



Migration and Refugee Services

Office of Refugee Programs

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Steps to take when you think you have identified a trafficked person:

If you suspect a trafficking situation that has not yet been reported or investigated, call the **Trafficking in Persons and Worker Exploitation Task Force complaint line at 1-888-428-7581** or the **Trafficking Social Services Referral Line at 1-888-3737-888**.

Trafficking cases may also come to your attention through the media or after the police have become involved. If you are aware of victims involved in an active law enforcement investigation:

1. Make sure that the local law enforcement involved in the case is aware of the Trafficking Victims Protection Act and the need for a referral to federal law enforcement in order to ensure that the person can be referred to the Department of Health & Human Services/Office of Refugee Resettlement for certification and eventually access services.
2. Help the person to locate a reputable pro bono attorney for advice on legal issues related to her/his immigration status and the prosecution of her/his case. The Trafficking Victims Protection Act gives the victim certain rights that local law enforcement may not yet be familiar with.
3. Call the U.S. Conference of Catholic Bishops/Migration & Refugee Services, Nyssa Mestas, 202-541-3366.
 - USCCB/MRS can provide information on the Trafficking Victims Protection Act, the special needs of trafficked persons, and the benefits for which they are eligible.
 - USCCB/MRS has a program to provide social services through local Catholic social service agencies for victims before or after they are certified by ORR.
 - USCCB/MRS can connect a pro-bono attorney working with a victim of trafficking through our program with a legal technical assistance provider, Catholic Legal Immigration Network (CLINIC).

If you are not sure whether a trafficking investigation is being pursued or whether the victim has been referred for certification and you cannot determine this information locally,

1. Contact the Department of Justice's Victim Witness Coordinator, Lorna Grenadier, at 202-616-3807.
2. Call the U.S. Conference of Catholic Bishops/Migration & Refugee Services: Nyssa Mestas at 202-541-3366, or Mary Ellen Dougherty at 202-541-3256. If the victim is a child, contact Margaret MacDonnell at 202-541-3462, USCCB/MRS can monitor the case. In addition, USCCB/MRS needs to know of open cases in order to advocate effectively for improving the system of referral, certification, and service for trafficked persons.

Definition of Severe Forms of Trafficking in Persons

The Victims of Trafficking and Violence Protection Act of 2000 defines “severe forms of 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
- 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.

Rights of and Services Available to Victims of Trafficking

Immigration Relief: Victims of severe forms of trafficking may apply for a T-visa which allows them to remain in the U.S. if they have complied with any reasonable request to assist in the investigation or prosecution of acts of trafficking or are under 18 years of age (i.e. minors do not have to cooperate with the prosecution), AND would suffer extreme hardship upon removal. Recipients of T-visas are eligible for work authorization. T-visa recipients may adjust their status to lawful permanent residents after three years.

Social Services: The Department of Justice’s Office for Victims of Crime and the Department of Health and Human Services’ Office of Refugee Resettlement has funded some grantees to provide social services to trafficked persons while they are awaiting certification. Once they are certified by the Office of Refugee Resettlement, victims of trafficking are eligible for benefits and services to the same extent as a refugee. USCCB/MRS has a program to provide services through the Catholic social service network to both pre- or post-certified victims any time they surface, anywhere in the United States. Contact Nyssa Mestas at 202-541-3366 for more information.

Legal Assistance: In addition to assistance with immigration relief, people who have been trafficked have a right to legal counsel while they cooperate with law enforcement in the prosecution of their traffickers or pursue remuneration.

Certification

A person in the United States who is identified as a victim of a severe form of trafficking may be referred by a law enforcement agency for certification from the DHHS/Office of Refugee Resettlement. To be certified, the person must

- A. be willing to assist in every reasonable way in the investigation and prosecution of their case, and
- B. have made a bona fide application for a “T-visa” OR be a person whose continued presence the Attorney General is ensuring for the prosecution of traffickers and thus have an INS grant of authorized stay. Children under the age of 18 do not need to assist with the prosecution of their traffickers. Certification grants victims eligibility for benefits and services to the same extent as a refugee.