organizations, the media, law enforcement, law makers, these are the people who are coming together to defeat modern-day slavery, and it’s the same coalition that came together earlier to defeat slavery in our history.”

Despite stakeholders conveying the en vogue use of the term *modern-day slavery* by popular media and some anti-trafficking stakeholders, others explained that the use of this term also propagated problematic issues and carried significant cultural and historical baggage. A service provider from north Florida provided an example on how this term could also be confusing and misleading public views of human trafficking in the U.S.:

“*I feel like in the labeling of this issue, the very naming of it as ‘modern day slavery’ I feel like there is a mistake being made there. When you say modern day slavery you are distinguishing it from past day slavery, which to me communicates a subtle message of not really slavery. Or, sort of like slavery but not as bad as real slavery...so I feel like human trafficking in the United States suffers from a marketing problem.”*

In conjunction with issues of terminology, participants cited confusion with the way in which “victims” of human trafficking were viewed. When focusing on foreign labor trafficking cases, participants expressed difficulties fighting the misconceptions among laypeople that these trafficked persons were illegal immigrants attempting to break U.S. laws in order to secure a job. The emphasis on the illegality of persons as
opposed to the restriction of their rights at the hand of traffickers aligned with the general misconception that human trafficking was strictly the movement of people. Commenting on the views of jurors from human trafficking cases, one law enforcement officer remarked that, “...they just think that it’s the movement of people and they think that the trafficking is of illegal immigrants that shouldn’t be here in the first place. [...] And they don’t realize that people are being enslaved.” Similarly, a federal prosecutor for trafficking cases reflected on the difficulties of having to “make the juries care” about defending the rights of a trafficked person, particularly when they believe that these individuals are entering the country illegally.

To add to the complexity surrounding both the conception of trafficked persons and the definition of human trafficking, participants often indicated that many potential cases occupied a grey area. Depending on one’s view, such cases (and the plaintiffs therein) were either deemed “true” cases of human trafficking or cases of lesser crimes, which would then acquire a panoply of other titles such as “exploited”, “truant” and “vulnerable”. A service provider from north Florida expressed his frustration about the lack of a clear, operational definition that would help to differentiate between human trafficking cases and other crimes:

“...out there on the street level I feel that there is a large range of crimes and exploitations that people suffer that fall short...it looks like human trafficking based on everything you’ve been taught, but when you actually engage that case and try to pursue it and involve a prosecutor, time and time again it falls short and people end up being convicted of lesser crimes. So I feel like the federal government needs to work harder to clarify what the benchmark is for a trafficking case.”
One prosecutor from northeastern Florida provided a similar example of a case thought to be illustrative of human trafficking falling short upon further investigation by his office. He related a case in which an individual was caught purchasing weapons and prostituting women during an undercover sting operation. Given the amount of information derived through the sting operation, it seemed certain that this was a textbook case of sex trafficking. However, after collecting the testimony from the potential trafficked persons it was determined that they had in fact consented to the sex work. The participant related that this experience made him start to doubt whether human trafficking cases are legitimately determined and questioned the validity of pursuing a trafficking conviction instead of another crime.

Likewise, participants explained that some trafficked persons came to their organization under a different designation and were only identified as human trafficking “victims” later on. Illustrating the indeterminacy of victim status between different stakeholders, one service provider in south Florida explained that some individuals who are referred to her organization do not come already designated as trafficked persons, but rather arrive with label such as “homeless” or “truant runaways”. She added that it was only upon further investigation by her staff that they were determined to be trafficked.

Data from participant interviews also indicated that legal proceedings and case selection by the prosecution have a large impact on the way cases and trafficked persons are conceptualized by both stakeholders and society at large. Participants related that due to the complications experienced by the prosecution in attaining a conviction under current laws, prosecuting attorneys often only accepted cases that contained significant and convincing testimony that blatantly illustrated the popular conception of human
trafficking: the trafficking of foreign persons for sex. Thus, those cases in which individuals were trafficked through a more ambiguous or subtle means, although no less traumatic an exploitative situation, were less likely to be identified as legitimate trafficking cases since the prosecution was similarly less likely to obtain a conviction under this crime. Additionally, any lack of law enforcement education on trafficking surveillance was indicated to compound the chances that these cases would be identified.

A participant from a service provider organization explained this concept through his professional experience:

“I feel like it’s true to my experience that all the training I have received based on the federal law, based on participating in this national effort, tells me that this young domestic victim, 19 year old girl, is a trafficking victim to the letter of the law, but I still feel the experience of trying to sell that to the feds, to law enforcement, to other entities and it’s sort of nuisance. They say, ‘well yeah it is, but…that is not really what we had in mind.’”

The power of law enforcement and the prosecution to dictate which cases are designated as human trafficking is reminiscent of my case study of PAT’s clients in the Tampa Bay area. Given that law enforcement investigators in charge of the clients’ cases determined that there was no convincing evidence to prove the staffing agency was guilty of human trafficking, Stephen, Alice, Stacey, and Charles were not provided with trafficking victim certification and, therefore, state health and social services. Similarly, the PAT caseworker related that notions of her clients as illegal foreign laborers and law enforcement’s subsequent view of them as non-victims complexly tied into U.S. immigration policies, specifically mentioning the impact of the U.S. Department of Labor Guest Worker Program (20 CFR 655.0 - .99) on human trafficking in Florida. Very generally, the Guest Worker Program (GWP) allows U.S. employers to hire international workers for a range of temporary and permanent employment, particularly for positions
in which there is an insufficient amount of U.S. workers available for employment (Department of Labor, 2010). As the PAT Caseworker explained, the visas issued for the GWP are often for work with only one particular employer and come with an array of restrictions and regulations that creates a dependency on this employer for legal residence in the U.S. This restriction of the worker’s rights allows for an increased vulnerability to be trafficked for labor purposes under the auspices of a federal program. Commenting on the unintended consequences of the GWP on international workers, the caseworker plainly remarked, “It helped fuel labor trafficking in this country.”

To further highlight the impact that overarching national immigration policy can have on the human trafficking landscape in Florida, the caseworker related an experience assisting two persons trafficked for labor. Similar to the case study presented by the PAT clients, the two individuals were working under the contract of a staffing agency when immigration officers detained them for failing to file visa extensions with this company. The officers alerted the staffing agency to the transgressions of its two employees; however, the company refused to assist in securing documentation until these two individuals threatened to inform immigration about their exploitation. Unfortunately, although these two employees were provided an attorney to assist with the visa extension process, the staffing agency made them pay the attorney’s fees and subsequently withheld paychecks even after these fees were paid. Finally, when the employees’ visa extensions were returned, the caseworker related that the extensions were valid for one day, from March 31, to April 1. As this vignette shows, even the bureaucracy of the federal immigration system can be used as tool by exploitative firms and traffickers to further isolate and marginalize trafficked persons.
Chapter Five: Discussion of Findings

There are many corresponding themes between the findings of this study and the existing literature and theoretical concepts that relating to human trafficking. The following discussion will include descriptions of the health issues and service needs from this research and the literature, the utility of ideas of illegality and deservingness, the function of street-level bureaucrats in anti-trafficking activities, and the effect of bureaucratic disentitlement on trafficked persons’ access to available services.

Health and Service Provision Issues

In the interviews, common physical health issues associated with human trafficking such as sexually transmitted infections (STI), HIV/AIDS, and general trauma injuries were similar to those found in the literature (Beyrer & Stachowiak, 2003; Barrows & Finger, 2008; Zimmerman et al., 2008). Likewise, the consequences of a lack of general health care and sustained poverty, such as tuberculosis, dysentery and malnutrition, were conveyed in the research for cases of labor trafficking and similarly represented in the literature (Gushulak & MacPherson, 2000; Logan, Walker, & Hunt, 2009). Participants also described the significant need for mental health services in this area, and the specific need for specialized services to address the unique issues associated with the extreme trauma and duress of human trafficking (Clawson & Grace, 2007; Gajic-Veljanoski & Stewart, 2007; Tsutsumi et al., 2008). The critical need for housing
in the state of Florida was also expressed by participants and, moreover, descriptions of
issues regarding the placement of trafficked persons in domestic violence shelters and
homeless shelters reflected other scholars’ critique of the current immediate and long-
term housing environment (Aron, Zweig & Newmark, 2006; FSU Strategic Plan, 2010).
Participant explanations of the ways in which shelters need to tailor their services to the
unique needs of this population, such as having on-staff mental health counselors and
tutors or create a family-centered housing model, contribute to this literature stressing
specific housing requirements. Lastly, the difficulties of service providers attempting to
negotiate the bureaucracy of shelters in order to find placement for their clients is
reminiscent of the service provider issues with registering clients for health care
provision described by Potocky (2010).

**Moralizing and Gender-specific Artifacts in Anti-Trafficking Discourse**

The predominance of references to sex trafficking when discussing issues of
human trafficking in Florida, as well as the common referral to trafficked persons with
the feminine pronoun “she,” were distinct themes that can be further contextualized by
Srikantiah’s (2007) concept of the *iconic victim*. The discourse on service provision and
documentation for trafficked persons was primarily conveyed by participants through
their accounts of the needs of women and girls that had been forced to do sex work,
reflecting the overall focus of policy on the needs of only one type of trafficked person:
those most closely related to this iconic victim (Srikantiah, 2007). This idea is also
reinforced through the certification process, in which only trafficked persons who
represent the common image of what a “trafficking victim should look like” are provided
with the trafficking victim label and given the corresponding government benefits.

Discussions on the overemphasis of this iconic victim image within anti-trafficking discourse can further benefit from Sharma’s (2005) concept of the “moral panic” that this discourse creates with regard to the suffering of innocent women and children. Examples of this were expressed by participants, and particularly exemplified by the law enforcement instructor that described human trafficking solely as, “evil… I mean when you put a six-year old girl on the street, offering oral sex, that’s evil. That’s evil. That is beyond description.” Indeed, attempts to equate human trafficking with moral feelings such as “horrible” or “evil” contribute to the mobilization of this moral panic and help legitimize measures to increase border security and provide the state with further pretext to regulate the movement of female migrants (Sharma, 2005).

The PAT caseworker provided an example of the powerful support that this particular perspective on human trafficking can have, citing criticism on the material presented in the 2010 Trafficking in Persons (TIP) Report issued by the U.S. State Department. She related that “hard line” U.S. anti-trafficking advocacy groups criticized one of the report’s influential and respected architects due to his coverage of labor trafficking issues instead of focusing the report solely on sex trafficking. As Sharma (2005) relates, this wholehearted focus on innocent women trafficked for sex facilitates the distancing of human trafficking from discussions on the political-economic reasons that force people to migrate and enter exploitative situations and shifts focus away from the stringent immigration laws that contribute to the exploitation of migrant workers.
This was corroborated by one participant from local law enforcement, who expressed that attempts to engage the overarching immigration issues that lead to greater incidence of human trafficking could be a “hot button”, or politically risky move, for elected officials given the polemical nature of these discussions in the U.S.

**Notions of Trafficked Persons’ Illegality and Deservingness**

One theme conveyed through this study was the way in which notions of *illegality* regarding undocumented migrants in the U.S. impacted the experiences of individuals attempting to acquire “trafficking victim” certification. The anthropological literature relates how the state configures “illegal” designations for migrant populations, which subsequently marginalizes their existence in the host country and impacts their ability to access health care and social services (De Genova, 2004; Willen, 2005; Rosenthal, 2007; Castañeda, 2009). This is particularly seen with respect to the tenuous position of the PAT clients represented in my case study. Given that immigration enforcement authorities denied their petition for certification, Steven, Alice, Stacey and Charles were undocumented and therefore relied on their caseworker from PAT in order to receive direct assistance with living expenses and procure pro bono services. Moreover, the illegality of these participants was experienced through their inability to interact with the society right outside the shelter doors, since lack of documentation made them vulnerable to arrest and deportation during everyday activities. In addition, PAT clients experienced illegality through the long waiting process that all of them were consigned to do until news was heard about their ongoing cases.
Essentially, the lack of any form of documentation or official recognition by law enforcement placed the PAT clients in a liminal space; where they were technically neither real citizens, nor members of the community surrounding the shelter. This physical and social separation from society manifested itself on the mental health of these individuals. As a result of their long period of inactivity at the shelter, these clients experience a considerable amount of stress relating not only towards the outcome of their case, but also in relation to their inability to find employment and remit earnings to their families. The PAT caseworker related that this stress could be extreme, specifically to the point where some of her clients made suicidal remarks about the desperateness of their situation. Although health data were not collected from the PAT clients, the level of stress brought on by experiences of their illegality is reminiscent of the “illegal syndrome” and its associated health conditions discussed by Castañeda (2009) in the context of migrant patients in a Berlin clinic.

In addition, this study points to ways in which the illegality of trafficked persons is reinforced, either through its conflation to forms of illegal migration, namely human smuggling, or through law enforcement’s active criminalization of trafficked persons in parts of Florida. That multiple participants related confusion with regard to differentiating between smuggling, trafficking, and other forms of undocumented migration, contributes to the notion that the TVPA/PRA was primarily designed to combat illegal immigration and secure the U.S. border, not to open up a true humanitarian dialogue on how best to identify and provide services to those exploited (Chacon, 2006; Srikantiah, 2007). Likewise, accounts of outright arrests of persons trafficked for labor or sex contribute to a sense that is, as Alice relates, “like law enforcement is against you” and serves to remind
these individuals of their illegality through the constant threat of arrest or deportation (De Genova, 2004). Furthermore, the impact of illegality should also be conceptualized within the context of the extreme trauma that this population has already experienced, in which further marginalization through the denial of documentation and law enforcement arrest serve to re-traumatize and re-victimize individuals. It is in this way that the concomitant vulnerabilities of trafficked persons, again, expressed in Alice’s opinion that, “I am worse now than when I came here” can be fully understood.

Echoing Alice’s statement, notions of illegality can also ensnare trafficked persons in this country, leaving them with little legal recourse. The PAT caseworker related that her clients often do not want to remain in the U.S. and instead would rather go back to their home country. Unfortunately, the price of a plane ticket back to their home country is too expensive for PAT to cover on their limited budget and the clients do not have any way of making money due to the denial of documentation and work permits after their original parole work permit expired. Yet instead of acknowledging this hole in the trafficking legislation, the PAT caseworker related that officers from ICE have paradoxically maintained a staunch anti-immigration discourse without taking measures that would ultimately facilitate these people who are willing to leave the country. Thus, by not granting work permits to trafficked persons based on ideas of their illegality and willingness to drain resources from safety-net institutions, ICE has ironically extended their illegality in the U.S. Given the aforementioned desperation of some of the PAT clients to make money, this state of illegality also puts them at risk to accept under-the-table jobs in which they could again become vulnerable to exploitation.
This sentiment is similar to Brennan’s (2010) discussion on the insufficiency of T-visa benefits for assisting trafficked persons out of poverty, which made individuals more desperate to send remittances back home and consequently more vulnerable to re-exploitation in a job.

Themes of migrant *deservingness* (Horton, 2004; Ticktin, 2006; Castañeda, 2008) also play out within the anti-trafficking arena, particularly with respect to experiences with the certification process to which trafficked persons are subject. It is due to the framing of the TVPA/PRA legislation that concepts of deservingness play out, specifically through the stipulation that distribution of government benefits is contingent on cooperation with law enforcement during the criminal investigation *and*, more importantly, that case investigators initially determine whether the individual’s case has merit to be (successfully) prosecuted in court. Much in the same vein as Fassin and D’Halluin’s (2005) study of the preference for physical signs of torture in asylee cases in France, trafficked persons can only be officially certified as “victims of human trafficking” if they can convince law enforcement investigators of their value as witnesses to the prosecution. It is thus that legitimacy, in the eyes of the state, is based on “good” testimony, which adheres to a specific cultural preference for empirical facts (i.e. names, dates, locations of incidents) as proof of the occurrence of trafficking, rather than the subjective experience of suffering that is the most telling of a trafficked person’s exploitation.

By enforcing that government benefits be contingent on the deservingness of the individual, this legislation emphasizes a moral discourse that shifts the focus of human trafficking certification away from a question of immigration procedure and to a question
of humanitarian merit (Ticktin, 2006). Yet, unlike much of the anthropological literature focusing on migrant deservingess, there is increased contestation over notions of a trafficked person’s legitimacy that are played out during court proceedings. This is poignantly seen in the law enforcement instructor’s description of the ways in which defense attorneys attempt to paint the witness in a negative light, specifically de-legitimizing the testimony of an individual exploited for sex work by simply forcing her to recall experiences from her earlier occupation as an exotic dancer. Despite whether or not certification has been granted to the trafficked person before court proceedings, I argue that this event (and verdict) configures both the identity and legitimacy of the individual as a deserving migrant and has major sway over the way in which the state perceives this individual, their legitimacy for humanitarian assistance, and necessitates critical inquiry on the impact a defeated case may have on an individual from this population.

Safety-Net Capacities of Service Provider Organizations

This study also points to the crucial role that service provider organizations like PAT fill as a type of intermediary between trafficked persons and the government, similar to the roles of safety-net and client aid organizations related in the literature (Edwards, 1994; Boehm, 2005; Lamphere, 2005; Horton, 2006). From participant accounts, these organizations often appear to be flexible and multifaceted, filling a number of roles needed within the anti-trafficking arena. With regard to cases in which certification statuses are contested by law enforcement investigators, such as the case study with PAT clients, these organizations can utilize their connections in order to piece together
rudimentary services for their clients. This scavenging for available services was related by multiple participants; referenced by a rural legal services worker with regard to his need to get “creative” in securing services for his labor trafficking clients, and by a north Florida provider that utilized his expansive contacts to refer clients to available services. These organizations have also shown their ability to fight negative certification decisions by law enforcement through appeals processes, exhibited by the PAT caseworker in the case study.

Furthermore, service providers are instrumental for helping trafficked persons navigate the complex documentation system for both the law enforcement continued presence (CP) and the federal T-visa. Not only do they provide ancillary support to clients at this stage, such as transportation to initial forensic interviews with law enforcement, but they also assist clients with collecting the necessary documents and filling out complicated forms for victim certification. These organizations also end up becoming the “human face” of the anti-trafficking arena for trafficked persons. The PAT clients only met law enforcement investigators once in person, and given their lack of legal status in the U.S., they were unable to make lasting, friendly contacts except for their caseworker and a few other PAT employees. In relation to the amount of stress and trauma that these individuals relive from their exploitative experiences, having these friendly contacts with service provider employees are important areas of support and help provide needed diversions from matters related to their trafficking case.
Due to the informal nature of these relationships this type of service is not covered within the literature on the activities of service providers, yet its relative importance during the restoration of the trafficked person and in maintaining contact with these individuals once they are relocated would suggest that more in-depth research is necessary.

**The Bureaucracy of Victim Certification**

The role of law enforcement investigators on human trafficking cases can be understood through the concept of *street-level bureaucrats* (Weatherly & Lipsky, 1977) since they operate as the localized face of trafficking policy to both trafficked persons and the public. Given that the TVPA/PRA placed law enforcement in charge of the critical role to decide whether cases merit human trafficking certification, law enforcement investigators and their prosecution team essentially make governmental policy through their decisions on victim status. The certification decisions made by these street-level bureaucrats are based on individually-derived notions of the moral deservingness of the individual, as well as the prosecutability of the case given the quality of testimony. In this sense, investigators engage in “thought-work” (Heyman, 1995), when they attempt to rationalize decisions regarding the victim status (therefore, legal status) with the ambiguous and expansive definition of human trafficking described in the legislation. These decisions are also framed by everyday difficulties experienced by investigators such as an overload of paperwork from their non-trafficking criminal cases, contending with a lack of understanding of trafficking by juries and judges, and the need to follow laws that mandate the provision of witness depositions to the defense.
Given the monumental amount of tasks assigned to investigators by policymakers, and the corresponding lack of resources available to meet the demand for documentation and services, it is no wonder that they conduct their work with discretion and impose such restrictions to certification (Weatherly & Lipsky, 1977).

Moreover, since these decisions are made in local contexts, the variegated nature of law enforcement education on human trafficking throughout Florida has a significant impact on the outcome of officers’ thought-work. As related by study participants, a trafficked person identified in the Tampa Bay area may not be designated as such in Jacksonville or parts of the Panhandle and they may be, in fact, incarcerated as a criminal. Although there are provisions that ensure new law enforcement recruits are provided with basic training for recognizing and dealing with trafficking cases, this does not apply to the veteran detectives and investigators that are often called to manage these cases. Furthermore, problematic contentions exist within the law enforcement community with regard to the appropriate amount of trafficking training officers should receive, with proponents of more intensive regimens rightfully citing the subtlety of some cases and the “grey area” encompassing human trafficking cases and other forms of illegal exploitation. The voluntary nature of anti-trafficking training for veteran officers is further complicated by the lack of collaboration between post-secondary academic institutions and law enforcement; constraining the availability of any training opportunities in the officer’s region. The lack of official language pushing for any sort of provision that would mandate cooperation between these two entities is particularly troubling and speaks to the limitations imposed on the scope of identifying future trafficking cases.
Another concept that is helpful in analyzing study results is *bureaucratic disentitlement*, which relates to the process by which social services and benefits to marginalized populations are systematically retrenched through the use of obscure “bureaucratic” activities by power-holders (Lipsky, 1984). This is specifically with regard to the collaboration issues experienced between the different anti-trafficking stakeholders. The TVPA/PRA was the impetus for the formation of the federally funded Human Trafficking Task Forces (HTTFs) and mandated that the range of organizations that compose this task force collaborate effectively in order to provide services to trafficked persons and prosecute offenders of this crime. Yet this legislation also promulgated the prosecution of the trafficker as requirement for service provision and designated power to law enforcement in order to determine the certification status of trafficked persons. In essence, these two measures create a disjuncture between the primary missions of law enforcement and service providers: essentially limiting the overall effectiveness of the task force to do anti-trafficking work. Additionally, the ambiguity of the TVPA/PRA human trafficking definition coupled with this “grey area” of exploitation that many trafficking cases inhabit necessitates law enforcement to use their regulatory agency to determine victim certification policy based largely on the perception of the prosecutability of the case. Ultimately, the result of this bureaucratic process is a limit on the amount of federal funds spent on the health and social services of trafficked persons due to the restriction of those that qualify.

The concept of *bureaucratic disentitlement* also informs the process through which the federal government delegates anti-trafficking funds in a multi-year contract to the Agency of Grants (AOG), which was subsequently authorized to develop extra
conditions on the disbursement of funds to local sub-contracting organizations. The federal authorization to deny service providers the ability to offer forms of contraception and reproductive health care based on the religious beliefs of the AOG is no doubt politically motivated, and it illustrates how bureaucracy can be used in order to carry out diverse policy agendas that restrict the provision of services in similar ways as expressed in the literature (Maskovsky, 2000; Lamphere, 2005; López, 2005). This attempt to restrict services through funding conditions can also lead to the refusal of organizations to operate under such policies, as in the case of PAT, which seriously limits funding options for anti-trafficking activities. Given that PAT was experiencing severe financial difficulties due to their decision to break from AOG funding, it is clear that work relating to trafficked persons service provision is even more prone to strategies of disentitlement and cooptation by policy agendas than service areas to other vulnerable populations.

The difficulties between PAT and the AOG can be further contextualized when viewing their interactions, and the bureaucratic process itself, as a process that emphasizes power differentials (Wright, 1994; Heyman, 2004). Considering the intermediary role that PAT plays between other stakeholders and trafficked persons, the organization must negotiate the level and quality of services they provide to their clients with the material/operational restrictions placed on its funding by the AOG. Power is contested between these two organizations, seen in the persistence of AOG for more in-depth case notes on PAT clients and the subsequent refusal of PAT to comply with this. When restrictions from grant requirements began to impact the level of care that PAT maintained for its clients, and similarly constrain clients’ reproductive rights, the organization voluntarily terminated its contract.
In addition, the active decision of service providers to “get creative” and piece together health care and social services when they run into client certification issues or uncooperative state benefit programs illustrates the contestation of power that state and federal bureaucracy attempt to wield over these organizations.

In sum, the provisions emanating from the TVPA/PRA that obligate both service provision in cooperation with law enforcement and victim documentation based on law enforcement determination necessarily relegate power in the anti-trafficking arena to officers affiliated with trafficking cases. Moreover, this legislation bestows officers with the power to create anti-trafficking policy on operational definitions of “victims”, definitions that are subsequently interpreted within a complex continuum of thought-work (Heyman, 1995) that merges concerns of individual workloads with moral distinctions of victim deservingness (Horton, 2004; Ticktin, 2006; Castañeda, 2008) and practical complications with trafficking case prosecution. The policy-making power of law enforcement officers, that has been utilized to ration services and government benefits on the prosecutability of cases, clearly runs against the primary focus of service providers to ensure that all trafficked persons are provided with the services and benefits needed for reprieve from their traumatic experiences. This “conflict of interest” can disrupt effective collaboration on anti-trafficking activities despite impressive and historic working relationships that potentially exist between different stakeholders. Collaboration is also disrupted through the current system of funding established through the federal anti-trafficking funding system, in which partisan contracting organizations may dictate the way in which federal funds are spent on trafficked persons – acting as a form of bureaucratic disentitlement (Lipsky, 1984).
Given these outstanding issues with current anti-human trafficking policy in Florida, and keeping with the goal of this study to improve such policy through the analysis of stakeholder experiences, the following sections will provide perspective on both the limitations of my research findings and direction on new anti-human trafficking policy in this state.
Chapter Six: Study Limitations

Upon reflection of this study and the scope of the overall research, I find that there were limitations to this study’s methodology, time available for study implementation, and the research questions originally posed. Ultimately, one of the major drawbacks to this study was the use of a convenience sampling strategy in order to recruit both anti-trafficking stakeholders and trafficked persons for interviews. At the beginning of this research, I was unaware of the extent to which the stakeholder community was fragmented with regard to their specialization of services for specific types of trafficked persons (i.e. domestic minors trafficked for sex, or foreign persons trafficked for labor). This stakeholder specialization significantly complicated the picture of what “issues” surrounded trafficked persons’ access to documentation and services, as there were different complications that impacted service provision for different types of trafficked persons. For instance, domestic trafficked persons must navigate different routes in order to receive services (albeit very limited) whereas foreign trafficked persons are obligated to navigate a complex certification process. Moreover, the fact that all of the PAT clients that I interviewed were foreign persons trafficked for labor made the use of a convenience sampling strategy all the more unwieldy, since it became difficult to target stakeholders that specifically dealt with labor trafficking issues in order to further contextualize the PAT clients’ experiences. Although I was able to recruit stakeholders that specialized with persons trafficked for labor, this was primarily restricted to those
willing to return my calls and emails. The resulting sample of stakeholders that my strategy ultimately produced was quite varied with regard to type of specialization that, although allowing for a broader conception of human trafficking issues in Florida, did not provide me with further context with which to interrogate experiences of labor trafficking in the state.

Additionally, I did not realize the wealth of informal connections that stakeholders maintained within the anti-trafficking arena and thus I should have placed greater emphasis on a snowball recruitment strategy than utilizing the stakeholder contact list. Furthermore, emphasis on the stakeholder contact list was reinforced by my decision to conduct phone interviews that could be easily scheduled either through email messages or initial phone calls as opposed to the more time consuming scheduling of face-to-face interviews. Nonetheless, my physical presence at many of the anti-trafficking organizations in Florida would have greatly benefitted participant recruitment through snowball sampling and would have allowed me to collect detailed ethnographic information on the many non-verbal cues that participants express during interviews.

Another limitation to this study is the non-representative participant sample size (n = 26). The number of participants recruited for this study was limited by the time constraints for the data collection phase. Ideally, if I had more time to implement the data collection, the sample size would have been much larger and consequently provided more representative data on trafficking issues in Florida. This is especially true of the trafficked persons sample size (n = 4).
Although these four clients from PAT provided compelling information regarding their interaction with stakeholders and attempts to access government benefits, interviews with additional participants would have been extremely helpful to create a more representative picture of the experience of foreign persons trafficked for labor in this state.

Given the exploratory nature of this study, I was also unaware of the extent to which issues with the U.S. immigration system are intertwined with the documentation system for foreign trafficked persons, especially those trafficked for labor. Since my case study explicitly focused on how foreign laborers were exploited through the guest worker system that they entered, it would have been beneficial to further elaborate on this issue through additional interview questions on the state of immigration in the U.S. and its relation to federal and state anti-trafficking policy. In addition, as the data collection phase progressed, I found that it took too long to progress through the interview guide during interviews and, as a result, a few of the more critical questions were glossed over by the fatigued participant. As these interviews were naturally more semi-structured, I was able to cut out general introductory questions and focus more intently on perceived topical issues pointed out by earlier participants, however data collection would have been more effective if I took a more active role in controlling the interview discussion.

Lastly, I believe that the overall scope of my study was too broad. With regard to the sheer amount of immigration and human trafficking legislation that needed to be thoroughly reviewed in order to understand the framing of policies and the complexities associated with their implementation by stakeholders, a comprehensive critical policy analysis on human trafficking issues in Florida is simply too much for the scope of a Master’s thesis. I often felt that I was just scratching the surface with respect to
collaboration issues between stakeholders, how law enforcement controls official conceptions of human trafficking “victims”, and the resulting consequences of being denied certification as a trafficked person. Retrospectively, a more appropriate thesis research study would focus on experiences from a specific type of trafficked person (e.g. foreign persons trafficked for labor), as well as those stakeholders that specialize in care for that type of trafficked person, in a specific part of Florida (e.g. the central Florida area), through which current anti-trafficking policy could be critiqued. This research does, however, provide a significant amount of new data on the experiences of stakeholders and trafficked persons attempting to navigate an inherently complex system. Thus, it is my hope that this exploratory study serves as the impetus of more in-depth research on the impact that current policy has on the rights and experiences of such a vulnerable population as trafficked persons.
Chapter Seven: Recommendations

Based on the prevailing issues discussed in both the findings and discussion sections of this paper by stakeholders and trafficked persons, I have composed the following policy recommendations as a means to augment the existing anti-trafficking activities directed by state and federal legislation as well as suggest new provisions that could help to eliminate inconsistencies in current policy. This section has been divided between those recommendations that would be possible to implement in the shorter term and those that would take long term planning and political mobilization in order to enact.

Short-term Policy Recommendations:

1. **Amend the current Florida state statutes on human trafficking and provide sentences for these crimes equivalent to those issued at the federal level.**

   Participants indicated that one major contributing factor to issues associated with prosecuting these crimes at the state level was that cases were null-processed by the state in deference to the greater penalties existing on the federal level. By providing equivalent state penalties, there could be a greater incentive for traffickers to be prosecuted on state charges, which would improve state conviction rates for this crime and provide the state legal system with greater exposure to processing human trafficking crimes.
2. **Repeal the slated abolition of the Florida Statewide Human Trafficking Task Force in July 2011 and allocate funding to this task force to continue monitoring human trafficking in Florida.** Since participant interviews indicated that anti-trafficking activities were decentralized and thus necessitated stakeholders to independently coordinate with other organizations (unless part of an HTTF or HTC), the value of the current Statewide Human Trafficking Task Force as a central authority and coordinator of statewide human trafficking activities should not be overlooked. Although the Florida DCF is also able to provide leadership on this issue, maintaining this statewide task force of trafficking experts and policymakers would provide enhanced leadership, allow for centralization and oversight of stakeholder operating procedures, and ensure the timely dissemination of new information on trafficking issues throughout Florida. The task force could also provide direction and oversee operation of the federally-funded HTTFs and local HTCs. Likewise, since this crime is constantly changing and adapting to local environments, it would seem prudent to ensure that the best practices and policies emanating from this statewide task force continue to be monitored for years to come and provide amendments to policies whenever new issues arise.

3. **Establish a stopgap re-certification process for trafficked persons who have exhausted the 13 months of ORR funding, but also have ongoing and unresolved cases.** This measure is particularly important given participant indications that the legal process can often take much longer than anticipated, leaving trafficked persons with few options for health care and social services. Moreover, this lack of coverage
adds financial pressure to service providers that are committed to caring for these individuals, but must now independently piece together existing pro-bono or reduced-price services to form a package for their clients. Ideally this re-certification would be an expedited process with either Florida HHS or law enforcement investigators. This re-certification process should additionally be available to those pre-certified trafficked persons that are awaiting law enforcement deliberation on certification merits and have exhausted the maximum nine-month allowance on pre-certified benefits.

4. Pass provisions mandating that all law enforcement officers in the state of Florida, including new recruits and veteran officers, receive the basic eight-hour human trafficking investigation and awareness training. Additionally, this mandate would enforce that longer, more intensive law enforcement training courses become mandatory for investigators on HTTFs and made available on a voluntary basis for law enforcement officers in every Florida region. Given participant indications for the need for greater law enforcement training on this issue, it is clear that all officers must acquire at least a basic awareness of this crime, whether during their tenure at the academy or as a refresher course if one is already matriculated through the academy. Also, the FDLE should mandate that multiple-day intensive training sessions be provided permanent slots at post-secondary institutions throughout Florida on an annual basis and during hours accessible for most law enforcement officers.
These sessions should also be required to bring in other anti-trafficking stakeholders from the area in order to assist in the training as well as form contacts with local officers.

5. **Pass provisions mandating that all local and state judges receive training on human trafficking-related statutes and the interpretation of these statutes.**

Judges who are not familiar with current legislation on human trafficking have been indicated to complicate the legal proceedings for the prosecution attorney, which has significantly impacted the type of trafficking cases that are brought to the courtroom. This mandate could potentially provide prosecutors with more room to argue the case for a trafficked person, allowing for more subtle and complex trafficking cases to be represented by the prosecution. Moreover, enhanced judicial training on human trafficking could facilitate understanding of trafficking legislation in the courtroom and thereby increase the amount of state convictions on these crimes.

6. **Pass provisions in the Florida statutes that allocate funding to create a system of short and long-term shelters that are specific to the needs of trafficked persons.**

Since stakeholders have pointed to a critical shortage of shelter space and appropriate housing for their clients, the widespread creation of shelters for this population is a crucial activity to ensure quality service provision. Based on data from this study, these shelters should also include in-house mental health care as well as educational and language equivalency courses.
The Safe Harbor legislation (HB 535) that failed to pass in late April 2010 provides an initial framework for the provision of additional shelters, however this legislation must extend to a broader range of trafficked persons, including adults trafficked for sex and labor.

7. **Create a centralized online database of service providers and anti-trafficking stakeholders in Florida, organized by county and the type of service provided.**

From participant interviews it was indicated that there is no central location where stakeholders can reference the types of services available in their area, making it difficult to provide trafficked persons with all of the services that they may need. If an online database were created that could assemble the numerous providers that specialize in services for trafficked persons as well as those health clinics, private practices, and hospitals that have expressed interest in covering the health issues of this population, it would greatly increase service provider effectiveness.

**Long-term Policy Recommendations:**

1. **Amend the upcoming TVPA Reauthorization in order for “trafficking victim” documentation and services to be independent of assistance provided to law enforcement on the prosecution of the case.** Such an amendment would greatly assist in closing gaps perceived in current policies associated with the provision of documentation and service provision to trafficked persons set up in the TVPRA. Moreover, this would put an end to coercive policies that compel trafficked persons to provide information to law enforcement for the prosecution as precedent for services...
and similarly negate the need for law enforcement to discern the deservingness of individuals based on the quality of their testimony. Ideally, “trafficking victim” certification would be provided on a humanitarian basis that takes into consideration the varied nature of labor exploitation and would eliminate the need for bureaucracy associated with differentiating victim statuses, such as pre-certified and certified individuals.

2. Amend the upcoming TVPA Reauthorization so that crimes of visa fraud and labor contracting are added to the list of Chapter 77 offenses. On recommendation from the PAT caseworker, the inclusion of both visa fraud and labor contracting to the list of Chapter 77 offenses specified in the most recent TVPRA would allow for the provision of increased benefits to those who have been trafficked due to these types of crimes. Currently, it is indicated that these two crimes only warrant a law enforcement parole that gives the trafficked person a temporary work permit and not full certification as a “victim” of human trafficking.

3. Alter provisions set out in the U.S. Guest Worker Visa Program that restrict foreign laborers to work with only one employer and compel the employer to apply for the foreign laborer. Findings have indicated that the current policies of the GWP make foreign laborers dependent on their employer for legal residence in the U.S., which, according to stakeholder experiences, concordantly makes them more vulnerable to being exploited under human trafficking. Instead of maintaining this restrictive system, this amendment would seek to ensure that guest workers have
increased rights, such as the ability to quit their position while maintaining their legal work status in the U.S., file a lawsuit under human trafficking crimes with authorities, and register for other labor opportunities in their profession. Such an amendment would severely hamper labor trafficking activities throughout the U.S.

4. **Ensure that federal funding contracts earmarked for anti-human trafficking purposes are re-assigned to a non-partisan, not-for-profit contractor.** This would include altering the mechanism used for subcontracting these funds from a per-capita reimbursement strategy to incremental lump-sum payments based on funding applications. The AOG’s behavior in restricting funding based on cultural values and their chronic mismanagement of contracts belies the need to switch contracting organizations for the federal human trafficking funds emanating from the U.S. Department of Health and Human Services. Moreover, the way in which the AOG reimbursed these funds to subcontracting organizations has been on a per-capita basis, which encourages these organizations to take on more clients and stress their capacity for increased funding. The expense reimbursement strategy has also been problematic, given that organizations must wait inordinate amounts of time to receive back money that has already been spent. A system in which the new contracting organization mandates that lump-sum payments be provided incrementally throughout the grant cycle and be based on the subcontractor’s budget in the funding applications would ensure that these organizations are not left without adequate funds for clients during the review of their expenses.
5. Create a thorough review process of new anti-trafficking organizations before authorizing federal funding contracts from the aforementioned grant contractor. Given the complications indicated by participants that result when organizations default on their grant requirements and are dropped from participating in Human Trafficking Task Forces (HTTFs), an initial review process of the organizational structure, professional experience, financial administration, and service capacity would help to separate viable candidates from potential risks. In addition, this review process would also establish clear standards of service provision that include measurable indicators. Furthermore, federal funding preference would be given to veteran organizations that have illustrated good service provision practices and clean financial records.
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Bibliography


Appendices
Appendix A: Interview Guides

Interview Guide: Trafficked Persons

Interviewer: Nathaniel Dickey, Depts. Of Applied Anthropology and Global Health, University of South Florida

Demographic Information:

Age:

Sex:

Country of Origin:

Interview Questions:

1) Could you please describe your life in Tampa-Clearwater?
   a) What do you like/dislike about the area?
   b) What types of things do you do for fun here?

2) Have you been able to meet people from (country of origin) in Tampa-Clearwater?
   a) Could you describe your relationship with them? (Have you become friends?)

3) How often do you see [PAT Caseworker] and other PAT workers?
   a) Could you describe for me your daily interactions with PAT workers?

4) When did you first meet PAT workers?

5) Could you please describe your experience meeting them?
   a) What services/items did they provide you with right away?

6) How long after you were first helped by PAT did you meet with police officers?

7) Could you please describe your first meeting with police officers?
   a) Did the officers explain why you were meeting with them? What was the meeting for?

8) Would you please describe what the police interview was like for you? (What is your opinion of this meeting?)
   a) Did you understand all of their questions?
   b) Was someone from PAT present in the room with you?

9) After the legal trial ended, did you have any further contact with the police?
   a) If so, what were these experiences like?
10) Who explained to you the available social and health services?
   a) Could you tell me the story about how you applied for services? What was the process like for you?

11) Can you describe the changes that happened in your life when you received documentation/services?

12) In your opinion how were the services you received? What additional services do you think would be helpful for people who have gone through a similar experience?

13) What was your experience with the doctors that you went to?
   a) Could you please tell me any particular stories of the doctors?
   b) Were there any specific problems that you remember?

14) Could you please describe your current living situation? In your opinion, what else would make your living situation better?

15) What are your plans for life in the future?
   a) Do you have an idea of what job you would like to have?
   b) Do you want to stay in Tampa-Clearwater or move someplace else?

16) Do you have any concerns about continuing to live in the U.S.?
   a) What are they?

17) In your opinion, what would need to happen in order for human trafficking to be stopped in Florida?

18) Is there anything you think I missed? What would that be?
Interview Guide: Service Providers/Victim Advocates

Interviewer: Nathaniel Dickey, Depts. Of Applied Anthropology and Global Health, University of South Florida

Demographic Information:

Title:

Number of years at organization?

Sex:

Location:

Interview Questions:

1) What is the role of your organization in addressing human trafficking?
   a) What types of services does your organization specifically provide?
      b) How many volunteers/employees does your organization have?

2) Please describe a typical trafficking case in your area.

3) In your experience, what would be indicative of the most common trafficked person?

4) Could you explain some of the unique needs for international trafficked persons? For domestic trafficked persons?

5) From your experience, could you please explain what “coercion” entails for both international and domestic individuals?

6) (If you’re allowed to tell me) Where does your organization receive direction and funding for your activities?

7) What are some of your good/bad experiences providing services to trafficked persons?

8) In your experience, are there specific areas of service need that are not currently being met?

9) Just to get a better sense of how your trafficked clients come to you, could you please describe the process from A (being trafficked) to C (being referred to your services)?
   -Follow up: Is this the same for international trafficked persons?
   -Was the history/background for clients provided to you?
   -Did you receive support from DCF/law enforcement during this process? After this process?
10) What do you think are the primary physical health issues of this group? And mental health?
   a) Do these issues differ based on the type of trafficking?

11) In your experience, how are these health concerns addressed?
   a) What potential services could use improvement? How would you like to see that accomplished?

12) Can you provide a story or example that summarizes your experiences with the good/bad of collaborating with other organizations?

13) What do you need from state legislators/leaders in order to effectively assist trafficked persons?

14) In your opinion, what would need to happen in order for human trafficking to be stopped in Florida?
Interview Guide: Law Enforcement Officers / Trafficking Task Force Officers

Interviewer: Nathaniel Dickey, Depts. Of Applied Anthropology and Global Health, University of South Florida

Demographic Information:

Title/Occupation:

Number of Years at Organization:

Sex:

Location:

Interview Guide:

1) How long have you been involved with human trafficking cases at ____________?

2) Please describe a typical trafficking case in your jurisdiction.

3) In your experience, what would be indicative of the most common trafficked person?

4) From your experience, could you please explain what “coercion” entails for both international and domestic trafficked persons?

5) Could you please describe how/when your department first began to investigate cases of human trafficking in your jurisdiction?

6) Please describe the officer training you received with regard to human trafficking.

7) The following two questions are based on a hypothetical situation in order to get a sense of the intricacies of human trafficking cases:

   • A 20 year old woman from Indonesia received a job through an international sourcing agency that promised her a job as a waitress in the U.S. Upon arrival in the U.S., the woman was told by the agency that she would not be a waitress and instead work in a brothel to pay off the large debt for documentation and transport costs. Furthermore, workers from the agency told her that if she did not do as they said, she would have cause to fear for her life and the lives of her family members back in Indonesia.

     - Could you take me through the process that you would go through if you came across a case like this?

     - Can you provide an example of how organizational collaboration would work on a case similar to this?
A middle-aged man from Guatemala desired to work in the U.S. in order to send money back home to his needy family. Denied a temporary work permit and desperate to make money, the man hired a guide to help him gain entrance without documentation to the U.S. After successfully crossing the border, the man was told by his guide that he owed the guide a large sum of money that he needed to work toward paying off. Furthermore, the guide told him that if he refused to work for him to pay off the debt, he would notify the police about his undocumented status and they would throw him in jail. The man was found working as a laborer in an agriculture field, making only $1 a week since the rest of his wages were allocated to service his transportation debt to the former guide.

-How would you handle a case similar to this? Take me through the process…

8) Are there any other issues that your office has run into with collaborating with other organizations on human trafficking cases? Could you provide a story that illustrates these?

9) Could you explain how trafficked persons react to law enforcement interviews during the certification processes? Are there any instances in particular that stand out?

10) In your opinion, what are the most prominent issues that law enforcement runs into that impact their ability to prosecute traffickers? What do you need from state legislators/state leaders in order to tackle human trafficking in Florida?

11) In your opinion, what would need to happen in order for human trafficking to be stopped in Florida?
Interview Guide: Government Officials/Employees

Interviewer: Nathaniel Dickey, Depts. Of Applied Anthropology and Global Health, University of South Florida

Demographic Information:

Title/Occupation:

Number of Years at Organization?

Sex:

Location:

Interview Questions:

1) Could you please explain to me how your organization is involved with Human Trafficking cases?
   a) How are you personally involved with trafficking cases?

2) How is your organization funded?

3) Could you briefly explain the legislation that directs your agency and law enforcement’s action on trafficking cases?
   a) Can you provide an example of how this legislation is implemented?

4) In your opinion, are the services provided by the legislation comprehensive for trafficked persons’ needs? Are there plans to address any non-covered needs?

5) Could you describe your organization’s relationship with service providers and victim advocates that operate in Florida?
   a) What is your opinion of the effectiveness of such collaboration?

6) Could you please briefly help me understand the hierarchy and affiliation of anti-trafficking organization working in Florida?
   a) Do entities in the state or federal government regulate activities of these groups?
   b) Is there any system in place to coordinate activities between organizations?

7) The following two questions are based on a hypothetical situation in order to get a sense of the intricacies of human trafficking cases:
   
   • A 20 year old woman from Indonesia received a job through an international sourcing agency that promised her a job as a waitress in the U.S. Upon arrival in the U.S., the woman was told by the agency that she would not be a waitress and
instead work in a brothel to pay off the large debt for documentation and transport costs. Furthermore, workers from the agency told her that if she did not do as they said, she would have cause to fear for her life and the lives of her family members back in Indonesia.

-Could you take me through the process that your organization would go though if a case like this reached your desk?

-Can you provide an example of how organizational collaboration would work on a case similar to this?

• A middle-aged man from Guatemala desired to work in the U.S. in order to send money back home to his needy family. Denied a temporary work permit and desperate to make money, the man hired a guide to help him gain entrance without documentation to the U.S. After successfully crossing the border, the man was told by his guide that he owed the guide a large sum of money that he needed to work toward paying off. Furthermore, the guide told him that if he refused to work for him to pay off the debt, he would notify the police about his undocumented status and they would throw him in jail. The man was found working as a laborer in an agriculture field, making only $1 a week since the rest of his wages were allocated to service his transportation debt to the former guide.

-Please explain the process that would play out in a case similar to this. Do you believe that the policy for cases like these are effective?

8) Can you explain the changes that the newly appointed Statewide Trafficking Task Force will bring to anti-trafficking policy in the state of Florida?

9) In your opinion, what is the most important element of anti-trafficking activities that needs to be worked on?

10) In your opinion, what would need to happen in order for human trafficking to be stopped in Florida?
Interview Guide: Healthcare Professionals

Interviewer: Nathaniel Dickey, Depts. Of Applied Anthropology and Global Health, University of South Florida

Demographic Information:

Title/Occupation:

Number of Years at Organization?

Sex:

Location:

Interview Questions:

1) Please describe the main population that your clinic/practice typically serves?
   a) How many people does your clinic/practice serve per day?

2) Please describe generally your staff workers (number, occupations, proficiencies)?

3) What healthcare services are typically provided to your main population?
   b) What is the main way that your patients pay for these health services?

4) How did you first learn about the health needs of human trafficking victims?

5) How often do you receive trafficking victims at your place of work?

6) In your experience, what would be indicative of the most common trafficked person?

7) Could you please describe the common health issues that these individuals come to your office with? Can you provide a story of a particular case?
   b) How does your clinic fare with administering care for these health issues?

8) Could you describe your relationship with victim service providers and anti-trafficking organizations?
   a) When did you first begin working with victim advocates?

9) Are health services for trafficked persons typically paid in the same way as your regular patients? How do they differ?

10) Have you done pro bono healthcare for this population?
11) Do most of your clients from this population already have some type of health service package?
   a) If so, what type of support do the trafficked persons usually have?
   b) How frequently do service provider organizations foot the bill for this population at your practice?

12) At your clinic, are there any requirements regarding documentation or official certification as a trafficking victim in order to administer care?

13) Have you ever referred trafficked persons to other healthcare providers in the area?
   a) If so, are you able to give me any contact information for these healthcare professionals?

14) Can you describe the general awareness of trafficking among healthcare professionals?

15) In your opinion, what are the greatest barriers to comprehensive healthcare coverage for this population?