

Case Study #1

Chanchai, a citizen of Thailand and a temporary U.S. resident, owned a series of Asian restaurants in the Boulder community. He was a wealthy businessman with strong ties to Thailand and connections to high-ranking government officials there. To staff his multiple operations, he recruited restaurant workers from his native country. Chanchai applied for specialty workers utilizing the 'specialty' temporary visa category, claiming in immigration applications that they had specialized skills essential to his businesses' efficient operation. Chanchai's petition for the workers was approved and they were admitted into the country for two-year terms that could be extended.

Chanchai required his employees to enter into a two-year employment contract with him. Under the contract, the employees had to pay a "bond" of 50,000 Thai baht (\$1,500 U.S. dollars). Additionally, Chanchai told the employees they were liable for a penalty of 600,000 Thai baht (approximately \$18,000 USD) if they violated the terms of the contract, a sum that represented more than three times the average annual Thai salary.¹ Employees were required to obtain a personal guarantor in Thailand, who entered into the contract with Chanchai and made the guarantor liable for the penalty in case of any violations by the employee. In some cases, family members of the employees who served as guarantors used the title of their homes as collateral. Workers were also made to pay Chanchai a \$3,000 "visa fee." Chanchai made additional deductions from employee paychecks for inflated housing and maintenance fees even after their debt was paid.

Once in the U.S., employees were made to work under the table until paying off Chanchai's fees. Then Chanchai would have workers apply for social security cards so that he could report a portion of their income. But Chanchai kept two accounting systems in order to hide the thousands of hours his employees worked in overtime. During the course of an average week, employees had only one day off and worked an average of 70 hours, including 30 hours in overtime that they were never paid.

Discussion Questions:

1. Were there any vulnerabilities that put the potential victim at risk for human trafficking? If so, what were they?
2. What indicators or red flags of human trafficking were present in the case study, if any?
3. What additional information would you need to assess for trafficking?
4. Would you consider this a human trafficking case?
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¹ This calculation was obtained from 2009 International Labor Organization statistics.

Case Study #2

Kim, a junior in high school grew up in a two-parent, middle class home. While her family looked privileged and “normal” from the outside, things were not as they seemed. Kim’s dad was an alcoholic. As a result of her Dad’s alcoholism, the situation at home was unpredictable. She never knew if she would find her dad at home, drunk on the couch, or whether her parents would be fighting about his drinking problem.

To escape her troubles at home, Kim started going to parties where she drank and began experimenting with meth. Her grades started slipping. Kim didn’t feel motivated to study and started cutting classes. When her mom confronted her about it, they got in a big fight. The next day she ran away from home, and started sleeping on the couch of friends she made on the party scene. She soon became hooked on meth.

Mark, a U.S. citizen and resident of Colorado, was a known drug dealer in the Denver-Metro area with a long criminal history. In 2012, Mark befriended Kim when she called him to see if he would sell her meth. Mark showed an interest in Kim by inviting her to his apartment. Once at his apartment, Mark violently sexually assaulted her.

After the assault, Mark told Kim that she would need to have sex with strangers in exchange for money or drugs. If she ever refused, Mark would physically abuse her until she complied. Over the next several months, Mark arranged for and solicited several strangers to have sex with Kim. He also enlisted lower-level associates to keep tabs on her, ensuring she would continue to do what he expected. Mark told Kim that she was worthless, and she began to feel her life wasn’t worth saving and that there was no way out of her situation.

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Case Study #3

Alberto and Irina met Enrique through a common friend in Guatemala, who assured them that Enrique could help smuggle them into the U.S. to find jobs.

Enrique's services would come at a high price. For passage through Mexico and across the U.S. border Enrique charged 46,000 Quetzal, or nearly \$6,000 US dollars. Additionally, he charged them an extra \$500 USD for the name and address of his cousin, who would help them find work in construction and childcare. Alberto and Irina explained to Enrique that they could not afford his fee, so Enrique told them that they could pay \$1,000 up front, and once in the U.S., they could make monthly payments until their debt was paid off. Alberto and Irina borrowed \$1,000 USD each from family and friends. Enrique told them to be ready to depart the following weekend.

The trip north was grueling. While Enrique promised to feed them throughout their journey, he gave them little more than water and bread. Alberto complained to Enrique that they weren't getting enough food and felt weak and unable to walk through the desert. Angered, Enrique told them if they wanted to eat again, he would charge them an additional fee (beyond the \$6,000 USD) to "teach them a lesson." Enrique warned Alberto that the couple better find jobs quickly to pay off all they would owe to him; otherwise he would go after their families. Enrique also told Alberto that his cousin would keep close tabs on them once in Colorado and collect the monthly fee to pay of their debt, claiming "I own you now, so don't forget it and stop complaining like a baby."

At the U.S. Border, Enrique told Alberto that he wasn't going further on the journey, and that he should contact his cousin immediately upon arrival to Colorado. Alberto, Irina and a group of eight other Guatemalans snuck across the border. Once in Arizona, they met Enrique's associate, whose job it was to drive them to Colorado. They had only traveled a few miles, when they were pulled over by a law enforcement officer who asked to see their immigration documents. Having no paperwork, Alberto and Irina were placed in immigration detention and were deported back to Guatemala the following week.

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Case Study #4

Jeff was a well-regarded executive with a telecommuting business. Jeff had a loving wife, with whom he had two children. Jeff primarily worked on the development of telecommuting software, work which allows him frequent travel across the country.

Company leadership decided to host their annual end of the year celebration at a ski resort in Colorado. Upon arrival in town, Jeff did what many other folks who travel do: he started searching online for local attractions. But, rather than looking up where the best local coffee shops and bars were, Jeff perused the local section of a classified website advertising sexual services in the area. Eventually, he found an advertisement that caught his eye.

Approximately forty minutes before Jeff's internet search, a person with the online credentials "slippy_59" posted a classified advertisement in the escort section of an online advertiser. The posting featured a 21 year old male, "Alex," and provided images of him with his shirt off. Anyone interested in a sexual encounter with Alex was directed to call the phone number listed to arrange a "date" at the caller's hotel room.

When Alex arrived at Jeff's hotel room, he appeared younger than 21 years old. Jeff also noticed that Alex kept a careful eye on the clock and approximately a half hour after arriving, he nervously said that someone was waiting for him and that he needed to go. A few minutes after Alex's departure, Jeff noticed that in his rush Alex had forgotten his jacket. Jeff hurried outside the lobby doors, hoping to catch up with Alex but it was too late. Just before Jeff was about to call out to Alex, he glimpsed a middle-aged man's hand motion to Alex from a red Jeep Grand Cherokee. Alex hopped into the back seat of the Jeep Cherokee in the parking lot. Before it sped off in the opposite direction, Jeff thought he saw a woman in the passenger seat. Before he could process all of this, Alex and the car were gone.

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Case Study #5

Neha, a wealthy Indian dignitary, liked to vacation in the mountains of Colorado. On this particular trip to Colorado, Neha brought her two kids and husband, as well as their nanny of three years, Priya. Neha and her husband recruited Priya from their home country of India to take care of their home. Priya entered the U.S. legally on an A-3 visa for employees whose employer holds a A-1 or A-2 visa. The promise of good wages and a U.S. education are what attracted her to take the job in the U.S.

Initially, Priya's workload was 10 to 12 hours a day. She received wages that were more than twice as much as she had made in her home country, just below the U.S. minimum wage. On Saturdays, she was allowed to attend an English class. However, after the family had two sons, she began working 14 to 16 hour days for the couple. She had to wake up when the children did—often in the middle of the night—and would not be permitted to stop working until the children were bathed, put to bed and her other cleaning chores were complete. With so much work, her hourly wage dropped to less than \$3 USD an hour. One day Priya complained that she was exhausted and not being paid a salary commensurate with her hours of work. Neha responded that Priya should be grateful that the family had taken her in and that she had a job that many people in her home country could only dream of. When she complained again, the couple took her identifying documents and told her they would keep it until they were sure she was a grateful employee.

Priya's situation at the Colorado resort grew even worse. Back in Washington D.C., she found comfort in her interactions with other domestic workers, who would offer her childcare tips and keep her company during her long day with meet-ups at the children's favorite playground. Once in the Colorado resort town, Neha and her husband told her not to leave the condo by herself. Because their condo only has two bedrooms, the couple made Priya sleep on the floor in the children's room. Without a full kitchen, Priya could not prepare meals, and instead ate the occasional leftovers the family brought home from dining out. After two weeks, Priya desperately wanted to leave her situation. But, in a strange city, she did not know who to call or where to go for help.

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Case Study #6

Raul heard from a neighbor that Marco, a labor contractor living in the United States, was looking to hire Mexican farm workers. He was even willing to pay their smuggling fees if they came to work for him. This seemed like a dream come true since his family was in debt and U.S. wages offered the only hope of getting out. Raul didn't ask about smuggling fees or what their wages and working conditions would be like because he didn't want to jeopardize a great opportunity. Marco arranged for Raul to be smuggled into the U.S. by *coyotes* he paid. Raul was then transported by van to a fenced-in housing compound in a northern Colorado county.

Marco worked for an organic farmer in a neighboring county, who often faced worker shortages to harvest his crops. In reality, Marco served as a labor recruiter, a farm crew chief, a landlord and a money lender to the workers. The farmer paid \$10.31/hour per worker and instructed Marco to pay each worker the state minimum wage of \$8.31. With this amount, Marco was also expected to pay government required insurance, social security, workers' compensation, and transportation for each worker. In reality, Marco paid his workers around \$600 USD per month, or roughly \$2 per hour, for working 12-14 hours per day, 6 days a week, of which he also deducting for smuggling fees, housing, transportation and farming tools.

The housing compound where Raul and other laborers lived had windows with no screens. Raul had a rash from the many bugs that infested his cramped living quarters. When the wind blew, the rickety wooden structure he lived in would sway. He had to boil water in order to drink it.

Raul was closely monitored on and off the job. Marco carried a gun with him at all times. He had binoculars that he used to watch over the workers in the fields. He also asked his wife and son to keep tabs on Raul and the workers when he was away. Marco's wife would tell Raul if he didn't work fast enough, he would be dropped off at the U.S. border. Once when Raul set out on foot to see the town's center nearby, Marco stopped him and told him he could not go.

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