

# Rehabilitation and Community Integration of Trafficking Survivors in the United States

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## ABSTRACT

Little has been reported on how survivors of trafficking integrate into new communities and what types of rehabilitation services and programs they may need to live independently and self-sufficiently. The release of federal funds under the Trafficking Victims Protection Act of 2000 to assist certain survivors of trafficking has spurred the rapid and eclectic development of advocacy programs and services. This article explores the needs of survivors of trafficking, the variety of services and advocacy programs that are developing to assist them, and the complex reactions of immigrant communities to incidents of trafficking.

## I. INTRODUCTION

Trafficking in persons. Smuggling of migrants. Forced Labor. These phrases evoke lurid scenes of young women held against their will and forced into prostitution, the discovery of a bedraggled group of migrants huddled in

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the corner of a freight ship, and garment workers hunched over sewing machines under the watchful eyes of guards, hidden behind tinted windows and barbed wire fences. Beyond these brief accounts, however, rarely does anyone hear more about those who survive. What happens to them? Where do they go? Who helps them?

Trafficking in persons is a growing international problem, gaining the attention of national governments, nongovernmental organizations, and the United Nations. The US government estimates that between 14,500 to 17,500 people are trafficked into the United States annually and approximately 600,000 to 800,000 people are trafficked internationally.<sup>1</sup>

In 1995, the discovery of seventy-two Thai garment workers forced to work under slavelike conditions in El Monte, California<sup>2</sup> galvanized a broad-based coalition to tackle the issue of human trafficking in the United States. Five years later, these advocates claimed a major victory when Congress passed the Trafficking Victims Protection Act of 2000 (The Trafficking Act).<sup>3</sup> The Trafficking Act and the Trafficking Victims Protection Reauthorization Act of 2003<sup>4</sup> form the framework of how trafficking is currently addressed in the United States. Both Acts taken together criminally punish traffickers, provide federal assistance to certain trafficking survivors, and monitor trafficking globally.<sup>5</sup>

In its fifth year, the Trafficking Act has made significant headway in addressing human trafficking in the United States and internationally. In doing so, it has also sharpened a division among anti-trafficking experts as to the best way to combat trafficking. Critics claim that the Trafficking Act is “prosecution-oriented,” meaning it emphasizes the prosecution of traffickers over the care of victims by conditioning access to critical human services and immigration relief upon cooperation with the criminal investigation or prosecution of the trafficker.<sup>6</sup> As Jennifer Stanger, the former Media/Advocacy Director of CAST, the Coalition to Abolish Slavery and Trafficking in Los Angeles, notes, “Even though somebody has been beaten and abused, it

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1. U.S. DEPT. OF JUSTICE, REPORT TO CONGRESS FROM ATTORNEY GENERAL JOHN ASHCROFT ON U.S. GOVERNMENT EFFORTS TO COMBAT TRAFFICKING IN PERSONS IN FISCAL YEAR 2003, at 3 (1 May 2004), available at [www.usdoj.gov/trafficking.htm](http://www.usdoj.gov/trafficking.htm).
  2. Julie Su, *El Monte Thai Garment Workers*, in *NO SWEAT FASHION FREE TRADE AND THE RIGHTS OF GARMENT WORKERS* 143 (Andrew Ross ed., 1997); see also Julie Su, *El Monte Thai Government Workers: Slave Sweatshops*, Sweatshop Watch available at [www.sweatshopwatch.org/index.php?s=68](http://www.sweatshopwatch.org/index.php?s=68).
  3. Trafficking Victims Protection Act of 2000, 22 U.S.C. § 7101.
  4. Trafficking Victims Protection Reauthorization Act of 2003, Pub. L. No. 108–93 (19 Dec. 2003).
  5. Trafficking Victims Protection Reauthorization Act of 2003 §1, 22 U.S.C. § 7101 (2003); see also Trafficking and Victims Protection Act of 2000 §5, 22 U.S.C. §7101 (2000).
  6. Dina Francesca Haynes, *Used, Abused, Arrested and Deported: Extending Immigration Benefits to Protect the Victims of Trafficking and to Secure the Prosecution of Traffickers*, 26 HUM. RTS. Q. 221, 240–41 (2004). See also 22 U.S.C. § 7101(b)(E)(i)(I).

may not be a priority for them to see that person go to jail.<sup>7</sup> She estimates that only 50 percent of CAST's clients wish to cooperate in the prosecution of their traffickers.

Under the Trafficking Act, trafficking survivors can receive federal assistance for refugees, such as Medicaid, Refugee Cash Assistance, housing, Food Stamps and longer-term services, but only if they are willing to participate in the prosecution of the trafficker.<sup>8</sup> Immigration relief in the form of a T visa<sup>9</sup> that permits an undocumented trafficking survivor to legalize her immigration status is also conditioned upon cooperation with law enforcement.<sup>10</sup> Seven hundred and eighty-eight adult trafficking survivors have received these federal benefits since the enactment of the Trafficking Act through 2005.<sup>11</sup> The Act withholds federal assistance for those who are unwilling or unable to cooperate with law enforcement.

Stanger and other anti-trafficking experts interpret this conditionality to signal that law enforcement objectives take primacy over the rehabilitation of survivors. They seek, instead, a "victim-centered approach" that promotes prosecution of traffickers but does not condition survivor assistance on willingness or ability to assist with prosecution.<sup>12</sup> The UN High Commissioner for Human Rights has endorsed this approach, recommending that access to physical and psychological care and shelter for trafficking survivors should not be contingent on their willingness to cooperate in criminal proceedings.<sup>13</sup>

The tension created between those who support a "prosecution-oriented" versus a "victim-centered" approach to trafficking reflects the cross roads where the anti-trafficking movement finds itself. The movement is poised to move from a primarily one-dimensional, law enforcement response to a multi-dimensional response that would refocus attention on those left in the aftermath of trafficking—the survivors. Little documentation exists on the process of rehabilitation and community integration of trafficking survivors, particularly those who have an opportunity to remain in the United States.<sup>14</sup>

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7. Interview with Jennifer Stanger, Media/Advocacy Director, CAST, in L. A., Cal. (9 June 2003).

8. Trafficking Victims Protection Act of 2000, *supra* note 3, § 7105.

9. *Id.* § 7101.

10. *Id.*

11. U.S. DEPT. OF JUSTICE, ATTORNEY GENERAL'S ANNUAL REPORT TO CONGRESS ON U.S. GOVERNMENT ACTIVITIES TO COMBAT TRAFFICKING IN PERSONS IN FISCAL YEAR 2005, at 5–6 (June 2006), available at [www.usdoj.gov/whatwedo/whatwedo\\_ctip.html](http://www.usdoj.gov/whatwedo/whatwedo_ctip.html).

12. Haynes, *supra* note 6, at 247.

13. U.N. Econ. & Soc. Council [ECOSOC], U.N. High Commissioner for Human Rights, *Recommended Principles and Guidelines on Human Rights and Human Trafficking*, at 3, 10, U.N. Doc. E/2002/68/Add.1 (20 May 2002).

14. The United States is one of the few countries that provide a legal mechanism for trafficking survivors to remain in-country permanently. Belgium is another country that offers permanent residency to trafficking survivors but only if the information provided by the survivor was significant in bringing a case to court. Haynes, *supra* note 6, at 264.

The area is under-theorized and, so far, has developed by borrowing heavily from the experiences of other traumatized groups, including domestic violence survivors, refugees, and torture survivors. Although intuition may lead us to believe that trafficking survivors do share experiences common with other traumatized individuals and require similar assistance, solid research is lacking.

This article will shift the focus of anti-trafficking efforts to the plight of trafficked persons who escaped or who were liberated from their captors. The article will explore the challenges that survivors of trafficking face when trying to integrate into new communities; what type of assistance they require; who can help them; and how communities respond to reports of trafficking and to the survivors themselves. In addressing these questions, the article will provide a more full understanding of the struggles trafficking survivors face as they integrate into new communities and how services are evolving to assist them.

This article is based on a larger study of forced labor in the United States conducted by the Human Rights Center, U.C. Berkeley and Free the Slaves with the assistance of the Center for the Advancement of Human Rights at Florida State University in 2003 and 2004. The study resulted in a report, *Hidden Slaves: Forced Labor in the United States*.<sup>15</sup> Among many different research methodologies employed for the larger study, the researchers conducted eight case studies of trafficking/forced labor in different regions of the United States. This article draws upon three of the eight case studies where survivors received assistance from social service providers and their rehabilitation and community integration were closely followed. The study included an extensive literature review on trafficking and on the experiences of refugees and survivors of domestic violence to fully understand the experiences of trafficking survivors and their needs.

## II. BACKGROUND ON TRAFFICKING IN PERSONS

The Trafficking Act defines trafficking in persons as

- (A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

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15. Kevin Bales, Laurel Fletcher, Steve Lize, Rachel Shigekane & Eric Stover, *Hidden Slaves: Forced Labor in the United States* (2004), available at [www.hrcberkeley.org/research/globalization\\_pub.html](http://www.hrcberkeley.org/research/globalization_pub.html).

(B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.<sup>16</sup>

In lay terms, trafficking in persons has two components. The first component involves the facilitated movement or arranged migration of an individual, often across an international boundary through the use of deception, coercion, or force. The second involves subjecting the trafficked person to involuntary servitude, slavery or its modern variant, forced labor, once a destination is reached. Forced labor is defined as, "work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily."<sup>17</sup>

Trafficking and human smuggling differ, although the two can be confused. Smuggling involves migrants who have consented to illegal transport across a border. "[U]pon arrival in the country of destination the involvement of the smuggler ends" and the smuggled person is free to make his own way in the new country.<sup>18</sup> "Trafficked persons, on the other hand, have not consented or, if they initially consented, that consent has been rendered meaningless by the coercive, deceptive or abusive means used by the trafficker."<sup>19</sup> When a trafficked person arrives in the destination country, the trafficker continues to control the trafficked person by forcing her to labor or perform sexual services.<sup>20</sup>

Trafficking frequently originates in countries experiencing severe poverty, social and economic dislocation and/or armed conflict. The US Department of Justice reports that in 2005 trafficking survivors in the United States who received federal aid originated from:<sup>21</sup>

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16. Trafficking Victims Protection Act of 2000, *supra* note 3, § 7102.
  17. Forced Labor Convention (ILO No. 29), *adopted* 28 June 1930, 39 U.N.T.S. 55, art. 2 (*entered into force* 1 May 1932).
  18. Annette Lansink, Interim Report on Women and Migration, Committee on Feminism and International Law, International Law Association/Berlin Conference 2004, 4, *available at* [www.ila-hq.org/pdf/Feminism%20&%20international%20Law/Draft%20Report%202004.pdf](http://www.ila-hq.org/pdf/Feminism%20&%20international%20Law/Draft%20Report%202004.pdf).
  19. *Id.*
  20. For more information on the differences between human trafficking and smuggling, see U.S. DEPT. OF JUSTICE, THE HUMAN SMUGGLING AND TRAFFICKING CENTER/FACT SHEET: DISTINCTIONS BETWEEN HUMAN SMUGGLING AND HUMAN TRAFFICKING (Jan. 2005), *available at* [www.usdoj.gov/trafficking.htm](http://www.usdoj.gov/trafficking.htm).
  21. ATTORNEY GENERAL'S ANNUAL REPORT TO CONGRESS ON U.S. GOVERNMENT ACTIVITIES TO COMBAT TRAFFICKING IN PERSONS IN FISCAL YEAR 2005, *supra* note 11, at 6. The US government does not keep record of persons trafficked into the US but does track information on trafficked persons in the US who received federal aid. This number may be indicative of a general pattern or trend in the origins of trafficked persons.

Country of Origin	Percent of Trafficked Persons Receiving Federal Aid (2005)
Korea	23.5
Thailand	11.7
Peru	10
Mexico	9.6

In 2004, the most common countries of origin were Peru (39 percent, Mexico (17 percent), and the Philippines (7 percent).<sup>22</sup> Internationally, nearly one-third of the world's total trafficking originates in Southeast Asia.<sup>23</sup>

In the United States, trafficking survivors tend to concentrate in states with existing sizable immigrant communities.<sup>24</sup> In 2005, the highest concentrations of trafficking survivors receiving federal aid resided in California, New York, and Texas according to the US government report.<sup>25</sup> In 2004, survivors of trafficking who received federal aid resided primarily in California, Arizona, Illinois, and Texas.<sup>26</sup> Industrial sectors in which trafficking persons toiled included sexual exploitation, involuntary domestic servitude, forced migrant agricultural labor, and sweatshop labor.<sup>27</sup>

### III. REHABILITATION AND COMMUNITY INTEGRATION

Trafficking survivors who remain in the United States face many challenges as they struggle to adapt to a new culture. They may suffer psychological trauma and lack many of the necessary skills to participate in daily life.

#### A. Psychological Trauma

Psychiatrists have long recognized that prolonged captivity can cause psychological trauma.<sup>28</sup> Perpetrators instill psychological trauma through a

22. *Id.*

23. Kara C. Ryf, *The First Modern Anti-Slavery Law: The Trafficking Victims Protection Act of 2000*, 34 CASE W. RES. J. INT'L L. 45, 47 (2002).

24. KEVIN BALES, ET AL., HIDDEN SLAVES: FORCED LABOR IN THE UNITED STATES 10 (2004), available at [www.hrcberkeley.org/research/globalization\\_pub.html](http://www.hrcberkeley.org/research/globalization_pub.html).

25. Attorney General's Annual Report to Congress on U.S. Government Activities to Combat Trafficking in Persons in Fiscal Year 2005, *supra* note 11, at 6.

26. Assessment of US Government Activities to Combat Trafficking in Persons in Fiscal Year 2004, 6 (Sept. 2005), available at [www.usdoj.gov/ag/annual/reports/tr2005/assessment-tofustipactivities.pdf](http://www.usdoj.gov/ag/annual/reports/tr2005/assessment-tofustipactivities.pdf). Note that these statistics indicate where survivors reside and not necessarily where the trafficking operation took place.

27. *Id.* at 10.

28. JUDITH HERMAN, TRAUMA AND RECOVERY 74–79 (1997).

sense of terror and helplessness and by destroying the victim's sense of self in relation to others.<sup>29</sup> They inflict terror through threats of death and serious harm against victims and their families and through inconsistent and unpredictable outbursts of violence.<sup>30</sup> To achieve complete domination, perpetrators universally seek to isolate their victims from any other source of information, material aid, or emotional support.<sup>31</sup> Studies on the psychological impact of trafficking reveal that some survivors experience symptoms of long-term psychological trauma. Women and girls trafficked into the sex industry often report depression, feelings of hopelessness, and "numbness leaving them unable to feel."<sup>32</sup> Others describe difficulty sleeping, and feeling easily startled, on guard, worthless, being trapped, paranoid, and ashamed.<sup>33</sup> Some report turning their anger and rage inward to thoughts of suicide and suicide attempts. Women describe multiple attempts at self-injury through drug overdoses, abuse of pills, engaging in high-risk behavior (i.e., not using condoms), walking in front of moving cars, self-cutting, wrist slitting, and attempts to poison and hang themselves.<sup>34</sup>

In one case study, Lakireddy Bali Reddy inflicted terror upon the girls and young women he controlled by threatening them and their families in India with physical violence.<sup>35</sup> Reddy, a Northern California real estate mogul, had for nearly fifteen years illegally brought Indian girls and young women into the United States to exploit them for sex and for labor in his restaurants and other businesses. As a wealthy landowner both in the United States and in his hometown of Velvadam, India, Reddy was a powerful and influential figure. In contrast, he intentionally chose his victims from among the poorest families in Velvadam. Reddy's victims, thus, had every reason to believe that he would carry out his threats. In fact, after Reddy's sex and labor exploita-

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29. Psychological trauma may manifest itself in a myriad of symptoms including hypervigilance, anxiety, agitation, passivity, helplessness and an inability to actively engage with the world or to exercise initiative. Over time, somatic symptoms such as insomnia, tension headaches, gastrointestinal disturbances and abdominal, back or pelvic pain may appear. *Id.* at 86–90.
30. *Id.* at 74–79.
31. *Id.* at 79.
32. Janice G. Raymond & Donna M. Hughes, *Sex Trafficking of Women in the United States* (2001), 83–84, available at [action.web.ca/home/catw/readingroom.shtml?x=16939](http://action.web.ca/home/catw/readingroom.shtml?x=16939).
33. Janice G. Raymond, Jean D'Cunha, Siti Ruhaini Dzuhayatin, H. Patricia Hynes, Zoraida Ramirez Rodriguez, Aida Santos, *A Comparative Study of Women Trafficked in the Migration Process*, 207–209 (2002), available at [action.web.ca/home/catw/readingroom.shtml?x=17062](http://action.web.ca/home/catw/readingroom.shtml?x=17062).
34. *Id.* See also London School of Hygiene & Tropical Medicine, et. al., *The Health Risks and Consequences of Trafficking in Women and Adolescents: Findings from a European Study* (2003), available at [www.lshtm.ac.uk/hpu/docs/traffickingfinal.pdf](http://www.lshtm.ac.uk/hpu/docs/traffickingfinal.pdf); *Psychosocial Support to Groups of Victims of Human Trafficking in Transit Situations* (Guglielmo Schinina ed., 2004), available at [www.forcedmigration.org/psychosocial/papers/Wider-Papers/iom\\_notebook4.pdf](http://www.forcedmigration.org/psychosocial/papers/Wider-Papers/iom_notebook4.pdf); Raymond & Hughes, *supra* note 32 (for more information on the health consequences of trafficking on women and girls in the sex industry).
35. FREE THE SLAVES WASHINGTON, D.C. & HUMAN RIGHTS CENTER AT THE UNIVERSITY OF CALIFORNIA-BERKELEY, *HIDDEN SLAVES FORCED LABOR IN THE UNITED STATES* (Sept. 2004).

tion scheme was exposed and Reddy had been arrested in California,<sup>36</sup> an unidentified man broke into one of the local shelters where several survivors were residing. Witnesses claimed that he was looking for the "Indian woman and her daughter."<sup>37</sup> No suspects were ever apprehended.

Five months after Reddy's arrest, a group of assailants burst into the home of one of the survivors' family in India and doused the residents with acid. The incident occurred shortly after one family member had publicly criticized Reddy.<sup>38</sup> Days later, the critic died from his injuries.<sup>39</sup> A five-year-old victim was badly burned and the legs of a third victim, a woman, were disfigured. Shortly after the Indian authorities launched an investigation into the attack, a key witness was killed.<sup>40</sup>

Court documents describe some of the Reddy survivors as suffering from symptoms of sexual abuse, from feelings of unworthiness to severe depression.<sup>41</sup> One very young survivor suffered from headaches, depression, listlessness, recurring nightmares, panic attacks, a relentless fear for her own safety and for the safety of her family, and thoughts that she deserved the abuse imposed upon her. She was too frightened to leave the confines of her apartment.<sup>42</sup> Another victim regressed to a childlike state when describing Reddy's conduct toward her, and suffered from anxiety, depression, and listlessness. She had trouble sleeping and was plagued by fear of retaliation against herself and her family.<sup>43</sup> In her representation of three of the survivors, immigration attorney Nancy Hormachea notes, "There is a high level of distrust; everything is extreme. One day they totally trust you; the next day, they don't."<sup>44</sup>

In another case study, the individuals trafficked by Kil-Soo Lee also suffered from psychological injury. Lee, a Korean businessman, recruited over 200 Chinese and Vietnamese men and women to work in his garment factory, Daewoosa Samoa, on the island of American Samoa from 1998 until the factory closed in late 2000.<sup>45</sup> Lee kept the workers locked in the factory compound, withheld food as punishment, withheld regular pay, and authorized violent retaliation and deportation for those who resisted.<sup>46</sup> In

36. Debra Levi Holtz & Chuck Squatriglia, *Berkeley Landlord Arrested in Sex Scheme*, S.F. CHRON., 20 Jan. 2000, at A17.

37. Interview with Nancy Hormachae, Attorney, in Berkeley, Cal. (25 June 2003).

38. *Id.*

39. Telephone Interview by Laurel Fletcher with Michael Rubin, Attorney, (14 June 2004).

40. *Id.*

41. United States Sentencing Memorandum at 13, *United States v. Reddy*, No. CR-00-4028 (D. N. Cal. 12 June 2001).

42. Judgment in a Criminal Case, Statement of Reasons at 16–18, *United States v. Reddy*, No. CR-00-4028 (D. N. Cal. 21 June 2001).

43. *Id.*

44. Interview with Hormachae, *supra* note 37.

45. Opinion and Order at 15–16, *Nguyen Thi Nga v. Daewoosa Samoa Ltd.*, No. 133–99, No. 68–99, No. 93–00, (Am. Samoa 16 Apr. 2002).

46. Press Release, US Dept. of Justice, Garment Factory owner convicted in Largest Ever Human Trafficking Case Prosecuted by the Department of Justice (21 Feb. 2003), *available at* [www.usdoj.gov/opa/pr/2003/February/03\\_crt\\_108.htm](http://www.usdoj.gov/opa/pr/2003/February/03_crt_108.htm).

one violent incident, Samoan security guards under Lee's orders assaulted several of the Vietnamese workers. One Vietnamese worker was struck in the face with a PVC pipe and lost her vision.<sup>47</sup> With help, many of the workers escaped and eventually resettled in Hawaii and other states including California, Texas, Mississippi, Virginia, and New York. In February 2003, Lee was convicted of criminal charges of involuntary servitude, extortion, and money laundering.<sup>48</sup> He was sentenced to a forty-year prison term in June 2005.<sup>49</sup>

Thuy Nguyen, a case manager at Boatpeople S.O.S who assisted approximately twenty-five survivors in Orange County, California, recalls hearing some survivors speak about their feelings of guilt. Some felt guilty because they "had made it to the U.S.," and were in the process of receiving T visas and hoped to be shortly reunited with family members.<sup>50</sup> They would contrast their good fortune with the deaths of two of their colleagues who had mysteriously drowned in American Samoa<sup>51</sup> and with others who had been deported from American Samoa to Vietnam in retaliation for their protests against Lee's treatment of them.<sup>52</sup>

Pressure from family members added to the survivor's emotional strains. For the opportunity to work abroad at Daewoosa Samoa, Vietnamese workers were required to pay fees ranging from \$3,000 to \$7,600 to cover security deposits, airfare, and government fees and taxes. To pay these exorbitant fees, many families took out high-interest loans.<sup>53</sup> One worker reported selling her home. Another survivor explained that her mother used the family home as collateral for a high-interest loan.<sup>54</sup> Families accrued heavy debts and relied on the wages from their relatives' work at the Daewoosa factory to pay off the loans. Survivors felt that they had no option but to remain at Daewoosa, regardless of conditions or treatment. According to Nguyen, the husbands of some of the female workers told them, "just hang in there, just bow your head down and take it, just do what you are told to, just keep your mouth shut, then the boss will treat you better."<sup>55</sup>

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47. Stipulation of Facts at 1–5, *United States v. Elekana Nu'uuli Ioane*, No. CR-01-00342 (D. Haw. 31 Aug. 2001).

48. Press Release, US Dept. of Justice, *Garment Factory Owner Convicted in Largest Ever Human Trafficking Case*, *supra* note 46.

49. *Id.*

50. Interview with Thuy Nguyen, Case Manager, Boat People S.O.S., in Westminster, Cal. (10 June 2003).

51. Opinion and Order at 32, *Nguyen Thi Nga v. Daewoosa Samoa Ltd.*, No. 133–99, No. 68–99, No. 93–00 (Am. Samoa 16 Apr. 2002). The two workers died of drowning during a swimming excursion.

52. *Id.* at 27–32.

53. *Id.* at 17–22.

54. Interview with Tuyen [pseud.], by Natalie Hill, in Westminster, Cal. (10 June 2003).

55. Interview with Nguyen, *supra* note 50.

Almost all anti-trafficking advocates agree upon the importance of psychological care for survivors of trafficking. However, the deep social stigma attached to mental and emotional difficulties often serves as a barrier to receiving treatment. Although Nguyen believes that many of the Kil-Soo Lee survivors would benefit from psychological treatment, she acknowledges that most resisted the idea and chose instead “to keep their problems quiet.”<sup>56</sup>

In the Reddy case, the survivors all suffered psychological trauma, but according to Hormachea, providing good therapy is nearly impossible.<sup>57</sup> “Western-style therapy is foreign to them and not culturally appropriate . . . most refused to go because they didn’t like it. . . . There has to be another model for psychotherapeutic help.”<sup>58</sup> Hormachea stresses the importance of taking into account cultural considerations, especially the stigma attached to psychological problems. She adds, “You have to understand that there are derogatory sayings where these girls come from for people who seek help—they are seen as being ‘crazy’ and described as being ‘a chained dog’—rabid.”<sup>59</sup>

## B. Lack of Skills for Independent Living

Survivors of trafficking often lack the basic skills necessary to live independently in US society. They may not understand English, how to use US currency or the role of government agencies, police, the courts, or banks. Some may not be able to make inquiries, exercise choice, make purchases, grocery shop, and take public transportation. Hormachea describes their lack of preparation to live and thrive in American communities. “Imagine, young girls, some of them just teenagers, being plucked out of the only society that they know—that of the perpetrator. They don’t even know how to buy things at the store, they haven’t even walked around the block.”<sup>60</sup>

The reasons for lacking these basic skills range from the obvious, including socio-economic and cultural differences, to the more distinct conditions associated with trafficking. In the Reddy case, survivors were young; some were only twelve, thirteen, and fourteen years of age.<sup>61</sup> Reddy would first bring young girls to perform menial jobs on one of his many Velvadam estates where the sexual exploitation began. Eventually, he selected a few

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56. *Id.*

57. Interview with Hormachae, *supra* note 37.

58. *Id.*

59. *Id.*

60. *Id.*

61. United States Sentencing Memorandum at 4–5, United States v. Reddy, No. CR 00-40028 (D. N. Cal. 12 June 2001).

to bring to the United States through a complex ruse of false identities and immigration fraud.<sup>62</sup>

Reddy's victims were also extremely marginalized, uneducated and vulnerable girls and young women in their home country. Reddy specifically chose Dalits ("broken people") as his victims.<sup>63</sup> Dalits are otherwise known as "Untouchables," members of a "caste once ranked too low to even be included in the Hindu caste system."<sup>64</sup> The young age at which the survivors were taken and their low social status, taken together, contributed to their difficulties in acquiring independent living skills.

Even those trafficked as adults face similar difficulties. A church representative who initially assisted some survivors who had been trafficked by Kil-Soo Lee observed, "You really need an agency that can afford to do things for these women. It's more than just typical 'agency stuff' that they need help with. They need extra help—this is what you do when you rent an apartment, this is how you buy a car."<sup>65</sup>

Service providers assert that the needs of trafficking survivors are far greater than those of other marginalized groups. They require more time-consuming, lengthy and structured services, particularly because they have lived under the abusive control of others and have been traumatized,<sup>66</sup> have traveled alone and are isolated from their families.

### C. Models for Rehabilitation and Community Integration

The question, of course, is how to address these challenges with effective services and advocacy programs designed to assist survivors in making successful transitions to their new communities.

The Trafficking Act has released significant federal dollars into local communities to develop such services, administered largely through the Department of Health and Human Services' Office of Refugee Resettlement (ORR) and the Department of Justice's Office on Violence Against Women

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62. Affidavit of Donald Henley in Support of Criminal Complaint against Vijay Kumar Reddy at 3–6, *United States v. Reddy*, No. CR-00-40028 (D. N. Cal. Jan. 31, 2000).

63. Anna Wang, *Beyond Black and White: Crime and Forgiveness in the News*, 8 *ASIAN L.J.* 187, 188–89 (2001).

64. *Id.*

65. Interview with Bob (18 July 2003).

66. Psychiatrist Judith Herman writes that constriction in the capacities for active engagement with the world and a narrowing in the range of initiative become habitual with prolonged captivity and must be unlearned after liberation. Herman cites as an example the challenges faced by a political dissident returning to a life of freedom after years of imprisonment. He had difficulties opening doors, because he was inhibited to reach for doorknobs, he couldn't remember how to make a dark room light, how to work, to pay bills, shop, visit friends or answer questions. HERMAN, *supra* note 28, at 90–91.

(OAVW) and Office for Victims of Crime. Funding is available to conduct community outreach where trafficking survivors may dwell, to train public and community personnel who may encounter trafficking survivors and to provide human services, such as case management, legal assistance, benefits advocacy, housing and employment assistance. In 2005, the Department of Health and Human Services awarded approximately \$3.2 million in grants to more than a dozen organizations for services to assist certain trafficking survivors and to promote greater outreach efforts.<sup>67</sup>

The number of organizations providing services and advocacy for trafficking survivors continues to grow, particularly as federal funding for anti-trafficking activities becomes institutionalized. The Freedom Network USA, a broad-based national consortium of anti-trafficking organizations, boasts of seventeen organizational members,<sup>68</sup> while HumanTrafficking.org, a web resource to combat human trafficking, lists twenty-five domestic nongovernmental organizations.<sup>69</sup>

The evolution of organizations that serve trafficking survivors is occurring quickly and eclectically. Organizations that have traditionally served survivors of domestic violence, refugees, sex workers, and migrant workers are expanding their services to include trafficking survivors. In addition, new organizations are developing from the ground up. Some organizations focus on research, training, and public policy initiatives, others offer legal assistance and conduct litigation, while still others provide human services such as case management, counseling, outreach, shelter, and employment assistance.

#### IV. DUAL OR MULTI-SERVICE ORGANIZATIONS

“Dual” or “multi-service” organizations refers to those organizations originally developed to serve a population other than trafficking survivors that have since expanded to include trafficked people. These organizations have identified common features that their original service population share with trafficking survivors, making the expansion to include assistance to trafficking survivors a logical step.

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67. Attorney General's Annual Report to Congress on US Government Activities to Combat Trafficking in Persons in Fiscal Year 2005, *supra* note 11, at 6–7.

68. Freedom Network USA, available at [www.freedomnetworkusa.org/members.htm](http://www.freedomnetworkusa.org/members.htm).

69. HumanTrafficking.org, available at [www.humantrafficking.org/countries/united\\_states\\_of\\_america/ngos](http://www.humantrafficking.org/countries/united_states_of_america/ngos)

## A. Refugee-based Organizations

The influx of over 800,000 Southeast Asian refugees from Vietnam, Cambodia, and Laos triggered the development of refugee-based organizations starting in 1975, after the end of the war in Vietnam.<sup>70</sup>

The federal government contracts with refugee-based organizations to fund two broad types of refugee assistance: reception and resettlement services.<sup>71</sup> Reception services include short and immediate help such as health screening, housing, transportation, and English-as-a-second-language training. Resettlement services are more long-term and comprise mainly employment-related programs aimed at achieving rapid self-sufficiency.<sup>72</sup>

Reception and resettlement services are both time-limited (lasting eight months), yet studies show that refugees usually begin to experience emotional and psychological problems after this initial period of time has passed.<sup>73</sup> Research shows that refugees suffer severe psychiatric problems at a higher rate than the general population.<sup>74</sup>

Not only have refugees experienced the generalized trauma of forced displacement and flight, many have been separated from their families, witnessed the murder or assault of family members or friends, and have had their lives threatened.<sup>75</sup> In a study of 301 refugees in a Buffalo, New York refugee shelter, over 70 percent of the participants described experiences of abuse, including torture, in their homeland.<sup>76</sup> Refugees described being threatened, beaten, whipped, hung from their hands and beaten, burned with cigarettes, and sexually assaulted and raped.<sup>77</sup> After experiencing this trauma, many refugees flee their home countries only to find themselves languishing in temporary refugee camps. Southeast Asian refugees have an average length of stay in refugee camps of two years.<sup>78</sup>

Refugees suffer from four main stressors, one being stress related to pre-migration trauma.<sup>79</sup> Secondly, they suffer stress related to bereavement, and the loss of power inherent in the status of a refugee, marked by feelings of

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70. Patricia Kelley, *The Application of Family Systems Theory to Mental Health Services for Southeast Asian Refugees*, 2 J. MULTICULTURAL SOCIAL WORK 1 (1992).

71. Cora Le-Doux & King S. Stephens, *Refugee and Immigrant Social Service Delivery: Critical Management Issues*, 2 J. MULTICULTURAL SOCIAL WORK 31, 33 (1992).

72. *Id.* at 39–40.

73. *Id.* at 40.

74. Kelley, *supra* note 71, at 2.

75. Hilary N. Weaver & Barbara J. Burns, *I Shout with Fear at Night: Understanding the Traumatic Experiences of Refugees and Asylum Seekers*, 1 J. SOCIAL WORK 147, 150 (2001).

76. *Id.* at 154.

77. *Id.* at 154–56.

78. Diane Bernier, *The Indochinese Refugees: A Perspective from Various Stress Theories*, 2 J. MULTICULTURAL SOCIAL WORK 15, 20 (1992).

79. *Id.* at 23.

helplessness and a loss of control.<sup>80</sup> Thirdly, they suffer from stress related to acculturation, adjusting to a new language, dominant religion, food and eating habits, and conceptualizations of family (ie. nuclear vs. extended family).<sup>81</sup> Lastly, refugees suffer from stress accompanied by change, including change in living conditions, family hierarchy and in professional achievement. Studies show that refugees experience a high rate of unemployment (46 percent) and professional disqualification (18 percent)—where a refugee had held a prestigious occupation in his homeland but is now reduced to working in a menial job.<sup>82</sup> Refugees may also experience discrimination and harassment in their new home.

The most successful refugee programs take into consideration some of the refugee's homeland practices and cultural values. Mental health and health care programs may employ bi-cultural and bi-lingual staff<sup>83</sup> and integrate aspects of traditional healing.<sup>84</sup> The prevalence of somatization among Southeast Asian refugees can be turned into an opportunity for early diagnosis of psychosocial and mental health problems during medical visits.<sup>85</sup> In recognizing the importance of extended family and community among Southeast Asian refugees, some refugee-based organizations have chosen to work from accessible premises in neighborhoods. They work to reinforce existing support networks by giving priority to home visits and utilizing mutual help groups together with community education about existing services.<sup>86</sup>

Boat People S.O.S.,<sup>87</sup> one of the first refugee-based organizations to expand services to include assistance to survivors of trafficking, received funding from the Office of Refugee Resettlement to create the Victims of Exploitation and Trafficking Assistance (VETA) Project to assist survivors of Kil-Soo Lee.<sup>88</sup> In May 2001, approximately twenty-five survivors arrived in Orange County, California, and in October, Thuy Nguyen was hired as the Coordinator for the VETA project in Orange County. Nguyen served as a liaison between the survivors and the federal law enforcement officers and prosecutors who were preparing for the upcoming criminal trial against Lee. She helped the survivors apply for T visas, collect the underlying documents

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80. *Id.* at 18–19.

81. *Id.* at 16–18.

82. *Id.* at 22.

83. See generally, Julian Chun-Chung Chow & Paige Wyatt, *Ethnicity, Language Capacity, and Perception of Ethnic-Specific Services Agencies in Asian American and Pacific Islander Communities*, 1 J. IMMIGRANT & REFUGEE SERV. 41 (2003).

84. *Id.* at 44–45.

85. In one study, one-half of a sample of Vietnamese refugees consulting for physical complaints had emotional problems as measured by mental health tests. Bernier, *supra* note 79, at 26.

86. *Id.* at 25.

87. Boat People S.O.S., available at [www.bpsos.org](http://www.bpsos.org).

88. Boat People S.O.S., The Daewoosa Case, available at [www.bpsos.org](http://www.bpsos.org).

to support the T visa application, and to match the survivors with volunteers in the local community.

Piloting the new VETA project proved challenging. Nguyen was hired for twenty hours per week (half-time) to assist the nearly twenty-five survivors. In hindsight, she reflects, "This was just not enough time, especially at the beginning when the clients needed so much. It was very difficult."<sup>89</sup> In addition, Nguyen had never worked as a case manager. Her background was in financial planning. She had to learn the ropes of case management and begin to understand the dynamics of trafficking and its effect on survivors at the time when the survivors were in the most need and all on a half-time schedule.<sup>90</sup>

The organizational transition from serving refugees to working with survivors of trafficking was not necessarily an easy one. Nguyen notes that, "Refugees and survivors of trafficking have very different needs. First of all, refugees come over together, they are with their families. Survivors come over by themselves, they are alone and separated from their families. Refugees are more ready to take advantage of refugee benefits, survivors often are not ready and don't [seek benefits]."<sup>91</sup>

Nguyen states that many survivors were not able to take advantage of the refugee benefits during the eight-month eligibility window. The few survivors who sought psychological treatment did so only after their Medicaid eligibility expired. It was very important for the survivors to pay off their debt, and Nguyen speculates that they took measures to send money home before turning their thoughts to their own well-being.

Although the needs of refugees and trafficking survivors may overlap, survivors of trafficking appear to require more time-consuming and lengthy support than refugees. Boat People S.O.S's work with trafficking survivors raises questions as to whether the eight month eligibility period for refugee benefits adequately serves trafficking survivors. The challenges Nguyen faced in running the VETA project with little or no experience underscore the need for staff training, mentoring, and program evaluation.

## B. Anti-Domestic Violence Organizations

Each year at least 4 million women are victims of intimate violence, 2 million suffer serious injury and 3,000 suffer fatal injuries in the United States alone.<sup>92</sup> Domestic violence afflicts women of all socioeconomic strata.<sup>93</sup> The

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89. Interview with Nguyen, *supra* note 50.

90. *Id.* Nguyen volunteered that she did not have any experience when she commenced with Boat People S.O.S. and did not receive any training but learned, "on the job."

91. *Id.*

92. Mrugaya W. Gorde, Christine A. Helfrich, Marcia L. Finlayson, *Trauma Symptoms and Life Skill Needs of Domestic Violence Victims*, 19 J. INTERPERSONAL VIOLENCE 691, 692 (2004).

93. *Id.* at 691.

feminist movement, which gained momentum in the 1970s, helped to launch a national campaign against domestic violence and to increase funding for research and programmatic services.

"Domestic violence is a specific strategy used to subjugate the victim for the gain of the abuser."<sup>94</sup> This subjugation frequently involves physical domination, the most common including pushing, shoving, grabbing, punching, kicking, and damaging household items.<sup>95</sup> An abuser may also employ verbal abuse as a way to destroy the victim's psychological identity and render her incapable of independent thought or deed. Misinformation is one way to ensure this type of control. An abuser frequently threatens and lies to a victim and resorts to name-calling ("No one would want you. You are crazy.").<sup>96</sup> In one study nearly 60 percent of the domestic violence survivors interviewed reported having feared for their lives at some point.<sup>97</sup>

An abuser maintains further control over a victim by manipulating her environment. An abuser may control a victim's social interactions, isolating her from family, friends, and neighbors to foster a sense of hopelessness and helplessness and encourage dependence.<sup>98</sup> An abuser may also control resources, such as household finances and means of transportation and employment to reinforce the subjugation and reduce the likelihood of escape.<sup>99</sup>

As a result, survivors of domestic violence exhibit trauma symptoms including depression, obsessive-compulsive disorder, substance abuse, somatization and post-traumatic stress disorder.<sup>100</sup> Research indicates that 55 to 74 percent of victims of domestic violence experience post-traumatic stress disorder.<sup>101</sup> Victims of domestic violence are also known to experience higher rates of social isolation, self-harm, and suicide attempts. Despite the prevalence of psychological trauma in victims of domestic violence, they rarely receive psychological treatment because health care professionals do not identify the need.<sup>102</sup>

Due to the traumatic and long-term nature of domestic violence,<sup>103</sup> survivors may lack the ability to live independently in the community, making them and their children vulnerable to homelessness or a return to violence.

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94. Michael A. Anderson, Paulette Marie Gillig, Marilyn Sitaker, Kathy McCloskey, Kathleen Malloy, & Nancy Grigsby, "Why Doesn't She Just Leave?": A Descriptive Study of Victim Reported Impediments to Her Safety, 18 J. FAMILY VIOLENCE 151 (2003).

95. *Id.* at 152.

96. *Id.* at 153.

97. *Id.* at 153–54.

98. *Id.*

99. *Id.*

100. Gorde, et al., *supra* note 92, at 691–92.

101. *Id.*

102. *Id.* at 693.

103. In one study, the duration of abuse experienced by the sample ranged from one incident to twenty-three years with an average of five years. *Id.* at 694.

One study reported an average of six attempts to leave their abusers among eighty-four survivors of domestic violence.<sup>104</sup> Survivors cited financial dependence on the abusers and an inability to maintain a job or a house as the main reasons for their eventual return.<sup>105</sup>

With this in mind, advocates now place a greater emphasis on the development of longer term support and advocacy services designed to compliment the more common and shorter intervention of emergency shelter, crisis counseling, and legal representation.<sup>106</sup> This emphasis focuses on longer term services that include budgeting and financial management, parenting skills, day care access/childcare, counseling for survivors,<sup>107</sup> support for children who have experienced or witnessed abuse, transitional and affordable housing,<sup>108</sup> and employment assistance including job referrals, job readiness programs, and interview skills.<sup>109</sup> Survivors and their advocates have identified these types of services as necessary to increase a survivor's chances of living independently and to minimize the risk of her becoming homeless or revictimized.<sup>110</sup>

Organizations that traditionally have served survivors of domestic violence are beginning to assist survivors of trafficking through grants from the Department of Justice's Office on Violence Against Women and the Office for Victims of Crime.<sup>111</sup> Survivors of trafficking share some experiences with survivors of domestic violence, although differences can make dual service provision challenging.

Common shelter space can be problematic. Most trafficking survivors require a longer shelter stay than domestic violence survivors. Nalini Shekar of Next Door Solutions to Domestic Violence,<sup>112</sup> a shelter in Northern California that serves both survivors of domestic violence and trafficking, estimates that a survivor of domestic violence typically stays in a shelter between three and nine months, where a survivor of trafficking may typically need shelter for one to one and one-half years.<sup>113</sup> Shekar attributes the longer shelter stay to a trafficking survivor's lack of independent living skills and the need to adjust her immigration status before becoming self-sufficient. A longer

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104. *Id.* at 704.

105. *Id.*

106. See generally, Gorde, et. al, *supra* note 93; Kimberly K. Eby, *Exploring the Stressors of Low-Income Women with Abusive Partners: Understanding their Needs and Developing Effective Community Responses*, 19 J. FAMILY VIOLENCE, 221 (2004).

107. Gorde, et al., *supra* note 92, at 691, 699–701.

108. Eby, *supra* note 106, at 221, 231.

109. Gorde, et al., *supra* note 92, at 691, 699–701.

110. *Id.* at 704.

111. Office for Victims of Crime, *Trafficking in Persons*, available at [www.ojp.gov/ovc/help/tip.htm](http://www.ojp.gov/ovc/help/tip.htm).

112. Next Door Solutions to Domestic Violence, available at [www.nextdoor.org](http://www.nextdoor.org).

113. Interview by Natasha Pinto & Rachel Shigekane, with Nalini Shekar, Next Door Solutions to Domestic Violence, San Jose, Cal. (17 July 2003).

shelter stay by trafficking survivors means that, overall, less shelter space is available and fewer victims of violence can be assisted. Moreover, domestic violence shelters may not be fully prepared to provide for the security of multiple trafficking survivors, particularly where the trafficker is part of a highly organized, extensive, and well-financed network.

Shared shelter space can provide an opportunity for women to learn from one another; but it can also breed conflict. Some Reddy survivors were temporarily housed in a domestic violence shelter. Upon learning that some of the residents were trafficking survivors, a few of the domestic violence survivor residents objected because they feared that the presence of the trafficking survivors would compromise their anonymity and safety.<sup>114</sup>

Trafficking survivors and domestic violence survivors may not benefit from the same support services. Peer support groups have had success in helping survivors of domestic violence but have proven counterproductive as an early intervention tool for some survivors of sex trafficking.<sup>115</sup> Sex traffickers often create an environment of competition and loyalty among their victims by using favoritism to divide them.<sup>116</sup> Upon being liberated, women trafficked for sex may not initially see themselves as victims or see the trafficker as a “wrongdoer.” Reddy manipulated the women and girls under his control in this manner. He favored the younger women and girls and rewarded them with gifts and favorable treatment. Over the years, he brought over a steady stream of younger women and girls from India to vie with the older ones for his attention. In this environment of extreme competition, at least one young woman was known to have helped Reddy rape others by physically restraining them.<sup>117</sup>

Although trafficking survivors and domestic violence survivors can share shelter space, distinct shelter plans and services that are appropriate for trafficking survivors must be developed. Shelter staff must be prepared to address misunderstandings and conflicts that may arise between survivors of trafficking and survivors of domestic violence. Domestic violence shelters should evaluate their ability to provide security for trafficking survivors, particularly when the trafficker is part of an extensive and well-financed network.

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114. The Reddy survivors attracted many visitors, particularly journalists and television broadcasters to the shelter. Some of the domestic violence residents feared that the wide-spread attention would result in a public disclosure of the shelter location and the identities of its residents. Interview with Hormachae, *supra* note 37.

115. Interview by Pinto & Shigekane with Shekar, *supra* note 113.

116. *Id.*

117. Interview with Hormachae, *supra* note 37.

### C. Trafficking-Specific Organizations

Several trafficking-specific organizations have developed over the past ten years. One of the largest, The Coalition to Abolish Slavery and Trafficking (CAST) in Los Angeles<sup>118</sup>, was the first organization to develop an institutional expertise to anticipate challenges faced by survivors of trafficking as they prepare to integrate into new communities in Southern California or return to their home countries.

Founded in 1998, CAST pioneered the “empowerment model” for rehabilitating trafficking survivors. Under this model, services such as legal, housing, and employment assistance are rendered in a way to promote self-sufficiency and to increase self-esteem so that survivors become prepared to make informed decisions.<sup>119</sup>

Khai,<sup>120</sup> a former domestic servant from Thailand, receives assistance from CAST. Khai was trafficked into the United States by Supawan Veerapool, the common law wife of Thailand’s ambassador to Sweden.<sup>121</sup> An acquaintance first introduced Khai to Veerapool, who was in need of a household cook in her Los Angeles home. She promised Khai good wages and one day off a week if she agreed to work for her. Recently abandoned by her husband and having two children and an elderly mother to support, Khai reluctantly accepted the offer. Upon arriving in the United States, Khai was given a passport with which she passed through US immigration. Veerapool then immediately confiscated the passport. She forced Khai to work as much a twenty hours a day, seven days a week doing domestic and restaurant work.<sup>122</sup> Veerapool intimidated and socially isolated Khai, forbidding her to speak with anyone outside of the household. After enduring nine years of forced labor, Khai escaped. She testified against Veerapool at her 1999 criminal trial and assisted federal prosecutors in obtaining a conviction on charges of involuntary servitude and harboring illegal immigrants.<sup>123</sup> Veerapool was sentenced to serve eight years in prison and will be deported to Thailand upon completion of her prison term.<sup>124</sup>

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118. The Coalition to Abolish Slavery and Trafficking, *available at* [www.castla.org/aboutus/history.htm](http://www.castla.org/aboutus/history.htm).

119. *Id.*

120. The name Khai is a pseudonym used to protect this person’s identity.

121. David Rosenzweig, *Jury Convicts Woman of Exploiting Thai Workers*, L.A. TIMES, 13 Aug. 1999, at B1.

122. Interview with Khai [pseud.], in L.A., Cal. (10 June 2003); *See also* David Rosenzweig, *Thai Illegal Immigrant Testifies in Slavery Trial*, L.A. TIMES, 21 July 1999, at B2.

123. Rosenzweig, *Jury Convicts Woman of Exploiting Thai Workers*, *supra* note 121, at B1.

124. David Rosenzweig, *Woman Gets 8 Years in Thai Slave Case*, L.A. TIMES, 11 Jan. 2000, at B2; Rosenzweig, *supra* note 121.

Since 2000, Khai has received “intensive” case management<sup>125</sup> requiring her CAST case manager, Erica Tumbaga, to see or communicate with her frequently during the week. Trafficking survivors can receive intensive case management for as long as the survivor and her case manager agree it is needed.

Tumbaga helped Khai’s attorney prepare a successful T visa application and apply for and obtain a range of federal refugee benefits. Tumbaga frequently accompanies Khai to appointments with health care providers and government officials. Khai often visits Tumbaga to discuss everything ranging from her chronic pain, to her habitual nightmares and to share news of her family in Thailand.<sup>126</sup>

Khai now has permanent housing and a new job as a cook where she works reasonable hours and earns a decent wage. She explains, “I have freedom now. I eat what I want. I am not afraid. I don’t worry that people are watching over me. I feel like an ordinary person. I think that this is good.”<sup>127</sup>

Despite its accomplishments, CAST faces many challenges in serving trafficking survivors. The lack of language capacity presents one challenge. This is particularly acute in trafficking cases because the survivor had been forced to rely solely on the trafficker, with neither family nor friends available to assist in interpretation. Interpreters for hire come at a significant cost. CAST has worked diligently to develop partnerships with ethnic-based organizations such as the Thai Community Development Center (CDC) to increase its language capacity. However, in some cases, particularly those involving less commonly spoken languages, the language barrier remains difficult to surmount.<sup>128</sup>

Family reunification poses another challenge. Under the Trafficking Act and the Reauthorization Act of 2003, survivors who receive T visas can request that certain family members join them. With the approval of Khai’s T visa, she requested that her teenage son from Thailand join her. She has not seen her son since he was a youngster. Her request was approved in 2004, and she now lives with her son and a roommate in a one-bedroom apartment.<sup>129</sup> Although family members can qualify for federal assistance, former CAST Media and Advocacy Director Jennifer Stanger worries that not

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125. Interview with Erica Tumbaga, Case Manager CAST, in L.A., Cal. (9 June 2003).

126. *Id.*

127. Interview with Khai, *supra* note 122.

128. Interview with Jennifer Stanger, Media/Advocacy Director, CAST, in L. A., Cal. (9 June 2003).

129. Matthew Heller, *The Joy of Freedom*, WHOLELIFETIMES (Jan. 2005), available at <http://www.wholelifetimes.com/2005/wlt2701/joyoffreedom2701.html>.

only will CAST be responsible for more people, but that family reunification will bring up a host of issues with which CAST has limited experience.<sup>130</sup>

CAST has long sought to address the lack of appropriate shelter for trafficking survivors. Stanger notes that trafficking survivors who are initially placed in domestic violence or homeless shelters frequently do not receive the appropriate care and attention. In 2004, CAST opened the doors of the first shelter in the United States specifically designed to house and support survivors of trafficking.<sup>131</sup>

CAST has pioneered of the empowerment model of case management and the development of open-ended, intensive case management designed to meet the specific needs of trafficking survivors. CAST's struggle to increase its language capacity and to develop a shelter for trafficking survivors suggests that these are critical areas that require greater attention and funding. The issue of family reunification will play an increasingly important role as more trafficking survivors receive T visas and make plans to bring over family members. Organizations require additional support and training to adequately address the needs not only of trafficking survivors but of their families as well.

## V. COMMUNITY REACTIONS TO TRAFFICKING

A community's response to trafficking is as important to a survivor's successful integration as is the availability of meaningful services and support. In some immigrant communities, the traffickers are well-known, wealthy, influential and/or politically connected, thus complicating reactions within communities. The discovery of trafficking has formed both a basis for community growth and for community division.

### A. Community Division

The revelation that Khai had been trafficked created controversy within the Thai community in Los Angeles. Supawan Veerapool, the person responsible for trafficking her, was the common law wife of Thailand's Ambassador to Sweden.<sup>132</sup> She had political connections at the highest levels of Thai governance and was well-respected in the local Thai community. Khai escaped from Veerapool's control with the help of a Good Samaritan and was taken to the Thai Community Development Center (CDC), an organization that

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130. Interview with Stanger, *supra* note 128.

131. The Coalition to Abolish Slavery and Trafficking, *supra* note 118.

132. Rosenzweig, *Jury convicts Woman of Exploiting Thai Workers*, *supra* note 121, at B1.

provides social services for low and moderate-income Thai immigrants and other immigrants in the Los Angeles area. The Thai CDC, in consultation with Khai, decided to report her trafficking case to the Department of Justice.<sup>133</sup>

The initial and predominate community reaction to this news was a sense of betrayal. Vocal community members and the local Thai press accused Khai of being disloyal and ungrateful to a generous patron who had arranged for her to come to the United States to work, allowing her to send money home to support her family in Thailand. "I felt that 80 percent of the community was against me, and 20 percent agreed with me," Khai recalled. "Eighty percent believe that Supawan is a 'high soul'—from a high social class and people don't believe how bad she really is . . . I feel like I did the right thing. But in Thai culture, I am seen as ungrateful."<sup>134</sup>

Sak Vasunilshorn of the Thai CDC elaborated,

We stood on opposite sides with most of the Thai community on this issue. Supawan is very influential. She knows a lot of people. Most people accused Khai of blowing this up. Many restaurant workers are from Thailand—they work long hours and are underpaid, so Khai shouldn't complain, this is common, it is nothing new . . . Others thought that it should have stayed in the community, as an internal matter. It should have been brought to the Thai Consulate or to Thai community leaders.<sup>135</sup>

To ease the community division, the Thai CDC tried to educate community leaders about Khai's case. Their efforts, however, did little to change people's minds. Vasunilshorn put it this way: "It takes a long time to change people's point of view. Attitudes on involuntary servitude are complicated. Most think it is okay because you have the opportunity to work, to make money and send it home—'just work, don't complain, you should be grateful.'"<sup>136</sup> Despite these challenges and divisions, Vasunilshorn remains unequivocal about the actions taken by his organization: "We made the right decision—we need to advocate for the rights of workers. People of high economic status will exploit workers and we need to protect workers."<sup>137</sup>

## B. Community Growth

The case against Lakireddy Bali Reddy, although divisive, spurred growth in the South Asian community. After nearly fifteen years of operation, Reddy's

133. Telephone Interview with Sak Vasunilshorn, Thai Community Development Center, in L.A., Cal. (19 June 2003).

134. Interview with Khai, *supra* note 122.

135. Telephone Interview with Sak Vasunilshorn, Thai Community Development Center, in L.A., Cal. (19 June 2003).

136. *Id.*

137. *Id.*

sex and labor exploitation ring was uncovered in January 2000, when one of the young girls under his control perished as a result of carbon monoxide poisoning at one of the apartment complexes that he owned.<sup>138</sup> Reddy eventually plead guilty to criminal charges of immigration fraud and transporting minors for illegal sexual activity, and he agreed to pay \$2 million in criminal restitution to several of his victims. Many of his family members, including his brother and sister-in-law, plead guilty to similar charges.<sup>139</sup> In 2004, some Reddy survivors and their families received an out of court settlement in a civil law suit brought against the Reddy estate.<sup>140</sup>

Many organizations, ranging from women's groups against sexual and domestic violence to South Asian merchant associations saw the Reddy case as presenting important issues. Some saw the Reddy case as an opportunity upon which to advocate for an end to sexual exploitation and pushed to fully publicize the case to ensure that he received the maximum punishment. Others were concerned about protecting the survivors and advocated to maintain the confidentiality of their stories to preserve their safety and dignity.

Local Indian shopkeepers and businesspersons expressed shock after learning of Reddy's behavior.<sup>141</sup> They knew Reddy as a mentor to up-and-coming Indian entrepreneurs and a leader in the Indian business community. In his hometown of Velvadam, India, Reddy donated generously to build schools, a hospital, temples, and waterways. One recent immigrant who had received assistance from Reddy referred to him as a "God." A Berkeley shopkeeper expressed shock because Reddy was so well respected,<sup>142</sup> while another described Reddy as "a father figure to the community."<sup>143</sup>

Kavitha Sreeharsha, an attorney and South Asian community activist, recalled that the mainstream media featured reactions of local Indian merchants when portraying the Indian community's response. She and other South Asian activists reacted, concerned that the mainstream media was initially stereotyping and misrepresenting the many voices of the Indian community. As Sreeharsha recalled,

We were mobilized around a quote we had seen in the paper of an Indian storeowner stating his high regard for Reddy and that he could not believe Reddy capable of such actions. We didn't want that to be the media's depiction of the Indian community's response. We wanted the message to be, "This is not acceptable in the South Asian community; this is not a cultural issue."<sup>144</sup>

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138. Holtz & Squatriglia, *supra* note 36, at A17.

139. Matthew Yi, *Guilty Plea in Smuggling of Girls*, S.F. EXAMINER, 8 Mar. 2001, at A21.

140. Bob Edelko, *Dead Girl's Family Settles with Landlord*, S.F. CHRON., 8 Apr. 2004, at B5.

141. Jim Herron Zamora, *U.S. Jury likely in Berkeley Landlord Sex Case*, S. F. EXAMINER, 21 Jan. 2000, at A1.

142. *Id.*

143. *Id.*

144. Interview by Natasha Pinto & Rachel Shigekane with Kavitha Sreeharsha, Staff Attorney, API Legal Outreach, in S. F., Cal. (3 Oct. 2003).

Sreeharsha helped to found a new organization, Alliance of South Asians Taking Action, ASATA.

ASATA was careful not to speak on behalf of the Reddy survivors but instead wanted to offer an alternative perspective on the Reddy case. Sreeharsha explains, "We wanted to get a political message out and to give voice to the issues of trafficking and sex/labor exploitation. We wanted people to understand this is more than just a smut case, it is about modern slavery."<sup>145</sup> ASATA organized vigils, press conferences, and protests outside Reddy's Indian restaurant in Berkeley, and leafleted outside the courthouse before Reddy's criminal hearings.

ASATA's advocacy continued even after Reddy entered into a plea agreement with federal prosecutors.<sup>146</sup> As an outgrowth of its advocacy on the Reddy case, ASATA promoted labor rights education for South Asian workers. In the aftermath of 9/11, ASATA advocated for the rights of South Asian and Middle Eastern men who were being targeted by the federal government. ASATA organized protests against arbitrary interrogation and detention, a "know your civil rights" campaign, and a free legal clinic.<sup>147</sup> ASATA, born out of the tragedy of the Reddy case and the need for South Asian activists to respond has, as Sreeharsha describes, "helped develop a political identity for South Asians in the Bay Area."<sup>148</sup>

## VI. CONCLUSION

Survivors of trafficking face multiple challenges when trying to integrate into new communities. Some survivors suffer from psychological trauma and frequently lack the skills necessary to function independently in American society. With federal funding through the Trafficking Act, services and support to address these challenges and to facilitate rehabilitation and community integration are quickly evolving. To achieve successful community integration, trafficking survivors require unconditioned access to immigration relief and human services, such as shelter, food, and medical care, as well as intensive support services carefully tailored to meet their needs.

Psychological treatment is important to survivor rehabilitation and community integration, yet cultural barriers prevent survivors from seeking help, and culturally-appropriate services are lacking. The development of effective treatment programs for survivors of trafficking will require a greater understanding of the psychological trauma caused by trafficking. Very little

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145. *Id.*

146. Yi, *supra* note 139, at A21.

147. Interview by Pinto & Shigekane with Sreeharsha, *supra* note 144.

148. *Id.*

published research exists on the psychological effects of trafficking beyond those few studies that focus exclusively on the experiences of women and girls trafficked for sex. Advocates must encourage the development of psychological expertise in trafficking and treatment programs that utilize innovative approaches to deliver culturally-appropriate and therapeutic services.

Organizations that serve trafficking survivors need access to a wide range of bilingual resources for accurate and immediate communication. As funding for anti-trafficking initiatives increases, additional funding should be designated to encourage service providers to expand their language capacity in creative ways, such as forming partnerships with ethnic-based organizations and other types of collaborative efforts.

The availability of shelter and transitional housing represents another important piece of community integration. Although some trafficking survivors do reside in domestic violence shelters, differences between the needs of trafficking survivors and domestic violence survivors can make dual residence problematic. Greater funding must be available to encourage the development of shelters and transitional housing specifically for trafficking survivors.

Further research is needed to understand the process of survivor rehabilitation and community integration to develop more effective and far-reaching services. Because the federal government releases funds through different executive agencies and programs, a variety of organizations, including refugee-based, anti-domestic violence, and trafficking-specific organizations, are beginning to provide rehabilitation services to trafficking survivors. Capturing this diverse and quickly unfolding evolution of service provision will require research on best practice service models to evaluate different case management approaches, health and psychological treatment programs, language access systems, and shelter services.

The impact of trafficking on communities and the effect of community responses on trafficking survivors have not been widely studied and merit more attention. A greater understanding would assist in the initial detection of trafficking survivors and provide guidance in the development of services and support for survivors.

Despite the development of even the most comprehensive services, the best way to assist survivors of trafficking is to prevent them from becoming victims. Prevention must take a dual approach, reducing both supply-side factors in countries where trafficking originates and demand-side factors in countries of destination. A trafficking prevention program would require anti-trafficking experts to globally link forces with human rights, development, migration, and labor rights experts to address the variety of factors that make individuals vulnerable to trafficking, including poverty and armed conflict; lack of economic opportunity and education; discriminatory practices; abusive family environments; restrictive migration policies; and unregulated or poorly regulated industrial sectors.