## THE HUMAN TRAFFICKING LEGAL CENTER | IMPACT REPORT BRIDGE TO JUSTICE



Jose Lewis Alfaro Lived Experience Expert on Domestic Child Sex Trafficking Advisor, The Human Trafficking Legal Center

Watch Jose's journey in the video, "Finding Hope and Healing After Trauma"

Jose Alfaro, a powerful voice in the anti-trafficking movement, shares his story of human trafficking and the fight for justice that followed.

# And when I say justice, that means they fight for survivors like me."

Fainess Lipenga Survivor Activist Training Advisor, The Human Trafficking Legal Center Board Member, Survivor Alliance <sup>66</sup> Survivors are going from living in fear to a position of understanding that they have agency over their own lives and that they're entitled to it. That's incredible, to share with them that they have these rights that they didn't even know they had and that will protect them.

Cynthia Robertson Partner, Jenner & Block, Washington, DC Pro bono attorney, The Human Trafficking Legal Center

## Letter from the President

#### Martina E. Vandenberg Founder and President The Human Trafficking Legal Center

Trafficking survivors deserve justice. Sadly, around the globe, human traffickers enjoy impunity. The Human Trafficking Legal Center's mission is to end that impunity.

We leverage the power of the pro bono legal community to deliver resources to trafficking survivors who might otherwise never have lawyers. We are data-driven, using case data to inform policy. We identify gaps. And we propose solutions.

Our work is both global and local. Our work transforms systems, even as it changes individual lives.

One pro bono case stands out. The first time I met "Jane Doe," she stared at the floor and wept. She had escaped from forced labor and sexual servitude, fleeing to the United States. She arrived, only to learn that federal authorities had dropped the criminal case against her

 66 Our work is both global and local. Our work transforms systems, even as it changes individual lives. ?? traffickers. A community leader introduced her to us, hoping that a pro bono attorney might be able to support her in asserting her rights.

We found pro bono counsel. She won her case, setting a new legal precedent on

extraterritorial jurisdiction. With her legal team by her side, she held her traffickers accountable, winning a multimillion-dollar judgment in court. And then she opened an organization to support other trafficking survivors.



Our work combines individual cases like Jane's with global cases to hold corporations and governments accountable. From filing a petition to block all cotton from Xinjiang from entering the U.S. market, to filing a Supreme Court amicus brief in a case alleging child forced labor on cocoa plantations, we disrupt supply chains tainted with abuse.

The impact of this work can be measured in cases brought, judgments won, and lives transformed. Our vision is to pursue justice, to upend the systems that allow human trafficking to flourish. We work to build a world without human trafficking. Please join us.



<sup>6</sup> HT Legal focuses on making sure that the survivors are at the forefront and are equal partners. The HT Legal staff cares so deeply and wants survivors to get the justice they deserve.<sup>99</sup>

Evelyn Chumbow, Survivor Activist Project Assistant, Baker McKenzie Board Member, The Human Trafficking Legal Center and Free the Slaves

### IMPACT

We fight to build the path to justice for survivors. Our litigation work has more than quadrupled the number of <u>trafficking</u> civil cases filed since 2011.



**470** Cases referred by HT Legal 5,000+ Lawyers trained by HT Legal

## 38,000

Community leaders educated



## MISSION

We are a bridge to justice for trafficking survivors. The Human Trafficking Legal Center connects trafficking survivors with pro bono representation so they can seek justice and thrive. We demand accountability from traffickers, from governments, and from corporations.

## VISION

The Human Trafficking Legal Center's goal is the complete eradication of forced labor in the United States and around the globe. To that end, we seek system change to combat forced labor and human trafficking. We confront the institutions that allow these abuses to flourish.

## **Program Overview**

Our Work

## STRATEGIC LITIGATION

Around the globe, survivors of forced labor rarely see their day in court. Strategic litigation is often the only path to justice for trafficking survivors.



### IMPACT

Trafficking survivors have won more than \$255 million in civil damages and public settlements over the last
18 years. This number represents a form of restorative justice for trafficking survivors.

## SURVIVORS' RIGHTS

Systems have failed trafficking survivors. The Human Trafficking Legal Center fights for the rights of survivors.



### IMPACT

With pro bono lawyers by their side, trafficking survivors can pursue justice and rebuild their lives.

## TRADE AND FORCED LABOR

Forced labor is a feature, not a bug, in global supply chains. This cannot be tolerated.

## ADVOCACY AND ACCOUNTABILITY

Advocacy must be based on rigorous research. We hold governments accountable for failure to enforce laws and protect victims' rights.



### IMPACT

We attack the systemic flaws that allow forced labor to exist. We have successfully pressed for increased enforcement of the Tariff Act, a powerful trade tool to combat forced labor in global supply chains.



#### IMPACT

We maintain databases of every criminal and civil federal human trafficking case ever filed in the United States. We mine the data to make evidencebased policy recommendations.

## The Problem

Gaps in the System

### JUSTICE GAP

Victims of forced labor rarely see justice in the criminal courts. We close the justice gap by opening the courthouse doors through civil litigation to end impunity.

#### DATA GAP

Human trafficking has long been dubbed a "rigor-free zone." Our comprehensive civil and criminal federal case databases allow evidence-based analysis on human trafficking.

### PRO BONO GAP

Pro bono attorneys can bring restorative justice to survivors. But trafficking survivors and pro bono attorneys need a bridge to connect. We provide that bridge, matching attorneys with trafficking survivors seeking justice.

### SURVIVOR LEADERSHIP GAP

Survivors should lead the human trafficking movement. We have partnered with survivors to support them as agents of change.

### STRATEGY GAP

Litigation without strategy can undermine impact. We collaborate with partners to identify cases, guide forced labor litigation, and build precedents in the federal courts.

## Strategic Litigation

**Bridging the Gap** 

## 25M

## People are held in forced labor across the globe

Most never see justice. We cannot prosecute our way out of human trafficking. We need innovative and bold strategies to eradicate this scourge. Those strategies must be grounded in data, informed by survivors, and implemented with skill.

## JUSTICE

Trafficking survivors seek justice. But in many cases, impunity remains the norm. Civil litigation is often the only option for a survivor to hold their traffickers accountable. We work to provide all survivors with a path to justice.

## ACCOUNTABILITY

We work to hold individuals, governments, and corporations accountable for their crimes. Liability, both criminal and civil, sends a powerful message that human trafficking and forced labor will not be tolerated.

## SYSTEMS CHANGE

When survivors achieve justice and traffickers are held accountable, systems can change. Strategic litigation attacks the systems that allow forced labor to persist. Litigation creates risk for those who would commit these crimes. And risk drives change.

## Fainess Lipenga

Survivor Activist Training Advisor, The Human Trafficking Legal Center Board Member, Survivor Alliance

My mother used to work on the farm all year long and sell things like tomatoes, different vegetables. On Christmas, she would buy me a Coca-Cola. My mother worked hard to make sure I had that because I am the baby in the family. That was very special. During mango season, we would climb the mango trees and get down when we were full, but most days we went to bed with an empty stomach.

My dad abandoned us, but we always made it through together. My mother is a strong person. She did whatever she could to protect us, but it was hard.

<sup>6</sup> Me sharing my story helped to make a change. I had to rescue myself and also I had to speak up so people could see me and hear me. **??**  I was sexually molested through family members and raped by strangers in Malawi at a young age. I became a victim of domestic violence just like my mother. Before my eighteenth birthday I already gave birth to three children. Just being a lost child, unwanted child, I ended up being trafficked to America.

When I was trafficked, I was getting zero to forty cents an hour. I wasn't fed. I was treated like less than an animal. I slept on a floor in the basement.

I was trafficked for three years before I escaped. Nobody rescued me, I had to rescue myself. I had to run away from my trafficker by sliding under the little space that was left under the garage door. I was very skinny and malnourished, so I ran for my life and I became homeless. I overcame so much, but not only that, it took me years, it took me to my age to find a voice. Me sharing my story helped to make a change. I had to rescue myself and also I had to speak up so people could see me and hear me. My accent doesn't matter. My English doesn't matter. I may not have a degree, but my experience is my degree.

HT Legal's mission is to stand for justice. That means they fight for us. They make sure survivors have a voice. They help people like me navigate the legal system. We cannot do anything without lawyers. HT Legal gives survivors free access to a pro bono lawyer, so survivors don't have to stress about money.

HT Legal helped me make a civil case so I could sue my trafficker. I won my case against my trafficker, but I still did not get the money. I didn't get my full justice, but I got my justice halfway, because I found my voice. I wish I had known how difficult and long this road of fighting for justice would be.

In Maryland there were no forced labor statutes. That was like a punch in the face. So I used my voice to bring a change. I testified before the Maryland General Assembly, where I helped to pass a labor trafficking bill to become a law. I testified before Congress. The United States created a check-in program for domestic workers, so that way somebody can have information in case they end up in a situation like mine.

<sup>66</sup> The butterfly actually is the symbol of my transition life. I was in a cocoon and I was alone, invisible. Now I am free. I can test my wings and fly like a butterfly. <sup>99</sup> <sup>66</sup> Justice comes in many different forms, but I think ultimately justice is when a survivor is restored and feels like they can begin again as a productive and healthy member of our society. <sup>99</sup>

## Cynthia Robertson

I'm in awe of my clients and their strength and how they can overcome so much to come forward and proceed through the whole process, which can be really laborious.

One of the most satisfying things is to see them regain not only respect and dignity within themselves, but trust in others. That healing process is wonderful to behold. It's what brings me back time and time again to represent more trafficking survivors. The biggest reward of all is seeing survivors heal through the process of being represented by a lawyer who respects them, who treats them with the dignity that they deserve.

Justice comes in many different forms, but I think ultimately justice is when a survivor is restored and feels like they can begin again as a productive and healthy member of our society.

HT Legal provides a unified approach to helping a person in whatever ways they need—legal services, of course, ensuring that they can stay in the United States legally and work if that's what they choose, but also essential social

Partner, Jenner & Block, Washington, DC Pro bono attorney, The Human Trafficking Legal Center

> services. HT Legal is the hub of a wheel with many spokes, each of which is a resource for survivors, connecting them with legal counselors, mental health counselors, social services groups.

Through communities like HT Legal they are able to get the help they need and feel empowered by those who have gone through this. They hear their stories, and they understand, *I'm not alone in this. I can come forward, in part so that no one else goes through this again.* That is a motivating driver for so many victims: to protect others.

My clients provide me with hope, to see their recovery and strength in not just surviving but thriving as they are provided the opportunity to become a productive member of society. It's transformative, both for them and for us. I develop close relationships with my clients, and we become like family. Their success is my success. It's uplifting to change these people's lives. What could be better?

<sup>66</sup> The biggest reward of all is seeing survivors heal through the process of being represented by a lawyer who respects them, who treats them with the dignity that they deserve. <sup>99</sup>

## **Isabel Flores**

34 years old Mother, Survivor of Human Trafficking

## HT LEGAL EMPOWERS TRAFFICKING SURVIVORS

This composite persona is a representation of the survivors whom HT Legal aims to reach through our multilevel efforts. Through this lens, we can see how HT Legal's efforts positively impact a survivor's journey to justice.

## GOALS

- Justice
- Friends, community, reconnection with family
- Help other trafficking survivors

## CHALLENGES

- Complex legal system
- Lack of funds
- Growing English-language skills

## MOTIVATIONS



## **DEFINING TRAITS**



<sup>66</sup> Once I was in a safe place and on solid ground, I wanted justice not just for myself but for other survivors. HT Legal gave me the strength to stand up for myself and get justice, and to help others get justice too.
<sup>99</sup>

Isabel grew up in the Philippines, the fourth of eight children. Her family lived in poverty, which worsened when her father died when Isabel was 12 years old. Isabel married at 16. She had two small children by the age 22, when her husband abandoned the family. Isabel tried to earn money to feed her children, but jobs were scarce. Desperate to find a way to care for her two daughters, Isabel responded to an announcement that promised work in the United States as a nanny. Isabel applied for the position. After paying a steep recruitment fee. Isabel received a visa to work in the United States. Leaving her two young daughters with her mother, she flew to the United States to work for a wealthy family in Miami, Florida.

Soon after Isabel arrived in the United States, her employers took her visa and passport. She never saw her documents again. Rather than working as a nanny, she was put to work caring for an elderly family member in the home. During the day, Isabel provided support for the elderly family member. She also cleaned the entire house, did all the laundry, and cooked all the meals for the family. At night, she had to finish all the chores before descending to the basement to sleep on a bare mattress. She received no pay. Her employers physically and verbally abused her.

The forced labor continued for ten years. Isabel's visa lapsed, leaving her undocumented. Isolated, threatened with deportation, and desperate to send money home to her daughters, Isabel felt hopeless. She heard about the National Human Trafficking Hotline from a domestic worker she met by chance in the park. Isabel resolved to call. She hoped to escape. The hotline connected Isabel to a local service provider that assisted her in fleeing from her traffickers' home. Isabel entered a shelter, hiding in fear that her traffickers might find her. Months later, Isabel told the service provider that she wanted to report the trafficking to the authorities.

The service provider contacted the Human Trafficking Legal Center to request a legal referral. The staff at HT Legal placed Isabel's case with a pro bono legal team at a firm. The highly-skilled pro bono attorneys, trained by HT Legal, handled Isabel's immigration and criminal cases. A year later, the defendants pled guilty to a federal indictment for forced labor. The court sentenced them to prison time and ordered them to pay \$370,000 in criminal restitution to Isabel to cover her ten years of unpaid back wages.

The pro bono attorneys also successfully filed for a T-visa for Isabel, a special immigration status reserved for trafficking victims. The T-visa allowed her to remain and work in the United States. More importantly, the visa allowed Isabel to bring her children to the United States. After more than a decade, the children were reunited with their mother.

The pro bono team continued their representation, even after the criminal and immigration cases ended. At Isabel's request, the pro bono attorneys filed a civil case against the defendants, who paid the restitution in full and resolved the civil case with a significant settlement.

Today, Isabel is living in the United States with her daughters. She owns her own home and works full-time as a certified nursing assistant. Isabel participates actively in the community of friends, fellow survivors, and supporters through HT Legal. She is a leader in the antitrafficking movement. She mentors survivors on how to fight for justice, pursue their dreams, and thrive. ■

## A Survivor's Journey

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### POVERTY AND PROMISE

Isabel is hopeful that a job in the United States can help her rise out of poverty and support her two young children.

### **FORCED LABOR**

Isabel is forced to work with no pay, no autonomy, and extensive abuse for 10 years. Finally, she learns about a hotline and, with hope and courage, decides to call.

## **REGAINING A VOICE**

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With help from a service provider, Isabel escapes from the home where she is being held and moves into safe housing.

### **BRIDGE TO JUSTICE**

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Isabel is connected to a pro bono lawyer by HT Legal. Over time, her trust grows and she tells her story. Through her lawyer, she learns about her rights as a survivor and about how many other people are trafficked throughout the world. As she begins to heal, she also becomes determined to pursue justice.

## STRATEGIC LITIGATION

With assistance from HT Legal, Isabel and her pro bono lawyer pursue a legal case against the family that trafficked her. HT Legal's expertise helps the team navigate the complex legal process.

### AGENT OF CHANGE

After winning her legal case, Isabel is finally reunited with her daughters and begins to rebuild her life. Like many survivors, she also wants to give back. Through HT Legal, she speaks at conferences to inform policy makers and leads a support group for survivors.

<sup>66</sup> I'm tired of hiding. I say it as it is.
 I am making a path for other people who are coming behind me.

Fainess Lipenga Survivor Activist Training Advisor, The Human Trafficking Legal Center Board Member, Survivor Alliance



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COLECTIVO

## When survivors have lawyers, survivors have rights.