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Human Trafficking: The Impact of COVID-19 on Labor Trafficking in the US

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by
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Abstract

Human Trafficking: The Impact of COVID-19 on Labor Trafficking in the US, Anthony A. Mottola, 2023, Applied Dissertation, Nova Southeastern University, Abraham S. Fischler College of Education and School of Criminal Justice. Keywords: Human trafficking, labor trafficking, forced labor, pandemic, COVID-19, generic qualitative study, and thematic analysis.

Human trafficking is a global phenomenon where traffickers prey upon their victims without discriminating against age, gender, ethnic background, or nationality. The United States (US) is not immune to the human rights violations of human trafficking. The victims of human trafficking are coerced into a life of exploitation through forced labor or sexual exploitation. Many victims are migrants from disadvantaged countries that travel to the US seeking employment but end up the victims of abuse, both physically and mentally, at the hands of traffickers. In 2020, the COVID-19 pandemic devastated the global economy, forcing quarantines, travel bans, and social distancing. Large and small businesses closed, causing financial distress to many households. As the pandemic unfolded, it became clear that the US government was ill-prepared to withstand its effects on labor trafficking. This generic qualitative study aimed to investigate the impact of COVID-19 on labor trafficking in the US. The theoretical framework for the push and pull factors was explored as a migration element of labor trafficking and an attempt to examine the pandemic as a factor to consider in this theory. The research questions focused on understanding how the experts in labor trafficking described their experiences of the pandemic's impact on forced labor. A purposive sampling technique facilitated the selection of participants, thus producing applicable and valuable information for the study. The generic qualitative study utilized semi-structured interviews to assemble data from the participants. Finally, Braun and Clarke's (2006) six-step framework was explored to analyze the narratives utilizing thematic analysis. This research explored conclusions derived from experts in labor trafficking to understand this phenomenon that took place during the COVID-19 pandemic.

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Chapter 1: Introduction

Nature of the Research Problem

Human trafficking is a global phenomenon that has victimized millions, presenting a new form of modern-day slavery. Estimates state that there are approximately 24 million people enslaved worldwide (International Organization for Migration, 2022; Walk Free Foundation, 2018). According to the Trafficking in Persons report created by the US Department of State (2020), human trafficking has become the second largest criminal activity in the world, rapidly approaching drug trafficking. Human trafficking is a global industry worth approximately 150 billion dollars in human trade (Polaris Project, 2019). It is a crime that is often clandestine in its operations and exceedingly difficult to quantify for law enforcement, legislatures, and non-government organizations (NGOs) to protect its victims. The trafficking of persons for labor and sexual exploitation is one of the many human rights violations. The victims are forced to endure modern-day slavery as they are victimized repeatedly by their traffickers. This victimization can come in many illegal forms, but they often are forced to work in both slave-like labor conditions and covert commercial sex operations. In addition, enduring physical and psychological violence from their captors. Traffickers associated with criminal organizations know the economic benefits without the consequences of the interminable drug trafficking prison sentences (Wijkman & Kleemans, 2019).

Furthermore, it is not just a criminal organization crisis; legitimate corporations and private industry have participated in robbing people of their freedom as they have become a commodity for trade. Corporations contribute to human trafficking by paying low wages and poor working conditions in their supply chains in food production, non-food packaging, and manufacturing (Baum & Hai, 2020; Volodko et al., 2020). The COVID-19 pandemic has

exacerbated unemployment in many countries, affecting supply chains that usually support industry and production to stock factories and stores (Christ & Burritt, 2021). This has created a migration to illicitly cross borders in hopes of working with US corporations suffering from staffing. This has increased illegal human trafficking and smuggling across US borders, causing discourse in orderly migration for work (International Organization for Migration, 2022). Human smuggling and trafficking differ, but often coincide with illegal migration (United Nations Office on Drugs and Crime, 2023). Human trafficking is often by force or coercion. In contrast, human smuggling is an agreement between a smuggler and a migrant for a fee or service to cross borders (Bonilla & Mo, 2019) illegally.

The US's first attempt to combat human trafficking was in 2000 with the adoption of the Trafficking Victims Protection Act (TVPA). It is the national framework for the federal response to combat human trafficking by protecting the victim through prevention efforts and prosecution. Since the inception of TVPA, there have been nine amendments to the act (the last in 2019) to expand protections for victims of labor and sex trafficking. Also, in 2000, the United Nations (UN) adopted the Palermo Protocols to combat human trafficking on a global scale. The protocols, named after the UN's Convention in Palermo, Italy, were designed to not only protect the victims of trafficking, specifically women and children, but also to reduce the control Transnational Organized Crime syndicates have over smuggling and treatment of migrants (United Nations Office on Drugs and Crime, 2004). This convention and subsequent report set the standard for countries to combat human trafficking.

For several years, government agencies and academia have been focusing on human sex trafficking, amassing data and research to assist in its prevention (Cockbain & Bowers, 2019). It is a worthy and just cause, as sex trafficking exploits predominantly women and children.

However, a possible downside of centering on just sex exploitation is that federal agencies may have neglected to investigate labor trafficking. Additionally, labor cases are not easy to investigate, and the police in the US are not often trained in labor laws (Farrell et al., 2020). As a result, law enforcement agencies are more focused on identifying and investigating sex trafficking cases than those offenses categorized as labor trafficking (Farrell et al., 2020). Experts in the field that have compared trafficking to slavery estimate that 70% of persons trafficked are for forced slave labor and 30% are for sex (Villa, 2019). Furthermore, the recent economic strains on families in their respective countries have put people at a greater risk of exploitation by smugglers and traffickers as they attempt to cross the border into the US (Greenbaum et al., 2020). According to the 2022 World Migration Report, the US has been the primary destination for migrants for the past 50 years (International Organization for Migration, 2022), so migrants often become victims of labor trafficking because they are already fleeing poverty in their own countries.

Labor shortages due to the global pandemic of COVID-19 and the subsequent quarantines have created a new variable to consider for an influx of persons trafficked. Since labor trafficking remains understudied in both policy and academic roles, it is largely ignored by law enforcement. Therefore, this research has sought to identify if quarantines and lockdowns associated with COVID-19 have made victims of trafficking more vulnerable to their traffickers. Some objective risk factors associated with labor trafficking are poverty and migration from violence (David et al., 2019). These risk factors, combined with the COVID-19 pandemic, can intensify the risk of victimization by labor servitude. The theoretical framework for the "push-pull" factors can be associated with these risks, and the pandemic is another factor to consider in this theory. A lack of medical benefits and vaccinations in migrant countries can intensify US

border crossings. Traffickers will manipulate and mislead migrants with promises of better healthcare and more work after crossing the border (Greenbaum et al., 2020; United Nations Office on Drugs and Crime, 2023).

The lockdowns have shifted people from the workplace to their residences to quarantine, which has left the job market scarce, with employees physically unavailable to work in factories, farming, and industry. Migrants seeking refuge from poverty, political unrest, and organized crime create cost-effective labor entering the US to replace workers due to lockdowns (United Nations Office on Drugs and Crime, 2021). According to the 2022 World Migration Report, the US has been the primary destination for migrants for the past 50 years, specifically from Latin America (International Organization for Migration, 2022). The Polaris Project (2020) research has acknowledged that the National Human Trafficking Hotline identified that between 2015-2018, 50% of persons trafficked for labor were from Latin America and the Caribbean. This influx of migrants crossing the US-Mexico border has caused an immigration processing issue with decreased federal supervision (Bensman, 2021). The pandemic has hampered the US government's ability to process legal border crossings promptly, thus creating a haven for trafficking and smuggling people as a commodity. Although smuggling is often a verbal contract between a smuggler and migrant for a fee or service (Cyrus & Vogel, 2018), undocumented migrants that cannot afford the cost of travel often become victims of labor traffickers involuntarily by working off their debts (Farrell et al., 2020). Additionally, persons that started their journey being smuggled could be forced or intimidated into criminality (i.e., drug smuggling) by a smuggler, resulting in the victim being trafficked with contraband.

Policing in the US has also been affected as federal, state, and local law enforcement agencies have shifted their efforts into managing the pandemic. Farrell et al. (2020) noted in

their qualitative study that very few officers are engaged in investigations regarding labor trafficking. Farrell et al. (2020) also determined that only a tiny percentage of new police officers and detectives were trained in human trafficking. Most of that training would lead to police departments investigating sex trafficking and prostitution, overlooking labor trafficking.

The impact on labor trafficking appears to be a two-prong issue that qualitative research can expose: 1) COVID-19 has had socio-economic consequences making people more vulnerable to trafficking and exploitation; 2) Understaffed and overwhelmed law enforcement agencies have shifted the focus from trafficking investigations to healthcare and social unrest (Greenbaum et al., 2020). In addition, overburdened law enforcement and anti-trafficking professionals are less able to respond to reports of trafficking and vulnerable runaway youth due to other demands at this time and due to concerns about COVID-19 exposure (National Child Traumatic Stress Network, 2020). Thus, possibly decreasing the criminal justice system's ability to protect victims, yet expanding the human trafficking phenomena, especially labor trafficking.

Dissertation Goal

This dissertation study has aimed to employ a genetic qualitative methodology approach to create more research on the impact of COVID-19 on labor trafficking. Semi-formal interviews have been conducted with NGO representatives and academic researchers with expertise in labor trafficking. Consequently, this qualitative study has explored if the COVID-19 pandemic has shed light on the need for NGOs to augment law enforcement in investigating labor trafficking. This study's findings has created information to inform and assist law enforcement, prosecutors, NGOs, Public officials, the academic intelligence community, law enforcement, and public officials looking to combat the phenomenon of labor trafficking.

Background & Significance

The US abolished slavery in 1885 with the US Constitution's 13th Amendment (Busch-Armendariz et al., 2018). However, in 2017, the International Labour Organization (ILO) estimated that 40 million people were victims of modern-day slavery globally, including the US, with 20 million victims of labor exploitation. Forced labor may involve work through the threat of violence or intimidation, which may consist of domestic workers in covert factories, construction, day laborers, the fishing industry, on ranches and farms, and even forced arranged marriages. This researcher would like to emphasize that these are estimates by the ILO as human trafficking (specifically labor trafficking) is not easily identified nor often reported by its victims. Sex trafficking is often more documented than labor trafficking, as annual human trafficking reports mainly provide data from sex trafficking for exploitation (Cockbain & Bowers, 2019). What has been established about persons trafficked for labor is that 50% of forced labor included debt bondage. This has been identified as "debt servitude" and is also abolished in section 1581 of the 13th Amendment (International Labour Organization, 2017; US Const., amend XIII). Nevertheless, the crimes of human trafficking appear to continue to happen with what seems to be little or no US federal oversight. Additionally, there has been growing attention from global businesses, governments, and NGOs identifying labor trafficking as modern-day slavery, prompting scholarly interest (Caruana et al., 2021).

History has recognized different forms of labor trafficking as war-torn countries were impoverished, oppressed, and imprisoned the people of the country they occupy. In the 5th century, during the wars between the Greeks and Turks, slavery was prominent and was the norm among socialites (Enrile, 2018). The earliest documented case of slavery by researchers was recorded in the Babylonian Codes of Hammurabi in 1720 BCE (Enrile, 2018). The codes identified the law of contractual agreements in the slave trade that could invalidate an enslaved

person's contract between a buyer and seller (Weicht, 2005). Even biblical accounts of slavery have been documented, including the Israelites in the Old Testament and the book of the Ephesians in the Bible (Gill, 2018).

The trafficking of persons for slave labor has a long-standing history globally. However, it is the African slave trade between Spain and Portugal that had the most significant influence on the future of America's slavery and human trafficking (Busch-Armendariz et al., 2018). The Spanish and Portuguese were vital figures in the trans-Saharan slave trade during the late 9th century until approximately 1500 CE, which has been associated with "chattel slavery" (Enrile, 2018, p. 10). Chattel slavery is when one owner holds complete ownership of the trafficked person by kidnapping and force (Enrile, 2018). This is still common today, as human trafficking has taken on many attributes of chattel slavery.

In 1619, the first documented enslaved people from Africa were sold to colonists in America as indentured servants. Researchers believe they were captured by the Portuguese and sold as indentured servants, but the actual reason was slave labor (Busch-Armendariz et al., 2018). It would take another 250 years before America would end the atrocities of the African slave trade and abolish slavery, although racism continued.

During the years 1620 through 1775, "white slavery" was prominent and included persons primarily expelled from England as prostitutes, troublesome children, or convicts (Busch-Armendariz et al., 2018; Grabmeier, 2020). It was a term that became synonymous with the trafficking of women and children for the sex trade. Many would-be travelers to the New World were coerced into indentured servitude, believing they would work off their passage payment, only to find themselves in slave-like conditions with no way out. In 1921, the International Convention for the Suppression of Traffic in Women and Girls recognized that the

persons trafficked could be of any race, age, or gender, expanding the term to human trafficking (Bonilla & Mo, 2019). This research is not a historical or contextual look into slavery, racism, and immigration. However, the comparison of the historical practices of slavery, debt bondage, and human servitude cannot be overlooked.

Many of the techniques used by today's traffickers mimic the force, coercion, and trickery used by past enslavers minus the open display of the slave auctions and lifetime of servitude. Today, it is more of a clandestine operation where victims are unlikely to self-identify or report their captors or traffickers, which is why many victims are not identified (Farrell et al., 2020). As a result, the crime is often not reported (Farrell et al., 2020). The Walk Free Foundation (2018) notes that even today, in approximately five years, 89 million people will be victims of slavery, which is a thriving global hidden business. The COVID-19 pandemic has also heightened the number of hopeless and vulnerable people who have lost their jobs or businesses (Christ & Burritt, 2021), forcing migration. This makes it even more challenging to gather conclusive data on persons trafficked into slave labor by traffickers.

According to the Human Trafficking Institute's 2020 Federal Human Trafficking Report, in the last twenty years, US federal prosecutors focused 93% of their prosecutions on sex trafficking, but only 7% on forced labor cases (Feehs & Wheeler, 2021). An even more staggering statistic is that in 2020, the conviction rates dropped to their lowest in 8 years (Feehs & Wheeler, 2021). US federal courts filed 140 new human trafficking cases in 2021, a 22% decline in cases filed in 2020 (Lane et al., 2022). In 2021, there was an increase (22%) in forced labor cases filed in federal court (Lane et al., 2022). However, in new human trafficking cases, 92% were sex trafficking cases, with only 8% of forced labor cases (Lane et al., 2022). According to the US Department of State (2022), there were only 13 convictions for labor

trafficking in the entire United States in 2022. Criminal cases against traffickers cannot be prosecuted without federal, state, and local law enforcement agencies arresting traffickers and presenting the cases to prosecutors. Furthermore, traffickers are often charged with other laws (i.e., tax or immigration violations), skewing the data for identifying traffickers (Farrell et al., 2020). Due to the few prosecutions, a qualitative research design with NGOs may provide more appropriate empirical data with NGO stakeholders than government agencies. NGOs with specific expertise in human trafficking that assist victims could employ or hire private investigators to identify traffickers for law enforcement and prosecutors (Hounmenou, 2020).

In considering NGOs as the participant for this research, the researcher has to consider the criminal justice system's footprint in labor trafficking. Many factors could contribute to the decline in prosecutions and arrests, precisely the possibility of political pressures (Bjelland, 2020). Recent incidents between law enforcement and the minority community have developed into protests and call for police reform. Politicians have shifted from law-and-order platforms to police reform with "defunding the police" movements. Furthermore, scholars have also traditionally sought more discretion in the criminal justice system through research that will instill regulation and change (Bjelland, 2020). These factors, combined with redirecting police personnel to enforce COVID-19 pandemic quarantines and new mandates (Greenbaum et al., 2020), have created a germane research project. When determining if the pandemic has impacted human trafficking, a researcher must consider if law enforcement has been redirected away from conducting human trafficking investigations. Victims may have little or no criminal justice assistance, so they seek support from NGOs. This research has determined that COVID-19 is an independent variable impacting labor trafficking in the US. COVID-19 has affected the ability of state governments and NGOs to provide essential services to the victims of this crime

(United Nations Office on Drugs and Crime, 2021). Moreover, the pandemic has worsened and identified the deeply rooted economic and societal disparities in human trafficking.

Barriers & Issues

Researching labor trafficking can be challenging as victims avoid being interviewed and do not self-identify. Victims are often migrants or illegal immigrants that shy away from police intervention due to their immigration status or distrust of governments in their home countries. Furthermore, victims of human trafficking may avoid informing law enforcement for fear of retribution from captors through violence and coercion. Thus, empirical data has hampered preceding research due to global government agencies and NGOs approximating the statistics. US federal agencies often produce data based on arrests and prosecutions, but NGOs can estimate more significant numbers as their data is formulated on victims calling helplines. These victims are often illegal migrants that refuse law enforcement involvement for concerns of deportation, so their captors are never identified or formally prosecuted. This distorts the data necessary to conduct a desirable quantitative study but could formulate the framework for an academic qualitative analysis. This qualitative study is based on interviews with expert observers in the field, which created emerging themes (Creswell & Creswell, 2018). Human trafficking data does not empirically identify persons trafficked or smuggled into the US (i.e., shipping containers and border crossings). However, they may later report their victimization to an NGO for aid or assistance. Labor trafficking has many facets, including domestic servants, day laborers, construction workers, and daycare workers. Because of this, building an interview process for all could lead to years of research and fact-finding, based on victims reporting their trafficking experience. A qualitative research project with specific questions for experts in the field of labor trafficking could create a more appropriate research design (Creswell & Creswell,

2018). This will allow the study to focus on the expert's "first-hand" accounts to collect empirical data.

NGOs are careful to discuss confidential information over the phone, as they are reluctant to share information regarding the victims of trafficking. Meeting with participants in person would have presented travel and budgetary constraint issues and possibly delayed the study. To alleviate these issues, virtual meetings were held using Zoom, Skype, and Teams, which permitted the participants to see and converse with this researcher mimicking an "in-person" meeting. Technology has created these platforms for a more intimate interview which generated more conversation and extended responses to questions posed for the study. Moreover, virtual meetings did ease the costs and time associated with traveling to meet with participants who resided in different states. Finally, when the research was initiated, the pandemic restrictions (travel restrictions and social distancing) were still in place but were lifted at the time of the interviews. Subsequently, the researcher sought the assistance of NGO participants that were experts in human trafficking to assist in providing empirical data.

Purpose Statement

The purpose of this dissertation study was to identify if COVID-19 impacted labor trafficking in the US, thus decreasing policing and prosecutions of labor traffickers. The significance of this study could influence and contribute to the knowledge of law enforcement, prosecutors, elected officials, legislation, and academia to reexamine the current state of policing and combatting labor trafficking. The research could create changes in legislation to generate more funding for training for law enforcement and prosecutors to identify better the victims and effects of modern-day slavery from labor trafficking. The ability of the criminal justice system to identify victims and prosecute traffickers could start with federally funded training. This

training should be offered to all federal, state, and local law enforcement, with a specific emphasis on educating local law enforcement. Local law enforcement agencies are the first responders to residential and commercial properties that could identify victims and commence the initial investigation into possible human servitude, debt bondage, and trafficked persons. This could be accomplished by funding more NGOs through grants to train law enforcement.

The information obtained throughout this study could augment the limited amount of information on labor trafficking and further support the need for additional research into labor trafficking. The study has also demonstrated that the pandemic has exacerbated the problem, and law enforcement alone cannot combat labor trafficking without requiring private investigators to aid in investigations. According to Hounmenou (2020), the overwhelming and complex investigations into human trafficking can involve augmenting law enforcement with private investigators identifying traffickers and presenting the cases to federal and state prosecutors. In addition, NGO's private investigators could assist in identifying victims and their traffickers, then present these cases to federal and state prosecutors. They are casting a wider net on the phenomenon and helping the victims of labor trafficking.

Definition of Terms

- *Chattel Slavery:* One owner holds complete ownership of the trafficked person by kidnapping and force (Enrile, 2018).
- *Debt Bondage*: The condition of bonded labor where a person agrees to bondage as collateral to a loan or service (Victims of Trafficking and Violence Protection Act, 2000).
- *Domestic servitude*: People threatened, controlled, or exploited within a residence that conducts duties to include housekeeper, maid, nanny, or other varieties of domestic labor (Polaris Project, 2019).

- *Gig Economy:* Where individuals earn wages by working on demand (Van Doorn et al., 2022).
- *Human/Involuntary Servitude:* Forced labor without a salary that could last years or a lifetime (Stickle et al., 2020).
- *Human Smuggling*: The intentional moving of immigrants across country borders in exchange for a fee, monetary gain, or service (US Department of State, 2022).
- *Human Trafficking*: Is described as a term defining serious forms of sex and labor exploitation by force, coercion, or fraud (US Department of State, 2022).
- *Indentured Servants*: Contract between two people to work in labor to repay a loan or debt (Stickle et al., 2020).
- *Labor trafficking*: When people are forced into labor or a working service by coercion, threats, or fraud (Federal Bureau of Investigation, n.d.).
- *Mission Creep*: NGOs (i.e., nonprofit) increases their mission outside the previous goals created (Dekkers, 2020).
- *Modern Day Slavery*: A person forced to work for no pay by force, intimidation, fraud, or threat of violence (Villa, 2019).
- *Narco-Slaves*: Person(s) forced to work on illegal marijuana farms run by transnational organized crime (TOC) organizations (Weintraub et al., 2022).
- *Sex Trafficking*: "When individuals are compelled by force, fraud, or coercion to engage in commercial sex acts. Sex trafficking of a minor occurs when the victim is under the age of 18. For cases involving minors, it is not necessary to prove force, fraud, or coercion" (Trafficking and Violence Protection Act, 2000).

- *Trafficking Victims Reauthorization Protection Act*: A US government act with proceeding amendments that provide federal funds to increase support for victim services to combat human trafficking (US Department of State, 2022).
- *Transnational Criminal Organizations (TOC)*: are groups that obtain power, influence, and funds by operating illegally and regardless of geography (Federal Bureau of Investigation, n.d.).

Summary

Labor trafficking remains understudied in policy and academia and is largely ignored by law enforcement; the pandemic has exacerbated this. This generic qualitative case study is intended to provide conclusions derived from experts on human trafficking that will help practitioners and academia better understand this phenomenon. In addition, the information obtained throughout this study could further support the need for additional research on labor trafficking during the pandemic.

Chapter 2: Literature Review

Introduction

In this study, the researcher has explored literature that focused on the COVID-19 pandemic's impact on labor trafficking in the US. Additionally, the researcher sought to understand if the COVID-19 pandemic elucidated the need for NGOs to augment law enforcement in investigating labor trafficking. The study can enhance the mounting body of knowledge studying the phenomenon of human labor trafficking in the US.

Immigrants often reside in countries in unsanitary environments with little health care and are susceptible to transient forced labor trafficking (Unertl et al., 2021). The pandemic has intensified the desire of migrants to flee their countries in search of work and high-quality medical benefits in the US (Todres & Diaz, 2021). Recent research has provided that COVID-19 has had an economic impact that has created extensive job loss and unemployment, resulting in an upswing in labor trafficking (International Organization for Migration, 2022; Todres & Diaz, 2021; US Department of State, 2021). Since this research has sought to determine if there was an impact on labor trafficking due to COVID-19, the researcher has taken several medical journals for the literature review into consideration. These medical journals support the research connecting human trafficking and the impact of the COVID-19 pandemic in the US.

The literature review is organized into five sections: *What is human trafficking?; What is labor trafficking?; Labor Trafficking and Modern-Day Slavery; Involuntary servitude; Debt bondage; Legislation and labor trafficking; Migrant protection protocol (MPP); Pandemic's Title 42; The effects of COVID-19 on the victims of labor trafficking; Examining the dynamics of traffickers and migrants; the compounding issues for identifying labor trafficking; Trafficking children for labor, and finally; The epitome of labor and sex trafficking.*

Search Strategy

The researcher gathered material from databases and sources, including books, online resources, news articles, and peer-reviewed journals. All the material reviewed and cited pertained to the disciplines of criminal justice, criminology, human trafficking, organized crime, law, psychology, sociology, management, business, and medicine from the academic libraries of NOVA Southeastern University (NSU) and the University of Tennessee Southern (UTS). Other databases utilized include Google Scholar, ERIC, United Nations websites, the National Library of Medicine, international and domestic non-government human trafficking and anti-trafficking websites, United States Government websites, and the Library of Congress. Since the focus of the study is labor trafficking and the pandemic (which can encompass various trafficking and medical variables), the keywords to explore in the searches included: *human trafficking, labor trafficking, human smuggling, trafficking-in-persons (TIP), modern-day slavery AND forced labor; non-government agencies human trafficking, non-government agencies anti-trafficking, non-for-profit human trafficking organizations, private investigation agencies, AND human trafficking; anti-trafficking statutes AND trafficking-in-persons; pandemic, COVID-19 and human trafficking, AND trafficking-in-persons; push and pull theory AND narrative inquiry.*

What is Human Trafficking?

According to the US Department of State (2022), human trafficking is a crime that includes convincing or coercing a man, woman, or child into labor or commercial sex acts. Each year, millions of people are trafficked globally, even in the US, where there are strict laws for human trafficking. The US Department of State has identified human trafficking as "trafficking in persons" but also classifies it as a form of modern-day slavery. Human trafficking can happen in any community, and the victims can be of any ethnic group, gender, or age (United Nations

Office on Drugs and Crime, 2023). However, it is often a covert crime where the victim is manipulated by violence, coercion, and false promises with physical and psychological abuse (United Nations Office on Drugs and Crime, 2023). For this study, this researcher will focus on the labor paradigm of trafficking.

What is Labor Trafficking?

The Trafficking Victims Protection Act of 2000 (TVPA) defines labor trafficking as: "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." The TVPA also defines sex trafficking, but this research was intended to study labor trafficking, notwithstanding or minimizing the brutality or violence associated with sex trafficking. Public and private organizations, as well as academics, have not only identified labor trafficking as a form of modern-day slavery (Caruana et al., 2021), but also as a violation of victims' human rights (International Organization for Migration, 2022).

Labor trafficking is an underreported crime that can happen in any industry, even in the US. Victims of labor trafficking regularly fear for their safety and well-being as traffickers use violence and intimidation as a means of control. Businesses commonly associated with labor trafficking include farming, domestic work, construction, landscaping, factories, and manufacturing. Traffickers and smugglers will often seek out victims who reside in vulnerable populations such as migrants, the homeless, foster children, runaways, and persons living in poverty.

Labor Trafficking and Modern-Day Slavery

Activists and research scholars have made several comparisons of labor trafficking methods to modern-day slavery, with some including sexual exploitation and forced marriage

into its description (LeBaron, 2020). Academia, NGOs, and stakeholders in human trafficking have not been able to agree on the comparison of labor trafficking to modern-day slavery completely, but they have agreed that the term has inspired governments and private industry to take action to create legislation (Caruana et al., 2021; Landman, 2020; LeBaron, 2020; Phung & Crane, 2019). This research would be remiss if both paradigms were not given equal justification for eradicating such violent and oppressive abuses associated with labor trafficking and modern-day slavery. Whether a researcher uses either term, there are various ways traffickers or captors can exploit their victims. These methods may include involuntary servitude, forced labor, debt bondage, bonded labor, forced marriage, and even child labor (US Department of State, 2021). Child labor is not as apparent in globalized countries such as the US and only makes up one percent of the identified victims (United Nations Office on Drugs and Crime, 2021a). In the US, child labor is often a concealed operation supporting industrial supply chains (Greenbaum et al., 2022; Walts, 2017) and is frequently initiated by illegal or nefarious labor staffing agencies hired by corporations (Schneyer et al., 2022a). Therefore, child labor will be examined as a theme for this study, but within the umbrella of the COVID-19 pandemic's impact on labor trafficking in the US. Notwithstanding, the researcher has still studied all research that contained child labor within the US to garner increased commitment to exploring labor trafficking in its entirety.

Involuntary Servitude

Forced involuntary servitude, often referred to as human servitude, can come in a variety of forms of exploitation that may include domestic servitude (i.e., nannies), domestic help (i.e., housemaids), forced labor (i.e., agriculture, sweatshops, food service, and soliciting) and forced marriage. In all these situations, victims are forced to work against their will by either violence,

threats, coercion, or punishment by restricting the victim's free will (Łyżwa, 2020). Globally, there has been macro-level research on human trafficking (Cockbain & Bowers, 2019), but the US has genuinely varied in its methodology to studying its two main elements: sex and labor (Barrick et al., 2020; Eargle & Doucet, 2021). The United Nations has supported the comparison of the 21st-century of involuntary servitude as a form of modern-day slavery (Landman, 2020). Although globally recognized, identifying involuntary servitude in the US is more difficult with limited research and data. The FBI, which is the primary agency the TVPA gave authority for investigating involuntary servitude in the US, (Federal Bureau of Investigation, n.d.), identifies that it is sparsely reported due to the hidden nature of the crime (Barrick et al., 2020). In addition, law enforcement cannot investigate involuntary servitude unless a complaint has been filed by its victims.

Statistical data on potential victims of labor trafficking will often derive from anti-trafficking NGOs. According to the Polaris Project (2018), between December 2007 and December 2017, approximately 40,000 plus cases of potential human trafficking involve sex and labor exploitation, with approximately 11,000 plus cases just in labor exploitation alone. Polaris Project (2018) utilizes “25 distinct types of human trafficking business models occurring in the United States” for their 24-hour hotline to categorize the caller's exploitation based on the victim's self-identifying (p. 6). Of the 25 business models, 17 were associated with labor exportation, and another three were coupled with sex and labor exploitation. This helps classify the magnitude of labor trafficking in the US that may not have been reported to law enforcement without NGO assistance. With so many methods of exploitation in labor trafficking, it is appropriate to mention that many cases of involuntary servitude in the US will happen on private property or within private residences, making it even more difficult to investigate without a

victim reporting it. The Polaris Project does not create questions for victims but allows victims to disclose the issues to assist them. Incidents of involuntary servitude may not be accurately documented if the victim does not specify the incident. This researcher must note that domestic call center staff at National Hotline Centers categorize many calls. They determine the statistical analysis by classifying the victim caller's status, leaving some questions on the accurate representations of the data (Bonilla & Mo, 2019).

The US identifies forced marriages when at least one individual is not consenting to the marriage (US Department of State, 2022a). The US condemns forced marriages, and several US states have created laws to combat this phenomenon (Stickle et al., 2020). Forced marriages are connected to cultural and family deception or the inability of a person to consent due to age, disability, fraud, or deception. Studies of forced marriages are frequently identified by vulnerable social classes suffering from the combinations of the two primary forms of human trafficking (labor and sex) within one forced marriage (Busch-Armendariz et al., 2018). In 2011, the Tahirih Justice Center (TJC), a legal defense organization, surveyed forced marriages within immigrant communities throughout the US. The survey discovered that between 2009 and 2010, there were 3,000 suspected victims of forced marriages (Heiman et al., 2011). Once in the US, many migrants or immigrants will sell their family members (as young as 15 years old) into forced marriages for many reasons that may include culture, religion, or for visas seeking the goal of US residency (Stickle et al., 2020). This researcher has found several links between forced marriage and forced labor, as well as its increasing connection to modern-day slavery (Busch-Armendariz et al., 2018). According to Chuang's (2014) research on labor trafficking laws, definitions of forced labor can be linked to labor trafficking, and all labor trafficking is

considered slavery. This would garner increased commitment from countries and industries in eradicating labor trafficking.

Debt Bondage

Debt bondage (i.e., bonded labor or peonage) is feasibly the lesser-known or new form of labor trafficking in today's society (International Labour Organization, 2017). Debt bondage is closely related to involuntary servitude but must be tied to debt owed to captors. Globally, it is generally the most used technique of enslaving people, with 50% of the 40 million victims identified as debt bondage (Landman, 2020; Walk Free Foundation, 2018). According to the US Department of State (2022), it is not as prevalent in the US, but it does occur and can include migrants and US citizens. Greenbaum et al. (2022) identified several anti-trafficking NGOs that identified debt bondage in child labor in the US. According to Schneyer et al. (2022a), undocumented children are obtaining jobs in the US through illegal staffing agencies to pay their traffickers and smugglers large debts. These practices have been found in major corporations throughout the US, including poultry farms, auto factories, and meat sanitization plants (US Department of Labor, 2023). The US Department of State (2022) does concede migrant adults and children willing to travel to the US, especially from countries in Central America, Mexico, Cuba, Haiti, and Asia. However, during their travels, they were exploited for forced labor by traffickers with false promises of work in the US in agriculture, restaurants, and domestic work. According to US Department of State (2022), migrants traveling who lack personal documentation are incredibly vulnerable to human trafficking for labor and sex.

In 2022, the International Organizations for Migration report identified debt bondage and bonded labor as modern-day slavery. People often fall victim to debt labor when forced or coerced to work for repayment of service (i.e., trafficking) or a monetary loan (i.e., pay

smugglers). The victims' terms of the service or loan are often not defined, and the value of the work never liquidates the debt. The debt continues to grow from the original borrowed monetary sum (Smith, 2020), creating an endless repayment to the loaner, thus creating limitless bondage to labor work (US Department of Labor, 2020). According to the Polaris Project (2022), labor workers who come to the US for jobs often fall victim to debt bondage.

Legislation and Labor Trafficking

Labor trafficking was often overlooked in the US and was not academically explored until the release of the Trafficking Victims Protection Act (TVPA) of 2000, detailing its connection to modern-day slavery (Volodko et al., 2020). Since the inception of the TVPA, the US and other countries have slowly begun to promote scholarly research on understanding labor trafficking and the factors that influence it (Cockbain & Bowers, 2019). The definition of labor trafficking is as complicated and interpretational as the method of being trafficked, especially when considering that a smuggled person could become a victim of Trafficking in Persons [TIP] (Lloyd et al., 2020). Persons that agreed upon a fee to be smuggled by traffickers will often fall victim to their smugglers and end up as a human trafficking casualty.

The US Department of Justice (2015) identifies provisions in the US Code to target TIP. These provisions are covered in Chapter 77 of Title 18, often referred to as “Chapter 77 offenses.” The original Title, 1581 from June 1948, was the initial step in creating legislation, making peonage or debt servitude unlawful. The TVPA of 2000 enhanced many existing laws, primarily 18 USC § 1584, to combat forced labor, involuntary servitude, and sex trafficking.

Although labor trafficking has spawned the proliferation of international laws, US federal legislation, and even state anti-trafficking laws, it has not eradicated the phenomena. Each year, the US Department of State's (DOS) TIP Report details the global picture of human trafficking

and its two main components in the exploitation of humans: labor and sex trafficking. The United Nations Office on Drugs and Crime (2021) calculated data globally for TIP and reported that forced labor has steadily increased for the past 15 years. However, sexual exploitation remains the most commonly detected motive for trafficking at 50%, even though labor trafficking has risen from 18% to 38% (United Nations Office on Drugs and Crime, 2021). Human trafficking is often perceived as only being associated with sex trafficking; therefore, it is often the primary focus of researchers and law enforcement (Reis et al., 2022; Shephard et al., 2021; Volodko et al., 2020). The United Nations Office on Drugs and Crime (2023) reports that globally, there are more situations of labor trafficking than sex trafficking. Nevertheless, there is more awareness of sex trafficking in the US than in labor. Bonilla and Mo (2019) researched various NGOs and anti-trafficking organizations that address human trafficking in the US. They determined that these organizations had a solid and steady focus on the sexual exploitation of women and children. This could influence public opinion and government policies, as empirical data from the study identified that the US media overwhelmingly publishes material that publicizes sex exploitation as a human trafficking issue (Bonilla & Mo, 2019). On the other hand, forced labor is regarded more as a foreign human rights issue than a US domestic problem. It has been a contention of experts in the field of human trafficking (i.e., public, private, and academia) that labor trafficking is often overlooked, and more research is needed for improved empirical data and analysis (Caruana et al., 2021; Christ & Burritt, 2021; Cockbain & Bowers, 2019; Polaris Project, 2019; US Department of State, 2020).

The global picture of human trafficking continues to rise across the board, but the data from the phenomenon of labor trafficking continues to rise each year expeditiously. One of the few global reports (The Global Estimates of Modern-Day Slavery) that examined forced labor

and forced marriage was created by the International Labour Organization (ILO) in 2017. For this study, this researcher did not evaluate the ILO's expansion of forced marriage as a connection to labor trafficking.

The ILO is tripartite of the United Nations and estimates that in 2016, of the 40 million people that fell victim to modern-day slavery, 25 million of them were victims of forced labor. These staggering numbers have been studied in much of the research reviewed for this analysis. For example, the Walk Free Foundation (2018) is an international human rights group that aims to abolish modern-day slavery. The Walk Free Foundation has compared modern-day slavery to an encompassing term for forced labor. One such study by the Walk Free Foundation surveyed government agencies in the US and international organizations that purchase manufactured goods (Gross Domestic Product) from countries, promoting labor trafficking. Although the US has enacted laws and policies against doing business with countries or companies involved with labor trafficking, the data identified the gaps in the supply chain laws that affect victims of forced labor, such as migrants (Walk Free Foundation, 2018). It is the migrants, illegal and legal, that have devastatingly suffered from many forms of forced labor trafficking.

Migrant Protection Protocols (MPP)

In January 2019, before the pandemic travel bans, government closures, and quarantines, the US government initiated the Migrant Protection Protocols (MPP) at the Mexico-US border. The MPP program essentially stopped foreign persons from entering or seeking asylum in the US at the Mexico border illegally. It authorized US Customs and Border Protection (CBP) to return these persons to Mexico to await immigration court hearings (American Immigration Council, 2022). MPP program's guide would exclude certain migrants from being returned to Mexico, including unaccompanied children, persons with known physical or mental health issues, and

Mexican citizens. While awaiting immigration hearings, the Mexican government agreed to provide these migrants with humanitarian protections (US Department of State, 2020). American Immigration Council reports that between January 2019 to December 2020, approximately 70,000 migrants were returned to Mexico to await immigration hearings. In 2019, the influx of migrants to the Mexico border increased by 88% from 2018, with the apprehension of 851,508 migrants crossing the border (US Customs and Border Protection, 2020). This influx of migrants forced the CBP to detail 700 extra CBP officers to assist in policing and processing migrants at the US-Mexico border (Davis, 2022). If the migrants could have a hearing or enter the US, they would seek to join the workforce by applying for temporary work visas. The Economic Policy Institute (EPI) estimated that in 2019, more than 2 million temporary migrant workers were employed utilizing work visas. According to Costa (2021), most immigrants and those seeking asylum enter the US to join the labor force, with a portion of the US immigration system intent on bringing migrants into the country to work, utilizing temporary visas. Temporary work (i.e., H visas) programs are valuable to migrants entering the US and employers to obtain cheap labor. Even with work visas, migrants fell victim to labor traffickers and forced labor. Costa (2021) noted that many temporary migrant workers that have been working in the US on visa programs in jobs "deemed essential during the COVID-19 pandemic" were still not protected from smugglers and traffickers (p. 1). Many debt bondage victims related to visa workers were from recruitment or travel fees to the border (International Organization for Migration, 2022; Polaris Project, 2022). Confinement and deportation are the most effective threats traffickers use against their victims. This became even more prevalent during the COVID-19 pandemic with the enforcement of the MPP program and the US law "Title 42."

Pandemic's Title 42

The Public Health Service Act of 1944 established Title 42, which was designed to prevent the spread of communicable diseases in the US (Schoeberl et al., 2023). The law stipulated that if the US Surgeon General (SG) can determine the existence of an infectious disease in a foreign country, the Surgeon General, with the approval of the President, could prohibit migrants and property from entering the US until health officials determine there is no further threat (Schoeberl et al., 2023).

In 1966, the authority was transferred from the SG to the Centers for Disease Control (CDC), but still under the Executive Branch of the government (Schoeberl et al., 2023). In March 2020, the Trump administration and the CDC determined that the COVID-19 pandemic was a dangerous communicable disease, thus prohibiting the entry of persons at the Mexico and Canada borders to avoid spreading the virus (Schoeberl et al., 2023). Under this law, CBP was tasked with refusing entry and deporting those who posed a health risk (Schoeberl et al., 2023). This prompted transnational organized crime (TOC) syndicates to create new ways to prey on migrants in compromised economic conditions with no ability to cross borders without traffickers' and smugglers' assistance (Schoeberl et al., 2023; Wagner & Hoang, 2020). In 2020, the combination of the pandemic's travel restrictions, border closures, and Title 42 caused a decrease in illegal border crossings at the southern border (Schoeberl et al., 2023). In 2020, CBP reported 400,651 arrests and expulsions by the end of the 2020 fiscal year, cutting CBP's contact numbers in half from the previous 2019 fiscal year data (Schoeberl et al., 2023). The US Customs and Border Protection (2023) noted that migrant contacts continued to rise in record number each year after, with 1,662,167 in 2021 and 2,14,652 in 2022, as a mass migration continued to besiege the border (Schoeberl et al., 2023). All this data is based on CBP contact, but undocumented migrants continued to cross the US-Mexico border undetected with the

assistance of traffickers (Schoeberl et al., 2023). In October of 2022, CBP identified that 86,796 migrants were not apprehended and identified as "gotaways" by agents. They crossed the southern border as smugglers and traffickers and continued their illegal operations (Schoeberl et al., 2023; US Customs and Border Protection, 2023). In 2022, the Border, Trade, Immigration Institute (BTII) stated that the majority of the migrants at the height of the pandemic were from Mexico and the Northern Triangle countries (i.e., Guatemala, Honduras, and El Salvador), but a migration shift was identified by the end of 2022 (Schoeberl et al., 2023). In November 2022, Pew Research Center identified 63% of the migrants encountered at the border were from other countries including Cuba, Columbia, and Nicaragua, with a growing number of unaccompanied children (Gramlich, 2023; Schoeberl et al., 2023). Furthermore, CBP has seen a growing number of people from other countries at the US border, including Russia, Asia, and Africa (Schoeberl et al., 2023).

Prior to the implementation of Title 42, US Code Title 8 (Aliens and Nationality) mandated that certain US government agencies screen unaccompanied alien children (UAC) and follow specific procedures for entry into the United States (Aliens and Nationality Act 8 USC. §1182, 2011; Schoeberl et al., 2023). After Title 42 was in place, if CBP arrested or detained UAC, the agency would expel UAC at the border. Although the Trump administration initiated Title 42, the Biden administration continued the program except altering the code to allow undocumented minors and family units to be processed into the United States. CBP would continue to detain and arrest UAC, but the agencies tasked with processing and protecting these children in the US included the US Department of Justice (DOJ), the US Department of Homeland Security (HSI), and the Department of Health and Human Services (HHS). UAC are considered children under 18 years of age, who have no parental or family representation in the

US, and who have entered the US unlawfully and alone (Kandel, 2021; Schoeberl et al., 2023). HHS's Office of Refugee Resettlement (ORR) processes and houses the UAC until the placement of the children with vetted sponsors (Becerra, 2022; Schoeberl et al., 2023). Unfortunately, the vetting process for these sponsors has been identified as flawed in many aspects, and several sponsors did not even have a legitimate immigration status (Schoeberl et al., 2023). In 2021, during the US Senate's 117th first session (Oversight of HHS Shelter Grants for UACs et al., 2021), the Homeland Security and Governmental Affairs Committee (HSGAC) identified loopholes and gaps in ORR's vetting system to place UAC in appropriate facilities and homes; some with questionable practices (Schoeberl et al., 2023). ORR reports that in the fiscal year 2021, they received an unprecedented number of UAC referrals, 122,731, and also placed 109,030 UAC with vetted sponsors (Becerra, 2022; Schoeberl et al., 2023). During this time, minors are authorized to remain in the country while immigration proceeds with the refugee status process to stay permanently in the US (Schoeberl et al., 2023). Despite all these programs, there continued to be ineffectiveness on the government's part in addressing labor trafficking in the US (Schoeberl et al., 2023; US Department of State, 2021). The vetting process and its impact on UACs by the federal government created a link to forced labor and debt bondage that will be further explained in *Trafficking Children for Labor* in this literature review.

The Effects of COVID-19 on the Victims of Labor Trafficking

COVID-19 (coronavirus) is a contagious disease that was discovered in Wuhan, China, in 2019 and identified by its medical novel as SARS-CoV-2 (World Health Organization, 2022). Findings by the World Health Organization (WHO), from the inception of the outbreak until May 2022, identified that approximately 524 million people globally have been affected by the COVID-19 virus. The virus caused a global pandemic, devastatingly impacting the economy,

leading to job loss, layoffs, and the closures of corporations, industry, and travel through mandatory government quarantines and social distancing regulations (Giammarinaro, 2020). Scholarly research by academies is still emerging on the impacts of COVID-19, but the current analysis by government publications is beginning to develop. These publications offer some insight into the global crisis and its effect on the US economy, which has caused vulnerabilities associated with labor trafficking. According to Armitage and Nellums (2020), COVID-19 has had an impact on increasing unemployment in unskilled labor, creating poverty, and affecting the ability to afford healthcare. This has motivated traffickers to increase their efforts of enslaving their victims into labor exploitation (United Nations Office on Drugs and Crime, 2021b). Traffickers and smugglers alike have seized the opportunities to manipulate the crisis created by the pandemic by continuing to develop new ways to exploit their victims for monetary gains. Transnational crime groups involved in human trafficking and smuggling are notoriously adaptable and seize the chance to manipulate situations during the pandemic while law enforcement is assisting in the health crisis (Europol, 2020).

Labor trafficking has been identified as a global public health problem with physical and psychological exploitation (Greenbaum et al., 2020; Such et al., 2020). The addition of COVID-19 can introduce a variable that could change the empirical data on labor trafficking. It affected global travel and forced people to quarantine in homes, forcing government and businesses to lock down or shut down. Government agencies and NGOs involved in anti-trafficking activities had to realign their budgets to COVID-19-related necessities for their employees and to support the victims of trafficking (United Nations Office on Drugs and Crime, 2021b). These agencies also had to implement new measures to meet with victims but prevent contact to avoid spreading the disease.

Quarantine regulations within the workplace have resulted in dramatic changes in the economy, increasing unemployment, poverty, and destitution (International Organization for Migration, 2022). In addition, the US, federal, state, and local government offices were closed affecting the processing of migrants into the US due to travel restrictions, thus creating an inability for the criminal justice system to prosecute traffickers, allowing them to capitalize on border closures (Feehs & Wheeler, 2021; US Department of State, 2020b).

The literature reviewed presented information that depicted how the pandemic's quarantines impacted migration and border crossing, influencing labor trafficking (Europol, 2020). The United Nations Office on Drugs and Crime (2021b) reports that surveys and interviews of respondents emphasized the dilemma of migrant domestic servants confined to private residences due to COVID-19 and exploited by abusive employers. Due to government closures, persons fleeing countries with no employment and little to no medical assistance ended up victims of smugglers and traffickers, affecting their health (Todres & Diaz, 2021). These health issues could include post-traumatic stress disorder (PTSD), depression, malnourishment, infections, and physical injuries (Greenbaum et al., 2020; International Organization for Migration, 2022). The ethnographic research on health changes has created a risk of a significant increase in labor trafficking during the pandemic and for many years to come (Todres & Diaz, 2021; Unertl et al., 2021). The Polaris Project (2022) noted that due to the pandemic, work was scarce in Mexico, so labor traffickers would promise jobs with good pay in the US but would ultimately break those promises after crossing the US-Mexico border. Notably, persons at risk for trafficking are often minority migrants who already suffer from a history of abuse within labor under horrible working conditions in their countries. Some victims have encountered confinement in destination countries and residential homes, factories, and construction sites in

US cities (United Nations Office on Drugs and Crime, 2021b). These confinements have increased control and violence to its victims by their traffickers. According to research conducted by the International Organization for Migration (2022), migrant mobility has been highly affected due to loss of life and displacement, causing an upswing in the trafficking of people experiencing poverty. It caused forced detention of persons seeking to flee their countries who were stranded (Bensman, 2021), due to border closures as a result of Title 42. Migrants in other countries were being detained in warehouses or non-government detention locations, leaving them to become victims of human traffickers or smugglers (International Organization for Migration, 2022). There is inadequate research on physically confining victims in US labor trafficking situations, as victims are often confined by psychological abuse through fraud and coercion in private residences (Toney-Butler et al., 2021). Persons that are labor trafficked are often migrants seeking jobs in America by crossing the US borders by both legal and illegal means. These trafficked victims frequently need medical care but are often difficult to identify by medical staff and law enforcement (Greenbaum et al., 2020). These victims often seek urgent medical care from Emergency Rooms (ER) or Emergency Departments (ED), but do not report their trafficking victimization (Shadowen et al., 2021).

US federal law mandates identity protection for people seeking medical care. Additionally, ERs and EDs must provide care for those without health insurance. Therefore, those suffering from COVID-19 or non-virus-related illnesses, such as injuries associated with labor trafficking (i.e., Post Traumatic Stress Disorder or physical injuries), may not be accurately diagnosed as victims of human trafficking, let alone labor trafficking (Shadowen et al., 2021). Furthermore, according to Bonilla and Mo (2019), studies have shown the complexity of identifying persons that have been labor trafficked. A health crisis such as the pandemic makes

it even more challenging to identify and research (United Nations Office on Drugs and Crime, 2021b).

Examining the Dynamics of Traffickers and Migrants

The UN's Palermo Protocol influenced a tremendous amount anti-trafficking legislation but was often criticized for not further protecting victims' human rights (Bryant & Landman, 2020). The Palermo Protocol is the initial effort to create change and become the global solution through coordination and collaboration against human trafficking. In 2000, the UN's Human Rights Council (UNHRC) adopted the "Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children" (U.N. Palermo Protocol), introducing the first global definition of human trafficking adopted by many countries (DoCarmo, 2020). The Protocol was centered on human trafficking's sex exploitation and forced labor with the inception of the "Trafficking in Persons" (TIP) motto as a law enforcement problem. The intent of the Protocol is for government agencies to attack human trafficking from a "3P" model of "prevention, protection, and prosecution" (US Department of State, 2020, p. 6). The Protocol recognizes that governments should criminalize trafficking and prosecute traffickers when identified through arrests. The key to the Protocol for many anti-trafficking NGOs was the responsibility of the countries to protect and assist victims of trafficking. Furthermore, while protecting the victims of TIP, government entities pursue the prosecution of traffickers with harsher punishments. Researchers identified that the Protocol placed little emphasis on men being trafficked and more importance on women and children. This minimizes the men and also the LGBTQ+ community as victims of trafficking. According to Bracy et al.'s (2021) four-year study (2013-2016) on 125 arrests for labor trafficking in the US, only 120 victims were identified as 74.3% female, 22.9% male, and 2.9% transgender. The study identifies the shockingly low number of victims in the

study, but it also recognizes that a quarter of the victims were not female. Nevertheless, the Palermo Protocol specifically identifies women and children, which lead to government officials to overlook other victims, such as men and the LGBTQ+ community. The data also presents the low number of persons rescued from forced labor in the US during the four-year study. This study identifies the lack of data that government agencies have regarding victims of labor trafficking in comparison to the data of an anti-trafficking NGO, such as the Polaris Project. The Polaris Project (2022) conducted a two-year data analysis of their National Human Trafficking Hotline between 2018-2020 and identified over 15,000 victims of labor trafficking. Furthermore, 92% of the victims were foreign nationals in the US on legal work visas, and 82% (n=2405) were men (Polaris Project, 2022). These statistics identify the staggering differences between the US government's ability to identify victims and anti-trafficking NGOs' capabilities with call centers. Criminal Justice agencies often identify victims through arrests or criminal complaints, but when the criminality is covert, such as labor trafficking, victims do not often report their abuse for fear of government involvement.

Globally, labor trafficking becomes an equal opportunity when determining the type of labor and the gender being forced to work. When researching certain types of labor trafficking, a bias in gender can be identified, especially in agriculture or farming. For example, when considering domestic help, women are more prone to be trafficked, but men and boys fall victim to the workforce for agricultural work. The US leads the world in demand for agricultural (farm) labor, with 79-90% of the workers comprised of men (Carroll et al., 2005, as cited in Enrile, 2018). Additionally, according to the Polaris Project (2022), approximately 2600 foreign nationals between 2018-2020 on temporary work visas in the US reported being victims of labor trafficking in agriculture and farming. Thus, even migrants on temporary work visas are subject

to labor trafficking. The numbers can be even more astonishing when factoring in labor work in factories, mining, fishing, construction, restaurants, domestic work, the cosmetic industry, and day labor, where studies have identified labor trafficking in 90 US cities (Polaris Project, 2017). Many victims have been identified as migrants traveling to these US cities from over 40 countries and the persons trafficked are often from the same ethnic background as their traffickers (Stickle et al., 2020). International and domestic NGOs utilize the legal framework to support victims of trafficking (Bryant et al., 2020), but it is apparent that the criminal justice system is not protecting the victims of labor trafficking by predominantly focusing on sex exploitation (Farrell et al., 2020).

The migrant population that is traveling to the US is considered cheap labor, but they are not deemed victims of forced labor because the investigations are so few, and the prosecutions are even fewer. According to Feehs and Wheeler's (2021) study on federal human trafficking prosecutions in 2020, of the 579 prosecutions for human trafficking, only 6% were for labor trafficking. However, according to Lane et al. (2022), since the creation of the TVPA law, new federal sex trafficking cases have eclipsed forced labor cases in 2021. This has resulted in 55 (21%) defendants charged federally with forced labor and 205 (79%) defendants charged with sex trafficking (Lane et al., 2022). Surprisingly, forced labor with female defendants was considerably higher than sex trafficking. In 2021, female sex trafficker cases comprised 19% of the defendants, while female defendants in forced labor were 37% (Lane et al., 2022). Lane et al. identified a trend in females' involvement in labor trafficking as traffickers.

Feehs and Wheeler (2021) reviewed 2020 federal civil cases; the statistics changed dramatically and were more balanced, with 55% sex trafficking and 45% labor trafficking. These statistics can depict that civil cases are predominantly for forced labor, and the burden of

proof is less than in criminal cases. The study did identify the decline in defendants for court cases in 2020, which could have been impacted by court delays and closures due to the COVID-19 pandemic (Feehs and Wheeler, 2021). According to Lane et al. (2022), the most significant number of civil lawsuits by victims involved hotels in 2021.

Victim cooperation in human trafficking is problematic, but even less in labor trafficking (Farrell et al., 2019). Victims' reluctance to cooperate with law enforcement can harm investigations (Bjelland, 2020). Moreover, researchers have found that the addition of illegal migration and the lack of law enforcement training in identifying trafficked victims has exacerbated problems in arresting traffickers (Farrell et al., 2020; Bonilla and Mo, 2019). Labor trafficking often goes undetected by law enforcement in the US, and there are varying reasons associated with this lack of data in research (Dank et al., 2021; Farrell et al., 2020). The social and economic conditions from a migrant's originating country can be associated with the theoretical framework of the push factor (Fernandes et al., 2020), which can include: unemployment, economic conditions, poverty, violence, abuse, sex, gender discrimination in the workplace, lacking the ability for a better quality of life, ethnic discrimination, fleeing human rights violations, weather events, conflict, war and most recently the pandemic (United Nations Office on Drugs and Crime, 2023; International Organization for Migration, 2022). These pre-pandemic reasons for labor migration intensified with the spread of the COVID-19 as a virus. The US government's response to this national emergency was to initiate programs and laws to prevent migration pathways during the pandemic.

The Compounding Issues for Identifying Labor Trafficking

Various theoretical and empirical studies have researched the lack of data on labor trafficking, and the consensus is that it is sparsely reported or not even investigated by law

enforcement (Farrell & Reichert, 2017). Farrell and Reichert's (2017) research is one of the most recent studies that surveyed human trafficking crime reporting in the US from multiple state agencies and case studies. The study identified the 17000 state and local law enforcement's challenges in identifying and reporting human trafficking to the FBI's Uniform Crime Report (UCR) for data analysis. Unfortunately, this creates a quandary for researchers attempting to review data for labor trafficking studies.

A qualitative study by Dank et al. (2021) utilized a snowball methodology to identify US citizens who have been labor trafficked since victims rarely report labor trafficking, thus distorting the data from government records. Dank et al. recognize that identifying victims of labor and sex trafficking is difficult due to its clandestine operations. Government agencies and NGOs dedicated to anti-trafficking efforts experience challenges that can complicate attempts to distinguish and act in response to cases. These challenges include the type of labor work the victim is associated with, immigration status, and language barriers (Dank et al., 2021). Dank et al. also noted that during their research, the COVID-19 pandemic began to spread in the US Government offices, and the NGOs they were contacting began shutting down and closing offices, thus changing their recruitment of responses. The pandemic affected the statistical analysis for researchers (United Nations Office on Drugs and Crime, 2021b) and posed challenges for researchers to develop participants for research (Dank et al., 2021). There are further significant challenges with the enforcement and prosecution of traffickers when the victims are primarily hidden, especially when there is a lack of encouragement for victims to self-identify (Barrick et al., 2020; David et al., 2019). Victims may fear prosecution for their illegal migration, but also fear their captors since they were deceived, coerced, forced, abused, and exploited into labor work (Caruana et al., 2021; David et al., 2019; Toney-Butler et al.,

2021). The deception by traffickers can result in the lack of reporting and self-identifying by victims.

In 2013, research was developing regarding the psychological effects of human trafficking on its victims, and comparative research was being conducted linking the psychological effects of victims to Stockholm Syndrome (McGough, 2013). More recently, US Department of State (2020a), funded the Human Trafficking Expert Consultant Network (HTECN) to conduct qualitative research with experts in human trafficking. The research compiled information on the trauma bonding of trafficked persons with their captors, similar to the Stockholm Syndrome. The HTENC factsheet identifies that current research in human trafficking is frequently limited to the US and is centered mainly on the sex trafficking of women and girls (US Department of State, 2020a). HTECN identifies that more research has to be explored, as well as its effects on persons that are labor trafficked. If trafficked persons potentially bond with their captors, it can create a reluctance to report or cooperate with law enforcement, NGOs, or researchers (US Department of State, 2020a). Persons trafficked often come from poor or poverty-stricken countries that initially seek migration for better paying jobs in the US (Cyrus & Vogel, 2018). These people are often deceived by traffickers and forced into labor they were not initially promised or desired. Victims fear reporting the deception and trafficking to law enforcement or NGOs, as they must rely on their captors for housing and food (Cyrus & Vogel, 2018). Whether it is bonding with their captors or being coerced into staying for meals and accommodation, the lack of reporting labor trafficking creates skewed empirical data for researchers (Farrell et al., 2020). This supports the understanding that experts on the frontline of labor trafficking operations could have more insight into a qualitative study (Bonilla & Mo, 2019; Irwin, 2017) due to the lack of quality and quantity of accurate data (International

Organization for Migration, 2022; National Academies of Sciences et al., 2020; United Nations Office on Drugs and Crime, 2023).

Frontline police officers also lack the expertise or training to identify victims of human trafficking, let alone persons trafficked for labor. Farrell et al. (2020) used data from 86 qualitative interviews with federal, state, county, and local law enforcement agencies, and NGO victim service providers. Their research also utilized labor trafficking victims in four (4) US communities to provide clarification of police actions while responding to complaints of labor trafficking in local communities. According to Farrell et al. (2020), the researchers identified three (3) key challenges that affected law enforcement's ability to recognize the crime of labor trafficking. The three challenges are as follows: (1) the ability to thoroughly comprehend the definition of labor trafficking, (2) the agency's ability to address labor trafficking, and (3) the normal police functions impeded the ability to police labor trafficking. This study is one of the newest to research the local police agency's capability to police labor trafficking and assist the victims. The research acknowledged that frontline officers (street cops) were not receiving training in human trafficking (Farrell et al., 2020), and if they were, it was directed to recognizing sex trafficking or prostitution (Farrell et al., 2019; Farrell et al., 2020; Hounmenou & O'Grady, 2021). Even with training, spotting the signs of human trafficking can be problematic for law enforcement. The Police Executive Research Forum (2020), an independent research group that concentrates on policing issues distinguished that local law enforcement has trouble identifying victims of labor trafficking cases, especially in the legal markets. Furthermore, human trafficking cases can be time-consuming (Nietzel, 2020; Police Executive Research Forum, 2020) and may limit the agency’s ability to police or investigate other criminality that may take precedence (Farrell et al., 2020; Hounmenou & O'Grady, 2021). Local

law enforcement agencies also suffer from low staffing and budgetary constraints (Police Executive Research Forum, 2020), especially with the recent "defund the police" movements (Mangual, 2022). According to research conducted by Hounmenou and O'Grady (2021), private investigators trained in human trafficking and assisting local law enforcement could be fundamental in helping victims of trafficking and pursuing traffickers for prosecution. Unfortunately, this is not without issues, notably law enforcement's inability or desire to share information with a private entity such as an anti-trafficking agency (Hounmenou & O'Grady, 2021). Law enforcement is often reactive to human trafficking, awaiting a "tip" or a victim to come forward and self-identify. However, victims often fear reporting the perils of their victimization by traffickers due to fear of deportation (Farrell et al., 2019). They also may have concerns about being involved in illegal labor work (i.e., narcotics and kidnapping). Additionally, their relatives may be involved in trafficking (Greenbaum et al., 2022), or they may identify with their traffickers through relationships (Gibbs et al., 2020).

Trafficking Children for Labor

In the criminal clandestine operations of labor trafficking, a small amount of research is geared toward the trafficking of children in the US. The studies clearly show that, although minute compared to adults trafficked, minors are also trafficked in the US for labor (Gibbs et al., 2020; Greenbaum et al., 2022; Schoeberl et al., 2023). In 2021, the International Labour Office and United Nations Children's Fund (ILO/UNICEF) conducted a child labor study and estimated that in 2020, 160 million children (97 million boys and 63 million girls) were labor trafficked globally (Schoeberl et al., 2023). The estimates identified by ILO and UNICEF grouped Northern America (which includes the US) but acknowledged there is little data for statistical analysis on child labor due to strict laws and legislation. The report further recognizes that the

COVID-19 pandemic exacerbated child labor situations, with more children at risk of being pushed into labor trafficking (Schoeberl et al., 2023). Thus, these large global estimated numbers do not identify the US data numbers and any post-COVID-19 estimates (International Labour Office and United Nations Children's Fund, 2021). The report further recognizes that COVID-19 exacerbated these child labor situations, with more children at risk of being forced into child labor (International Labour Office and United Nations Children's Fund, 2021). ILO and UNICEF based the calculations on the World Bank economist's simple model that used the most recent poverty estimates to predict changes in child labor up to 2022 (Mahler et al., 2022; Schoeberl et al., 2023). These predictions suggest that during the effects of the pandemic for this period, there is a probability of a substantial rise in child labor (International Labour Office and United Nations Children's Fund, 2021).

Furthermore, the COVID-19 pandemic has heightened the risk for vulnerable children and their families globally (Greenbaum, 2022; United Nations Office on Drugs and Crime, 2020), but portions of child labor numbers have recently risen (International Labour Office and United Nations Children's Fund, 2021; Schoeberl et al., 2023). The ILO and UNICEF's (2021) study identifies that Northern America has one of the largest agricultural areas for forced labor of children between the ages of 15 and 17 (International Labour Office and United Nations Children's Fund, 2021). Some comparative analyses of US research can support a portion of this study's estimates (Murphy, 2017). Additionally, the ILO and UNICEF report illustrated that the COVID-19 pandemic has worsened poverty globally. Although lockdowns and travel restrictions lessened child labor and trafficking during the height of the pandemic, the substantial rise of child labor and trafficking post-pandemic has substantially illuminated the vulnerabilities of forced labor (International Labour Office and United Nations Children's Fund, 2021). The

United States is not immune from labor shortages, as businesses and industries (large and small) need more workforce personnel (Schoeberl et al., 2023).

A pre-pandemic study by Murphy (2017) identified certain risk factors that surfaced while studying ten homeless adolescent shelters in the US for 2014 and 2016, with youths between the ages of 17 to 25. This study centered on Covenant House shelters, and the ages varied from youth to adults. Within these youth shelters, 19% described encountering human trafficking, with 43% specifically for labor (Murphy, 2017). Although this data predates the COVID-19 pandemic, it identifies the enormity of labor trafficking among children. In addition, post-pandemic global studies identified the demand for criminals to traffic children based on the unexpected need for labor due to production increases (Wagner & Hoang, 2020; Warria, 2020; Washburn et al., 2022). Although, presently, there is no academic research post-pandemic for comparative analysis; it can be ascertained in various recent news articles regarding labor contractors hiring juveniles to fill positions at corporations based in the US.

Investigative journalists Schneyer et al. (2022a) for *Reuters* conducted an in-depth investigation into labor staffing companies hiring migrant child workers for chicken farms in Alabama. These children were recruited by illegal job brokers and sent to labor-contracted staffing agencies, placing them at chicken plants with false identities (Schneyer et al., 2022a). This investigation comes as a surge of unaccompanied minors entering the US-Mexican border starting in 2021 at the height of the COVID-19 pandemic. In 2021, the Biden administration amended Title 42 (which was originally initiated under the Trump administration), allowing unaccompanied children to remain in the US by releasing them to sponsors (Weber, 2022). The Health and Human Services Department's Office of Refugee Resettlement (HHSORR) is the federal agency responsible for relocating unaccompanied migrant children from temporary

shelters to vetted sponsors, but not always with relatives (Becerra, 2022). This has inundated HHS's Refugee Resettlement program and CBP with an influx of unaccompanied children crossing the US-Mexican border in 2021 (Penn & Gilmer, 2021). According to Becerra (2022), 109,030 UACs were placed with sponsors in 2021, and his department has seen unprecedented numbers of UAC due to the COVID-19 pandemic. These UACs come from poor backgrounds with insufficient medical attention and therefore, are also more susceptible to the effects of COVID-19 infection (Amin & Parveen, 2022), as they crossed the border.

Moreover, children contracting COVID-19 could have long-lasting adverse physical and psychological effects, which have been linked to children that are labor trafficked (Amin & Parveen, 2022). The pandemic and the influx of migrant children have overwhelmed state social services and federal agencies such as HHSORR. Social service agencies have struggled with follow-up investigations to ensure these children's health and safety. Let alone safeguarding them from precarious situations such as coercion from labor contractors, who recruit workers for big industries similar to chicken farms (Schneyer et al., 2022a). The Department of Justice has been unable to link the Alabama chicken farm incident to child labor traffickers but has recently discovered similar cases throughout the United States.

The US Department of Labor (2022) has several investigations regarding corporations based in the US, who are in violation of illegally employing minors in the auto industry and food sanitation. Although there have been no arrests for labor trafficking, the US Department of Labor has fined and pursued court injunctions to cease these companies' hiring practices. According to Rosenberg et al. (2022), Hyundai and its subsidiary car manufacturing businesses have been relying on migrant workers to fill positions using staffing companies within the US.

Workers have been complaining about their coworkers looking so young; some described children looking as young as 12 years of age (Schneyer et al., 2022b).

Regrettably, research in the US has yet to be established on the extent of children trafficked for forced labor during the COVID-19 pandemic or the extent of children forced into labor in America. Children naturally depend upon adults for financial support and may not recognize the signs associated with being exploited, thus making them vulnerable to traffickers (Greenbaum et al., 2022; Washburn et al., 2020). Moreover, when family members are the catalysts for forced labor or trafficking their family members to help financially support the family unit, children can easily be manipulated into forced labor (United Nations Office on Drugs and Crime, 2021; Walts, 2017). If the children are unaccompanied, they often fall victim to labor traffickers to repay debts for themselves or their family members' passage into the US (Walts, 2017). Since child labor trafficking in the US has been essentially spectral, more research is needed to determine its enormity (Gibbs et al., 2020; Greenbaum et al., 2022).

A study by Gibbs et al. (2020) utilized governmental data from Florida's Child Welfare Agency to illustrate the allegations of labor trafficking of children. Gibbs et al. analyzed 6,000 allegations of labor and sex trafficking involving nearly 5,000 children from 2013 to 2017. The research uncovered that children alleging they were labor trafficked were nine times more likely to be male (Gibbs et al., 2020). This study finds that male children were more likely to be trafficked for labor, classifying the possibility that traffickers have gender in mind, particularly for forced labor.

Data provided by the US Department of Justice's Office of Victims of Crime reported that children in the US identified as victims of "Trafficked in Persons" for labor from July 2019 to June 2020 were as follows: Boys, *n=116*; Girls, *n=84* and Transgender children, *n=0* (United

Nations Office on Drugs and Crime, 2022). Furthermore, the United Nations Office on Drugs and Crime (2022) identified that during the same period of 2019 and 2020, the US Department of Justice prosecuted only 15 people for labor trafficking crimes. Of the 15, 12 were convicted for their crimes. This is a decrease of 43% in US convictions from the previous year's period, July 2018-June 2019 (United Nations Office on Drugs and Crime, 2022). The research was unable to determine if most of the prosecutions and convictions were prior to the COVID-19 pandemic, as the period ends four months into the pandemic timeline, but it does identify that COVID-19 could have affected the prosecutions with such a significant decrease.

The Epitome of Labor and Sex Trafficking

In several cases, labor and sex trafficking can be combined into one victim's plight. Situations include forced marriage and women and children forced into labor (i.e., restaurants, nail salons, exotic/strip clubs, massage parlors, begging, and domestic work) and then forced into prostitution at night (Polaris Project, 2018; Wagner & Hoang, 2020). According to Mostajabian et al. (2019), 18% of the victims had experienced both sex and labor trafficking, identifying the overlap of both variables in human trafficking present among victims. These victims could have had contact with the criminal justice system or social services but were not identified as casualties of trafficking needing treatment. Bonilla and Mo (2019) similarly determined these effects in a diverse set of individuals being exploited for sex and labor within a specific human trafficking case. Barrick et al. (2020) determined this in their research of law enforcement agencies that were unable to identify the difference between a minor being sex trafficked and prostitution. The ability of any investigative agency to determine whether someone is trafficked for sex and labor can be problematic, specifically if research cannot determine if someone is sex trafficked and forced to have sex for a fee. This, too, identifies labor trafficking but is often only

diagnosed as sexual exploitation or discriminatory prostitution. These crossovers or intersecting of two human trafficking variables lead to bivariant data not often calculated in statistical analysis for sex and labor trafficking. Some research has identified the crossing over of labor and sexual exploitation in prostitution cases involving trafficking (Cockbain & Bowers, 2019; Mostajabian et al., 2019; Reis et al., 2022).

Marxist feminism studies in the 1840s theorized that prostitution is a commodification of labor, as prostitutes experience their work similarly to the everyday laborer (Mohajan, 2022). The overlapping of both crimes can be challenging to identify, as Barrick et al. (2020) recognized that law enforcement often misidentifies crimes of victims of human trafficking. Lane et al. (2022) noted, in 2021, federal prosecutors criminally charged a defendant for the sex and labor trafficking of a minor. The traffickers had forced the minor to work in a strip club and perform sexual acts. Gibbs et al. (2020) conducted a careful record review that revealed that there could be valid cases of both sex and labor trafficking allegations. Some cases involved youth engaged in commercial sex but coerced to sell drugs and work in vendor street markets (Gibbs et al., 2020).

Identifying a victim forced into prostitution and being exploited sexually does not negate the fact that the same victim is also a victim of labor trafficking forced to work for a monetary value exploited by her captors. According to Reis et al. (2022), the criminal justice system, specifically the police, often misidentifies the victims of human trafficking. However, Reis et al. acknowledged that it is also unknown how extensive labor trafficking is in the United States. Persons trafficked for labor are reported or identified far less than sex trafficking, placing law enforcement at a disadvantage in identifying victims. Police often have the first contact with victims of human trafficking (labor and sex), but prolonged contact with victims of these crimes

can be identified through social service government agencies. Wagner and Hoang (2020) identified that COVID-19 exacerbated sex and labor trafficking due to pandemic lockdowns. As bars, restaurants, and clubs closed down due to restrictions, victims were exposed to a greater risk of exploitation. Traffickers were allegedly offering alternative payments to workers who lost their incomes and in debt (Wagner & Hoang, 2020). The alternatives could include bonded labor, sex work, or criminality, essentially placing them in debt bondage (Wagner & Hoang, 2020). This is the embodiment of labor and sex trafficking combined in one case, intensifying the victim's pain.

Summary

The literature review identified an upswing in migration and labor trafficking during the COVID-19 pandemic but consistently lacked in identifying victims of labor trafficking and minimal criminal prosecutions. Human traffickers have taken full advantage of the pandemic and have advanced their efforts to traffic persons for monetary gain (Europol, 2020). Labor trafficking's criminal networks avoid being arrested and receiving lengthy prison sentences because legislation, prosecution, and convictions are so minute (Wijkman & Kleemans, 2019). Moreover, men, women, and children that are undocumented migrants are trafficked or duped into forced labor as a profitable commodity for these networks (US Department of Labor, 2020). Labor trafficking can be viewed in many multifarious forms, such as undocumented migrant workers smuggled into the US for work who end up in forced labor. These victims repay their smugglers with involuntary servitude or debt bondage. So many victims of labor trafficking are not identified, and studies have discovered that government agencies and NGOs should collaborate to disrupt human trafficking and improve operational control of the phenomenon (Busch-Armendariz et al., 2018). Kammer-Kerwick et al.'s (2018) study hypothesized that the

theoretical framework to develop a foundation engineered in the criminal justice system could work with NGOs to combat the problematic illicit networks associated with human trafficking. The research provides a consideration of energetic systems from evocative classification and prognostic assessment to enhance effective dynamic control (Kammer-Kerwick et al., 2018). Agencies, such as the Polaris Project, help to identify the methods of traffickers, then provide federal agencies with the information so they can then capitalize on the collaboration (Polaris Project, 2019). During Kammer-Kerwick et al.'s (2018) qualitative study, researchers established a quantitative parameter for the projected data to identify the structures of human trafficking with diagnostic modeling. Engaging interviews with data, the researchers sought to analyze the problem with an academic view and presented solutions to trafficking with experts from law enforcement, courts, and scholars in the field. The workshops and the data collected presented specific themes for change or initiation, identifying the need for collaboration between NGOs and government agencies. According to Hounmenou and O'Grady (2021), discovering potential partnerships between private and public agencies could help to keep pace with human traffickers. Although, some of the presented findings advised that more time should be considered for more data.

Researchers are attempting to distinguish different strategies and methods to keep up with traffickers' illicit and covert operations. Frequently, law enforcement either fails to classify labor trafficking crimes correctly or often misidentifies labor trafficking victims (Farrell et al., 2019), unlike the more familiar sex exploitation or prostitution associated with sex trafficking (Cockbain & Bowers, 2019). Based on the literature reviewed, anti-trafficking NGOs have a more remarkable ability to reach victims of labor trafficking through their call centers and national hotlines. A case could be made to have private investigators work for anti-trafficking

NGOs to augment law enforcement by conducting investigations into trafficking and rescuing victims (Hounmenou & O'Grady, 2021). This could act as a force multiplier in anti-trafficking by possibly introducing more criminal and civil cases to the federal prosecutors.

Research Questions

RQ1: What are the perceptions of the impact of COVID-19 on labor trafficking?

RQ2: Did the pandemic illustrate the need for new methods to combat labor trafficking?

Chapter 3: Methodology

Proposed Research Design and Rationale

The purpose of this research was to identify the impact of COVID-19 on labor trafficking in the US. In this study, this researcher will explore the anti-trafficking narratives from expert stakeholders in US labor trafficking. Furthermore, the research is intended to explore if the COVID-19 pandemic highlighted the need for NGOs to augment law enforcement in investigating labor trafficking. A generic qualitative approach will be utilized with semi-structured interviews to assemble data from the participants for this study.

Many US states lack laws to protect the victims of labor trafficking, but COVID-19 has created barriers that may have impacted these states attempting to combat the phenomenon further. In addition, the pandemic may have had an effect on anti-trafficking NGOs and law enforcement battling human trafficking's least studied variable, labor trafficking. Previous research has established the overwhelming focus on sex trafficking over labor trafficking (Busch-Armendariz et al., 2018; Dank et al., 2021; Enrile, 2018; Farrell et al., 2020; Koegler et al., 2019; Villa, 2019).

This research intends to use a generic qualitative methodology to discover, through interviews with experts, the current state of forced labor and to expand upon past research. The study intends to identify specific barriers and the impact of COVID-19 (Newman et al., 2021) to combat labor trafficking from organizations in both, the public and NGOs. The conclusions from this proposed study could lead to a better understanding of labor trafficking's victimology. Additionally, a more unambiguous interpretation of labor traffickers and forced labor could increase the public's awareness of labor trafficking and garner more research on the phenomenon. The study being proposed will be driven by the following research questions:

RQ1: What are the perceptions of the impact of COVID-19 on labor trafficking in the US?

RQ2: Did the pandemic illustrate the need for new methods to combat labor trafficking?

Qualitative research allows the researcher to create theories (Creswell & Creswell, 2018) in labor trafficking because the current research theories do not identify the impact of the pandemic on the phenomena. International and domestic NGOs, as well as some government agencies have conducted studies and begun reporting their findings regarding the effects of the COVID-19 pandemic on human trafficking. However, research from academia could have been more extensive on the subject.

A quantitative approach would not be suitable for this study because it requires the relationship between the variables to be considered based on a statistical analysis of numeric data (Creswell & Creswell, 2018). Researchers have found that human trafficking inherently has had flawed and spurious data to analyze for genuine theoretical research (Cockbain & Bowers, 2019; Dank et al., 2021; Goodey, 2008; Shepherd et al., 2021; Stickle et al., 2020; Volodko et al., 2020). Since the data reported by agencies can be skewed, then the qualitative customary assumptions and approaches to the precision of the study balance the trustworthiness of the data collected from interviews (Guba & Lincoln, 1989).

COVID-19's variants can alter the normal interview processes and present social distancing parameters (Newman et al., 2021). However, this was not an issue for this study, because by the time the interview process took place, social distancing measures were lifted. This could have created ethical issues in the initial stages of this study, but the presented four criteria prevented them from occurring. According to Guba and Lincoln (1989), the proposed qualitative research should fulfill four criteria:

1. Credibility: Reliability of the data collected
2. Transferability: Being critical during the peer review evaluation
3. Dependability: Clarifying for further researchers through detailed analysis
4. Confirmability: Examining and auditing the data collected

Qualitative research should not be subjected to matching criteria as quantitative methods. Nonetheless, the criteria for conducting superior qualitative research does exist when considering empirical data collection and its analysis. This can be accomplished with an ethical scholarly study that can be achieved by anticipating all considerations during the various phases of the research process (Creswell, 2014).

Participants

Qualitative research seeks to develop the meaning of the phenomenon by drawing attention to an informative study through the collection of data by interviewing participants (Creswell & Creswell, 2018). In addition, this researcher will attempt to establish the significance of the phenomenon from the opinions of anti-trafficking expert participants, who are also stakeholders in the study. According to Merriam (2002), qualitative research seeks depth in comprehending and interpreting how people understand their world and experiences.

Labor trafficking is a clandestine operation, and victims are often migrants wary of reporting the abuse of forced labor due to fear of deportation and job loss (Dank et al., 2021). Therefore, access to victims of labor trafficking may be problematic based not only on the pandemic, but also because the vast majority of victims do not report being labor trafficked. Additionally, one may question if a victim of labor trafficking could even identify the variables (COVID-19 pandemic, involuntary servitude, or debt bondage) that led to their continued captivity. Therefore, the selected expert participants' experiences are vital in analyzing the

responses of the human instrument as opposed to the lack of labor trafficking data. Creswell (2007) noted the objective of the research "…is to rely as much as possible on the participants' views of the situation" (p. 20). Therefore, this researcher will seek to conduct interviews with experts in the field from NGOs and academia.

Human trafficking is a phenomenon with a vast covert criminal network, but the data indicates few arrests for trafficking. Criminal charges of traffickers are often embedded in other charges, distorting data from cases in the criminal justice system for research (Feehs and Wheeler, 2021). Furthermore, migrant victims of forced labor are often victimized even further as they are arrested for immigration violations (Faret et al., 2021; Sickle et al., 2020), and the traffickers or captors escape prosecution (Busch-Armendariz et al., 2018). Law enforcement often fails or neglects to even identify labor trafficking incidents, placing their efforts more on sex trafficking (Farrell et al., 2020). This becomes even more problematic when an event such as a pandemic is added to law enforcement's responsibilities, thus taking their attention away from combatting labor trafficking. During the pandemic, federal, state, and local law enforcement had to refocus their efforts on medical assistance and the government-imposed quarantines (Armitage & Nellums, 2020), travel bans, and social distancing which undermined their ability to investigate human trafficking (Europol, 2020; Greenbaum et al., 2020; United Nations Office on Drugs and Crime, 2021). It has strengthened this researcher's intent to conduct qualitative research with a generic design and conduct stakeholder interviews as its data source.

Kahlke (2014) suggests that any method can be applied as a sampling technique in a generic design. It is not viable to collect data from the vast population of anti-trafficking experts who could not share comparable qualities in labor trafficking. Considering that this could

achieve the goal of this study, a *purposive sampling technique* will be utilized (Campbell et al., 2020). Purposive sampling will match the samples to the objectives, therefore improving the rigor of the study and the reliability of the data (Campbell et al., 2020). Purposive sampling is also applied when selecting participants that will likely produce applicable and valuable information for the study (Kelly, 2010). Participants will have an equal opportunity in the selection process based on criteria created by this researcher.

Participants Selection

The participants (stakeholders) will be selected by meeting the guidelines of the purposive sampling approach from years of experience, expertise in human trafficking with a concentration in forced labor, and experience as a practitioner in the field or experience as an extensive researcher. First, participants will be obtained using a variety of internet search engine sites and databases. These sites will include Google, Microsoft, LinkedIn, anti-trafficking NGO social media sites, and academia. Then, an evaluation process will be utilized to determine the most suitable stakeholders to participate in the study. In the initial search, this researcher will be identifying experts in human trafficking, then utilizing a step-filtering framework to filter experts further based on the criteria set forth.

The proposed sampling guidelines used to recruit participants followed a specific criteria for selection. This researcher created the following three step process for participant selection: (Step 1) Identifying experts in human trafficking; (Step 2) Filtering the experts further into labor trafficking; and (Step 3) Ensuring the participant's expertise includes the COVID-19 pandemic years. These steps are essential to the study because most government agencies and NGOs do not differentiate from assisting victims of labor and sex trafficking except to gather data. Their main concerns are to rescue, treat and assist victims and ultimately eradicate all aspects of human

trafficking. However, for this research, the experts must know about labor trafficking specifically, so the filter is set forth to validate the accuracy of the information from the participants. Criteria for the three stages are further explained in detail:

- Step 1: This will consist of identifying the participants with five (5) years or more of experience (expertise) in human trafficking. The five (5) or more years must either have extensive academic research experience or extensive practitioner experience in human trafficking. Thus, the first step will be identifying experts within the phenomenon of human trafficking.
- Step 2: This will filter the participants further to ensure the selected experts have extensive expertise in labor trafficking. The participant's past academic research or work experiences could have overlapping of expertise in labor and sex trafficking. Differentiating the two (labor and sex) will ensure the data is not compromised and the answers are explicitly related to labor trafficking.
- Step 3: This last step will identify the expert's knowledge of labor trafficking during the COVID-19 pandemic when travel restrictions, social distancing, and quarantines (2020 and 2021) were in place. The participant should have conducted research or worked as a practitioner during COVID-19 to identify the pandemic's impact on labor trafficking.

For generic qualitative research, Kahlke (2014) noted, "…studies seek to understand how people interpret, construct, or make meaning from their world and their experiences" (p. 39). The experiences of the participants are key to the study, so incorporating their knowledge and interpretation of labor trafficking during the pandemic is duly significant to the study.

There is no set rule regarding the exact number of participants that should be included in this type of study (Creswell & Creswell, 2018). However, qualitative researchers typically select

a smaller sample size that provides all the necessary information for the study and shares the same qualities. This can be accomplished by justifying the qualitative research with an accepted sample size while referencing the study's scale and the topic's nature (Boddy, 2016).

For this study, a *thematic analysis* (TA) will be utilized because this will enable the researcher to be more thorough in the case-by-case investigation, which supports a more comprehensive analysis (Braun & Clarke, 2006). Creswell and Creswell (2018) noted that five (5) case studies are adequate to provide an opportunity to identify themes as well as compare the themes. According to Dibley (2011), the sample size is not as valuable to a study as having data that is both "rich" in quality and "thick" in quantity. Fusch and Ness (2015) noted this by identifying "thick" data as essentially a great deal of data and "rich" data as multidimensional, complex, and comprehensive. For this research, the researcher will aim to have an appropriate sample size that creates a sufficient amount of valued data, similar to that of past research has achieved.

Clarke and Braun (2017) noted that TA could be utilized to examine large and small sets of data, with research participants as small as one or two, or as large as 60 participants. However, it is more common in qualitative research to avoid overwhelming the study with a breadth of data (Pietkiewicz & Smith, 2014). Researchers' ideologies regarding the sample size of the participants to achieve data saturation varies (Braun & Clarke, 2019; Fusch & Ness, 2015; Guest et al., 2020). However, the common theme is that a smaller sample size is sufficient to examine comparisons and differences in the data collected (Guest et al., 2006; Guest et al., 2020; Turpin et al., 1997; Yin, 2009). According to Guest et al. (2006), data saturation may be achieved with six (6) interviews, but it depends on the population sample size. Turpin et al. (1997) recommend six (6) to eight (8) participants, and Yin (2009) suggests six (6) to ten (10)

participants to have sufficient data for a qualitative study. Sandelowski (1995) noted that pundits suggest a qualitative sample size of ten (10) participants is adequate, especially in a homogenous population.

Building on past research sample sizes, this researcher used a methodical approach to present a comprehensive and knowledgeable proposal for this research. The sample size for this study was originally five (5) to ten (10) participants once unit saturation was reached. Based on the size of the study, data saturation was reached at 10 participants. Saturation has been applied to this purposive sample research because it provided data validity to create the same themes emerging (Fusch & Ness, 2015). As stated previously in this research, the participants were selected using various internet search engines and platforms, including Google, Microsoft, LinkedIn, anti-trafficking NGO social media sites, and academia. Internet searches were also designed to find NGOs within the US that have worked with victims of labor trafficking. These steps were implemented to assist in determining the participants with the most suitable perspectives for involvement in this study. The fifty (50) best candidates deemed in non-repetitive internet searches were evaluated by the previously mentioned three (3) step criteria for the study's participants. The candidates that met all the qualifications and criteria were asked to participate in the study. This researcher determined the most qualified candidates based on the initial twenty-five (25) participants, using the criteria matrix of expertise. The five (5) to ten (10) participants that scored the highest in the criteria matrix of expertise were selected for this study, and each were surveyed until saturation. Participants were invited to answer a series of open-ended questions about human trafficking, labor trafficking, labor trafficking during the COVID-19 pandemic, traffickers, migrant involvement in labor trafficking, and variables conducive to the process associated with labor trafficking (See Appendix). Prior to the interviews, the date

and times of interviews were selected by the participants. All of the participants chose video conferencing platforms with cameras on for an in-person experience. Due to time constraints of the study and the geographical area of the participants, in-person interviews were not possible. The participants were given a choice of the date and time of the interview, as well as which video-conferencing platform to use (i.e., Zoom, Skype, Microsoft Teams). Accommodations were made at the request of the participants to ensure the research project was timely completed.

The pandemic has altered many of the in-person interviews for research in the past couple of years, so this was a factor that was considered by this researcher. Newman et al. (2021) stated that COVID-19 vaccination status must be considered before conducting interviews. According to Marhefka et al. (2020), online platforms can replicate in-person interview exchanges. Furthermore, video platforms (i.e., Microsoft Teams, Zoom and Skype) and audio data can be collected, especially if in-person interviews of participants are not feasible (Newman et al., 2021). The rationale for using an online platform was explained in the ethics protocol and indicated in the participant's consent document.

Instruments

The researcher is the crucial mechanism in this study because according to Creswell & Creswell (2018), gathering data through extensive interviews of the qualified selected participants will create a well-rounded study. This researcher virtually met with the participants prior to the interviews to explain the process and ensure their background and years of expertise were accurate. The researcher also used this opportunity to provide the consent form to the participant and schedule the date for the interview. The researcher conducted in-depth interviews with a previously administered survey questionnaire (See Appendix). According to Percy et al. (2015), these types of questions will focus on real-world observations, and “even the

attitudes and opinions in opinion polling are valued for their reflection on the external issues" (p. 79). The previously administered questionnaire also allowed the participants to anticipate the opinioned dialogue presented. Therefore, anticipated responses allowed for flexibility during the interviews and permitted the conversation to flow and presented information not otherwise considered previously by the researcher.

The COVID-19 pandemic has had an impact on labor trafficking and its victims, especially due to the spreading of the virus (Todres & Diaz, 2021). The pandemic has resulted in job loss and the inability of individuals to gain access to government-provided services, and jobless migrant workers have become susceptible to labor trafficking (United Nations Office On Drugs and Crime, 2021). Experts can speak and present opinions based on the effects of COVID-19 regarding labor trafficking. According to the International Organization for Migration (2022), the pandemic has created circumstances that have expanded the risks to victims trafficked spreading the virus. Participants that are interviewed for research can provide the reality of events based on opinions (Percy et al., 2015). For this study, those interviews can offer opinions about their anti-trafficking efforts and experiences during the pandemic.

To ensure the information obtained is accurate, interviews have been audio-recorded, with the exception of one participant. One participant requested not to be audio recorded but allowed for transcription during the interview. All the interviews were then transcribed into written format. This procedure allows for qualitative data to be analyzed more accurately during the data analysis process. There are not any ethical issues raised, as the contributors (participants) were purposive, based on experience (Creswell & Creswell, 2018). Thus, signed consent forms were created, which display the willingness to participate in the study (Newman et al., 2021).

This researcher has provided the purpose of the proposed research study in a questionnaire to the contributors. The questions were based on the theory that COVID-19 has affected the possible increase of labor trafficking. The research qualitatively investigates which common factors associate labor trafficking with COVID-19, and the perception that anti-trafficking efforts have been altered because of the pandemic (International Organization for Migration, 2022). The conclusions from this study will contribute to the limited data and research available on COVID-19's effects on labor trafficking.

Data Analysis

Qualitative data analysis consists of assembling, considering, and explaining the data acquired from the participant's opinions of situations. Data analysis is needed in criminal justice because it is a vital part of evidence-gathering and fact-finding, which helps gain an understanding of, and answer our research questions (Rennison & Hart, 2019). Braun and Clarke's (2006) six-step framework is the most influential approach in the social sciences because it presents a clear and practical framework for using TA (Maguire & Delahunt, 2017). This researcher has collected data from interviewing experts motivated by the research questions:

1. **RQ1**: What are the perceptions of the impact of COVID-19 on labor trafficking in the US?
2. **RQ2:** Did the pandemic illustrate the need for new methods to combat labor trafficking?

The research questions are the broad prediction being addressed in a research study (Rennison & Hart, 2019). The theoretical liberty that the TA provides is a practical and adaptable instrument of data analysis. Additionally, it can support both a comprehensive and a composite account of the data from the questions presented (Boyatzis, 1998). This researcher has collected narrative data from interviews, then sorted them into categories for themes and patterns. Next, this

researcher understood and compared the patterns in the answers presented by participants. Finally, analytical observations were organized and reported, which is the framework for the themes (Clarke & Braun, 2017).

Thematic Analysis (TA)

Braun and Clarke (2006) have proposed a six-phase process, which assisted the researcher in identifying and focusing on the fundamental aspects of a TA. TA is not a complicated method for qualitative analysis, especially for a novice, and provides flexibility in the theoretical approach to analyzing qualitative data (Terry et al., 2017). TA is more commonly used in generic qualitative approaches and selected by the researcher (Terry et al., 2017). It is a method for identifying, examining, and reporting themes within data. Furthermore, Braun and Clarke (2006) noted that TA is a method for detecting and analyzing the themes within the data researched. For organizing TA's structure and its basic format, this researcher utilized Braun and Clarke's (2006) six-phase process: (1) Familiarizing yourself with the gathered data, (2) Generation of the initial thought-provoking codes from data collection, (3) Searching the data for themes, (4) Reviewing the themes from data collection, (5) Defining/Naming the themes from the data, and (6) Producing the report in written format.

Braun and Clarke's (2012) six-phase process is a “how-to” approach to utilizing TA. The first phase in this process is reading and re-reading the gathered data to familiarize yourself with the participant's interviews. These interviews were digitally recorded and then transcribed to accomplish an appropriate understanding of the data, as noted by Byrne (2022). The second phase of the process entails the codes becoming the foundation of the data set, which will transform them into themes. The coding process is a commitment to producing concise, interesting information relevant to the research questions. This researcher's codes are brief, but

detailed in smaller manageable data sets of information. The third phase of the process starts when all the relevant and applicable data pieces have been coded. The focus of the research is on the dataset shifts, which commence from the interpretation of the participants' answers (Byrne, 2022). This is to determine the meaning and relevance across the dataset, thus generating themes (Byrne, 2022). During phase four, this researcher reviewed the themes to verify if all data collected supports the themes, and then applied ATLAS software to assist in identifying the relevance of sorted theme data.

The quantitative data was evaluated using SPSS, which helps analyze data accurately (Fitzgerald & Fitzgerald, 2014). Soilemezi and Linceviciute (2018) noted the technical advantages of using software in research and stated that documenting it can make the "analytical process more manageable" (p. 10). Consequently, qualitative software is valuable in the analytical process to separate data from more enormous sums into smaller sums, to allow coding and organizing the themes. Utilizing ATLAS as software for qualitative data analysis supports Braun and Clarke's (2006) six-phase process. ATLAS provides exceptional data management and retrieval capabilities that support analyzing the data and writing up the study (Soratto et al., 2020). ATLAS also helps to theorize and answer the researcher's questions by managing the ideas presented (Soratto et al., 2020). Storing the data with ATLAS has allowed the researcher to analyze and organize the text in a single data system platform. Soratto et al. (2020) also noted the descriptive use of ATLAS to support thematic analysis. Applying the ATLAS software has also permitted this researcher to analyze the various codes to determine worthy themes from the data collection.

In phase five, Braun and Clarke (2006) present defining the themes during the ongoing refinement analysis to create clear definitions and names for the themes. However, one may

question what the real meaning of the themes is, and if the overall analysis tells the story of the data collected. To answer this question, this research has related the themes during the final refinement phase, which helps to "identify the 'essence' of what each theme is about" (Braun & Clarke, 2006, p. 92).

The final step in the process and research is producing the written report. Braun and Clarke (2006) identify the final step (phase six) as the opportunity for the researcher to work out the final themes and analysis for the write-up. Concluding phase six, the researcher "provides a concise, coherent, logical, non-repetitive and interesting account of the story the data tell – within and across themes" (Braun & Clarke, 2006, p. 93). Although the analysis of qualitative data can pose its challenges, applying Braun and Clarke's (2006) thematic analysis six-phase framework can draw the data to make an argument for the proposed research questions.

Limitations

Creswell and Creswell (2018) discuss the importance of identifying the limitations of the researcher's study, as well as alternative explanations that can be derived from the limitations. The limitations in data collection for a clandestine phenomenon such as labor trafficking can be identified in an assortment of explanations. Despite collaborative efforts of both public and private sectors, the scale of labor trafficking in the US has not yet been sufficiently established (Enrile, 2018; Polaris Project, 2021; Stickle et al., 2020; United Nations Office on Drugs and Crime, 2021; US Department of Labor, 2020; US Department of State, 2021). There are limitations to pulling data on victims of labor trafficking in the US, including the number of victims identified and the available data, with the exception of a select few anti-trafficking NGOs with call centers (DoCarmo, 2020). Data collection from government agencies is limited (Barrick et al., 2020), and some estimates conflate the combination of sex and labor in the

umbrella term of human trafficking (Cockbain & Bowers, 2019). Furthermore, the data gathered by governments and NGOs have a fragmented portrait of how the traffickers exploit their victims due to the complexity of identifying and recording trafficking (Shephard et al., 2021). The spread of COVID-19 increased the risk of criminal organizations and private industry (seeking cheap labor) exploiting the labor crisis for monetary gain (Lucas & Landman, 2021). The COVID-19 pandemic has created situations that may have heightened the risk of trafficking and impeded the identification of victims trafficked (Todres & Diaz, 2021). International and domestic agencies (both public and private) do not report on the methods they utilize in estimating the number of victims of labor trafficking or modern-day slavery, especially during COVID-19. Government agencies, criminal justice organizations, and NGOs closed down during the pandemic, which may have also distorted data (Christ & Burritt, 2021). This strengthened this researcher's need for a generic qualitative research methodology and the necessity of exploring the experts' opinions on labor trafficking.

Further limitations for this researcher to consider were COVID-19-related issues. Some participants had job-related work-from-home accommodations to consider. These limitations are to be expected, but adequately timed requests by the researcher alleviated some of these issues. Preplanning of virtual meetings for interviews that were scheduled in advance ensured a smooth interview process. As conference organizers pivot from in-person to online conferences and lectures due to the pandemic and other reported outbreaks (World Health Organization, 2021), this researcher attended online training and lectures regarding human trafficking. This is to create collaboration and connection with a multitude of organizations, including federal, state, and local agencies, as well as NGOs.

All limitations in the interview process were evaluated; however, providing the participants (after they were selected) with the survey early in the process of the research improved the interview with much greater responses. The participant gathered the data needed to answer the questions and created a free-flowing verbiage of information not previously identified by the researcher. In preparation for the interviews, the following steps were used with all participants in this research:

1. Contributors were provided with the questionnaire before the semi-structured interview.
2. Contributors were given adequate time for the open-ended questions of the semi-structured interview.

By providing the questions in advance, contributors had plenty of opportunity to conduct research for their answers preceding the interview. All contributors had specific social distancing guidelines and hectic schedules. The interviewer made the most of the contributor's time during the interview to expedite the process. The sample group of this generic qualitative study was small but was deliberately selected from a field of experts in labor trafficking.

The Role of the Researcher

This researcher has organized the patterns and themes for a generic qualitative data collection as "…this approach typically uses data collection methods that elicit people's reports on their ideas about things that are outside themselves" (Percy et al., 2015, p. 79). According to Creswell and Creswell (2018), a qualitative approach consists of comments by the researcher "about their role and their self-reflection" but also "the specific type of qualitative strategy being used" (p. 293). The researcher's understanding of the participants, perceptional ideas of the phenomenon, or the experiences on a personal level could lead to bias in the study. According to Creswell (2007), researchers should acknowledge that their own experiences can

form their interpretation of “personal, cultural, and historical experiences” in their own lives (p. 21). This researcher's former role as a law enforcement officer in the New York City Police Department did not cause bias in the data collection.

Summary

This study describes the methodology that was developed for the study. The selection of participants and the type of systems perceived to be utilized in data analysis are key to the study. Moreover, thematic analysis with Braun and Clarke's (2006) six-phase process and purposive sampling assisted in establishing the credibility of the findings in this study. Finally, the prospect of interviewing various experts was exhilarating to the researcher in creating a valid study into the effects of COVID-19 on labor trafficking in the US.

Chapter 4: Findings

Introduction

This study aimed to develop an understanding of the impact of COVID-19 on labor trafficking in the United States (US). The demographic and locational data of the participants were clarified during the virtual face-to-face video conferencing interviews, which involved thirty-one (31) informal open-ended questions (Appendix). It was crucial for the interviewer to utilize participants in various states across the US. After the interview process was completed, five main themes were identified for analysis. This research's conclusions and the information derived will help to educate and assist academia, law enforcement, prosecutors, anti-trafficking organizations, and public officials in pursuing answers to attempt to eradicate labor trafficking in the US.

The conclusions drawn from this research will add to the currently limited literature on the least researched and investigated variable of human trafficking, which is the trafficking of persons for labor. Furthermore, this research will detect the need for future thorough studies of labor trafficking in the US.

Demographic Data

Turpin et al. (1997) recommend six (6) to eight (8) participants, and Yin (2009) suggests six (6) to ten (10) participants to have adequate data for a qualitative study. Seeing as this is a generic qualitative study encompassing the US, this researcher believed that a more significant number of participants would be appropriate. Sandelowski (1995) noted that experts suggest that a qualitative sample size of ten (10) participants is adequate, especially in a homogenous population. Subsequently, this researcher chose ten (10) as the appropriate sample size for data saturation.

Ten (10) prospective participants were evaluated and met the requirements for this study based on this researcher's human trafficking expert matrix. This matrix was created to ensure that the participant sample size met specific requirements in human trafficking as well as experience in labor trafficking. The main requirement for participants was that they have at least five years of expertise in human trafficking with experience in labor trafficking that encompassed the COVID-19 pandemic. All of the participants far exceeded these requirements. All of the participants had extensive careers in different agencies, departments, and NGOs ranging from narcotics, intelligence, organized crime, human trafficking, victim services, border operations, and large and small labor trafficking cases that advanced them to various types of task force units. Their previous and current work experiences provided a robust understanding and valuable knowledge for this study. Furthermore, the participants' experiences also allowed them to provide different characteristics of labor trafficking crossover into other crimes they investigated in the past.

Nine (9) of the ten (10) participants are former practitioners from the public sector in either federal, state, or local government agencies that had extensive contact with labor trafficking. The final participant is a career NGO employee in an anti-human trafficking organization with equal expertise in both labor and sex trafficking. Of the ten (10) participants, seven (7) are currently working in NGOs that are either investigating or conducting training in human trafficking, forced labor, and transnational organized crime. The other three (3) participants are researching, lecturing, reporting, and writing literature on human trafficking, forced labor, transnational organized crime, human smuggling, and border operations. Since labor trafficking has its tentacles in all these criminal elements, it was important for this study to have participants with expertise in these areas of labor trafficking.

The gender, racial makeup, ages, and working locality varied. The working locations of the participants were also crucial, as the study was comprised of the whole United States. Participants are located in the following states, two (2) Texas, one (1) California, one (1) Georgia, one (1) Iowa, one (1) New York, one (1) North Carolina, one (1) South Carolina, one (1) Tennessee, and one (1) Virginia. Eight (8) of the participants are males (6 white and 2 Hispanic) and two (2) females, both white. The participants were between the ages of 34 and 65, with a median age of 51.8 and a mean age of 51 (Table 1). All ten (10) participants have college degrees which include: three (3) with master's degrees (one participant has two master's degrees), six (6) with bachelor's degrees, and one (1) associate degree.

Table 1

Demographic Results

Participant #	Age	Race	Gender	Years Exp. HT*	Years Exp. LT*	Education
1	62	W	M	10	5	Bachelors
2	51	H	M	15	10	Bachelors
3	59	W	M	10	3	2 Masters
4	50	W	M	21	5	Associates
5	45	W	M	15	10	Bachelors
6	51	W	M	26	15	Bachelors
7	57	H	M	10	3	Bachelors
8	44	W	F	22	22	Masters
9	65	W	M	30	15	Bachelors
10	34	W	F	14	14	Masters

**Denotes years of experience with human trafficking*
***Denotes years of experience with labor trafficking*

Interview Questions

The semi-structured interviews consisted of thirty-one (31) open-ended questions. The questions have been provided below with the summarized responses of the participants. The questions were used as a guide to create conversation during the interview. Direct quotes are included when pertinent and appropriate to manifest context. An analysis of the responses

allowed this researcher to identify clear patterns of the emerging themes regarding the impact of COVID-19 on labor trafficking in the United States.

1. **How would you define labor trafficking?**

All the participants responded that labor trafficking is coerced forced labor for monetary gain. 50% of the participants essentially cited the definition from the federal statute of 2000, the Victims of Trafficking and Violence Protection Act (TVPA). This question was essential to allow the participants, if they chose, to expand upon the definition in their own words. They were able to apply their expertise to help distinguish if the current US code definitions are not adequate or detailed enough for the current state of labor trafficking.

Participant 2 stated, "My definition of labor trafficking is a modern form of slavery. Obviously, we have the official definition, the recruitment, harboring, transportation, provision or obtaining a person by force, fraud or coercion for services including debt bondage, slavery, involuntary servitude…." The scholarly construct of referring to human trafficking as a form of modern slavery has met with contention (Phung & Crane, 2019; Washburn et al., 2022), but 70% of the participants used the term "slavery" during their interviews and in their descriptions. Participant 6 expanded on the answer stating, "So to me, the definition of labor trafficking, and this will probably be different than you will hear from many people, is modern-day slavery. Uh, because when you're down there on the border, you're dealing with cartels who treat people as a commodity, and you see it in a mass scale and so to me when I see people treated through force, fraud, and coercion, that is where I get my definition from, and I see that on a mass scale when I'm down on the border."

The overall consensus of the participants could be summed up in Participant 8's answer, "…in my own layman's terms, it is exploiting somebody for work or something of monetary value to the trafficker."

2. **How would you classify labor trafficking in the United States?**

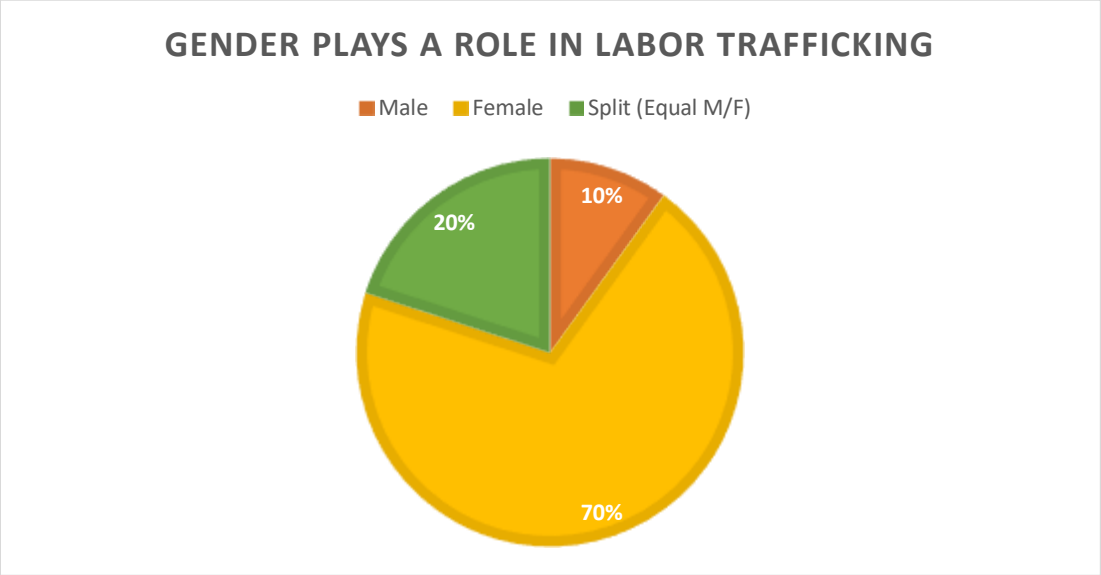
As expected by the researcher, the participants provided several different responses in classifying labor trafficking in the United States. The varied perspectives supported diverse views in classifying labor trafficking from the lens of participants in different parts of the United States. 50% of the participants believed classifying labor trafficking was describing the varying types of forced labor (i.e., construction, agriculture, domestic servitude, civil labor) or criminal forced labor (drug trafficking or sexual exploitation). For example, Participants 1 and 10 listed forced labor. Participant 1 stated, "I believe it's predominant, particularly in the agricultural industry, construction, restaurant, hospitality, landscaping, domestic housekeeping, exotic dancing, and now drug trafficking." Whereas, Participant 10 added several extra jobs to the description, "A few industries, so domestic work such as housekeepers, work in restaurants, the agricultural field, beauty services, construction, hotels, landscaping, entertainment, commercial cleaning services, manufacturing, mining, forestry, and then recreational facilities."

Three of the participants expanded their description of labor trafficking's classification as a human rights violation. Participant 3 noted, "I would classify it in the realm of, uh, human rights abuse, and I would also classify it as a criminal act… yeah, in the realm of kidnapping and, um, involuntary servitude." However, Participant 5 took a different perspective stating, "I would personally classify it as a human rights violation more than more than modern day slavery."

The participants were all in agreement with classifying labor trafficking as a crime against persons, but 40% of the participants took the opportunity to add modern-day slavery as a way to classify labor trafficking. As stated by Participant 7, "I would say it's modern-day slavery, you know, my definition labor trafficking is someone who truly is forced to be someplace and do something that they don't, not of their free will."

3. **Do you think gender plays a role in labor trafficking? Please explain and elaborate on your answer.**

Table 2



All the participants agreed that forced labor could be gender-specific, and victims could be categorized by the type of work they are forced or coerced to do. Men could be more prone to forced labor in the construction trade as Participant 5 was the only participant who identified that more men are trafficked for labor by his observations, "…here in [location removed] we have so much construction going on, so obviously males are um preferred in that arena, but where you have like the restaurants, female um are preferred to over the males so it kind of depends on the

arena you're talking about." Furthermore, Participant 10 concurred, adding, "When I was thinking about labor trafficking a few examples that I thought of was, for example, in the construction industry. They're more likely looking for males. So, I think that if we were to isolate that industry and look at the gender of those who are trafficked for labor there, it would be more likely male." While 70% of the participants surveyed believed gender plays a role, women are more vulnerable to labor trafficking (Table 2). Participant 9 stated, "I think that in my experience and then discussing the same type of situations with experts around the country, there are all types of people that are trafficked; however, females seem to be the most trafficked type of person that we experience." Nonetheless, Participant 8 explained gender role in forced labor in terms of women and children, stating, "sure, if you take a look at the modeling around power and control from the domestic violence movement and you look at the Duluth model that we've adopted for human trafficking, you can see right away that women and children are inherently vulnerable to being exploited. The power differentials, basic social marginalization, and status compared to none especially if you're talking about other cultures that are not egalitarian. Meaning that they're more patriarchal and women don't have as many rights compared to men. There's a lot of power and control dynamics and obviously with children the same thing. They're inherently vulnerable just because of their children."

30% of participants believed that there are no direct efforts on the traffickers' part to traffic women over men for labor work specifically. Participant 1 asserted that "I can't say that it particularly affects one gender more than another, depending on what field they're going into. I don't have information that would say one gender is particularly targeted more than another." Whereas Participant 4, using past investigations into trafficking cases, stated, "No, I don't think there's a significant role from gender. What we have seen here working as an NGO, as an

investigator doing human trafficking investigations… I see an even split so I haven't seen more males than females." Essentially, traffickers are equal opportunists and will traffic anyone for monetary gain. This is in contrast to a survey conducted by the Polaris Project (2022), which stated that labor trafficking victims that held different types of work visas for agriculture were men. Polaris Project (2022) stated, "The majority of the victims in Polaris's dataset are men, and the most significant source country is Mexico" (p. 10). Labor trafficking is a clandestine criminal operation with many victims not self-identifying. It is essential to note that the participants in this study are not only experts, but also stakeholders in the field observing the growing trends pre- and post-pandemic.

4. **Do you think age plays a role in labor trafficking? Please explain and elaborate on your answer.**

All of the participants responded similarly, that age does play a role in labor trafficking. Children are often the most vulnerable as they rely on adults for protection. The "…numbers overall would suggest that yes labor, child labor, and the age does take a place in that… the labor trafficking arena," as stated by Participant 2. "Yes! I think age has a lot to do with it, in the sense that we're seeing a lot of labor trafficking now involving children. Mainly because this particular crisis, or, you know, mass migration event is child-centric," Participant 3 stated regarding the recent influx of migration at the US-Mexico border. Under the Biden administration during the pandemic, unaccompanied minors (UC) were accepted into the US. Secretary Xavier Becerra (2021) of Health and Human Services stated, during the "fiscal year of 2021, an unprecedented number of UC referrals" were vetted into the US (p. 1). Participant 7 also supported this by stating, "I'm sure to a degree. Again, this is all my experiences and are anecdotal, so I don't have any statistics, so this is all what I've observed as an individual

investigator." Understanding that these experts are seeing this in the field is vital to fully comprehending the growing phenomenon of child labor. Participant 8 also supported this by stating, "I think more and more we are hearing that children are coming unaccompanied and being turned over to sponsors who are bad actors. Who are posing as someone that's a family member, relative or even a foster parent, who are actually looking to take advantage of these kids and put them into exploitive situations."

According to all the participants in this study, age plays a role because the youth and young adults are easily coerced by traffickers, which has also been acknowledged in previous research (Greenbaum et al., 2022; International Labour Office and United Nations Children's Fund, 2021; Washburn et al., 2022).

5. **Do you think COVID-19 has played a role in labor trafficking in the United States? Please explain and elaborate on your answer.**

Most (90%) of the participants stated that COVID-19 played a role in labor trafficking by creating lockdowns and supply shortages, creating a demand for workers that migrants were augmenting. For example, Participant 1 expressed it as, "Absolutely. Yeah, so I think the COVID lockdown created a void in US workers so that being coupled with a poor Southern border created a demand for workers and an opportunity for smugglers, and traffickers to exploit those vulnerable migrants, particularly to drug cartels in Mexico." Participant 2 utilized his observations with research he has conducted for training he provides on labor trafficking by stating, "I think it was a 70% increase during the first six months and that included forced, forced labor as well there. So certainly, I think that COVID-19 played a major role in labor trafficking in the US." However, Participant 10 gave the best overall description for the question by stating,

"I think the answer is yes, and specific to the COVID pandemic it created fear, it created a vulnerability."

All participants referred to the victims of labor trafficking during COVID from a migrant lens, utilizing several elements of labor trafficking in their explanation for this question. The elements mentioned by the participants included force, coercion, debt bondage, involuntary servitude, exploitation, increased migration, peonage, and vulnerabilities in their answers. During the COVID-19 pandemic, supply chains started to suffer, and panic was setting in, which caused shortages in toilet paper, paper towels, baby formula, and building materials. These shortages were due to labor shortages in factories and industries. Participant 9 asserted, "COVID-19 caused a massive shutdown of businesses due to loss of workers which left a major void in labor. Therefore, that labor shortage was answered by labor traffickers who trafficked persons into businesses across the US to fill that shortage."

Participant 7 did not feel COVID-19 affected labor trafficking because he continued to see a steady flow of undocumented migrants being utilized in criminal enterprises. Participant 7 supported this with his observations stating, "The labor trafficking they [transnational organized crime] used to achieve those goals [illicit activities] didn't slow down during COVID-19." From Participant 7's view, the continuous flow of migrants was not hampered by the pandemic. Based on Participant 7's analogy, "Why would that stop the illegal immigrants from crossing the border," one could surmise that if borders are shut down, and there is still a constant flow of undocumented migrants, traffickers may have actually stepped up their trafficking. This could be supported by Participant 4, stating, "I think it drove the migrant population and those praying on those vulnerable in here just that much more" when referring to COVID-19's effect on labor. Furthermore, Participant 6 stressed, "Under Title 42, and mass migration, we know definitely

under COVID, and different policies were put in place that caused mass migration which allowed the cartels to bring many people into the fold of debt bondage, which is human trafficking."

6. **Do you think COVID-19 travel restrictions have had an effect on labor trafficking in the United States? Please explain and elaborate on your answer.**

All the participants agreed that travel restrictions affected everyone's travel, but most (80%) believed the COVID-19 travel restrictions specifically affected labor trafficking. The participants identified many reasons, with many believing migrants with working visas suffered the most. Participant 1 detailed travel restrictions for migrant visa holders, "I believe the primary effect would've been on the recipients of the H1B and H2B Visas, so those migrant workers were dependent on traveling into the US on deployment, so the travel restrictions made it necessary for those migrants to seek other elicit forms of transportation which exposed them to potential exploitation." This was also recognized in Polaris Project's (2022) temporary visa report on their national hotline. Participant 4 supported this analysis by stating, "Our numbers went up… I think the primary effect would have been on people with actual visas, I think H1B and H2B visas would have had the most effect." Migrants that entered the country on visas became overstays and were forced to work to support their families, leaving them vulnerable to employers cutting their pay or forcing them to stay by taking possession of the migrant's documents. Employers would extort labor under duress as a bargaining tool to keep the workers (Caruana et al., 2021).

Participants also described other issues with COVID-19 travel restrictions, which triggered forced labor. Participant 8 defined another characteristic of forced labor: "Yeah, I think domestically, whether it's foreign nationals, illegal immigrants or even children, I think we

saw people more go into the 'gig economy'." Van Doorn et al. (2022) noted that globally, gig economies are supported by migrant workers.

Participants 6 and 9 connected that the travel restrictions caused transnational organized crime to step up their efforts in trafficking. Participant 6 stated, "CDG [Cartel del Golfo] was putting wristbands on men, women, and children, and in Roma, TX. Now they were doing that because they were forcing people into a new form of debt bondage that we had never seen previously" to account for the mass migrant due to COVID. Participant 9 asserted that "these travel restrictions also caused migrants to turn to human smugglers and traffickers for travel across the border to get into and sometimes out of the US … which enabled labor and other traffickers to force migrants into labor slavery-facilitated jobs throughout the US."

7. **In your expert opinion, who was more prone to fall victim to labor trafficking during the COVID-19 pandemic, US citizens or non-citizen migrants? Please explain and elaborate on your answer.**

All the participants believed non-citizen migrants were more prone to fall victim to labor trafficking during the pandemic and, most specifically, stated that mass migration at the border was an influence. Migrants are often victimized, as Participant 10 offered, "because I think those levels of vulnerability, that risk, those push-pull factors for non-US citizens attempting to cross the border for a better life." As government services were limited or even shut down, several participants recognized that traffickers saw an opportunity to accelerate their efforts. Participant 2 explained, "During the pandemic, I think it actually kind of exploded, as well, for our non-citizens," which produced more illegal border crossings. Participant 6 had the same opinion stating, "non-citizens by far, just because of the mass migration that is taking place. They by far, have been most impacted and affected at an unprecedented scale."

8. **Do you think Title 42 played a role in labor trafficking during the pandemic? Please explain and elaborate on your answer.**

Almost all (90%) participants believed Title 42 played a role in labor trafficking because it pushed back migrants and gave them no other alternative than to be smuggled or trafficked into the United States. In addition, the effects of the pandemic were felt globally, as the workforce decreased with travel bans, social distancing, and business closures. This created vulnerabilities for migrants.

Many of the participants cited the change in presidential administrations during the pandemic, Trump to Biden, also affected Title 42, which played a more significant role in labor trafficking. Participant 2 identified it as "child trafficking, whether labor or sex, that number certainly is on the rise here and this may have an effect on that as well since we're having unaccompanied minors or families entered into the US under Title 42." Under the Trump administration, nearly everyone crossing the border was expelled into Mexico, including asylum seekers. The Biden administration changed Title 42 to accept unaccompanied minors and family units. Participant 3 explained, "unaccompanied minors from Title 42 pushbacks, which means that all…these minors without guardians, hundreds of thousands actually, poured into the country." Several participants stated that this placed many children at risk to the traffickers. Participant 10 described, "Title 42 that happened during COVID, at the border…we see, and with that kind of smuggling and human trafficking overlay that I think probably happened at higher rates during the pandemic."

Participant 1 believed Title 42 itself did not affect labor trafficking but did assert that "our failure to enforce immigration laws and encourage illegal border crossing kind of makes us

complicit" and the "lack of renewing that [Title 42] is going to make it- labor trafficking, a thousand times worse."

9. **Do you think migrant temporary visa holders were vulnerable to labor trafficking in the United States during the COVID-19 pandemic? Please explain and elaborate on your answer.**

Eight (8) out of ten (10) participants (80%) believed temporary visa holders were extremely vulnerable to labor trafficking during the pandemic, with several of them explicitly mentioning the types of visas. H1 visa programs were created to fulfill the labor market in various jobs, and H2 visa programs were for non-agricultural work (Polaris Project, 2022). Participant 4 provided a valuable opinion stating, "because everybody was locked down from law enforcement to the general citizen. So, nobody on the state side and/or the Department of Labor would have been monitoring those particular visas" to ensure employers were not taking advantage of these visa holders. Participant 8 added another opinion for consideration, "Yes, they [visa holders] always are, especially as they finish their visa time, employers take their documents and hold them as a tactic." Participant 10 expressed the belief, "when their visas expire, I think that they're at very high risk for trafficking and one of my kind of… I think on the side is when we look at the H1 and H2 visas. I think that our policies on those need to be completely revamped in the US because of the tie to labor trafficking." Participant 2 summated that visa holders are victims, "I should say forced into that labor even beyond that visa program."

There were two participants who abstained from this question because they did not have enough contact with migrant visa holders to provide firsthand experiences. Both participants were willing to hypothesize based on their expertise but decided not to provide an opinion.

10. **Do you feel examining US Citizens and non-Citizens is an important aspect of law enforcement's ability to police labor trafficking, particularly when understanding factors that "pull" and/or "push" someone into the forced labor funnel? Please explain and elaborate on your answer.**

All participants agreed that it is essential to understand the vulnerabilities of the victims' travels in the push-pull factors, funneling forced labor. As stated by Participant 2, "I think if you are going to go into these pushes and pull and you're going to get into that, into that funnel, I mean obviously they're going to be promised whether they're from this country or another country, they're going to be promised something falsely." Participant 2 further added, "when they get into that funnel, certainly have a high displacement, then they come from a country with a high displacement of conflict or poverty, unstable housing which could affect US citizens and undocumented citizens as well."

The societal and economic conditions for an individual's originating country can be associated with the theoretical framework of the push-pull factor (Fernandes et al., 2020; International Organization for Migration, 2022). Participant 3 stated, "People who are, um, you know, impoverished and seeking economic expansion and opportunity for themselves make themselves more willing to take on risks to get to where they're going." Those risks harm families when being pushed from their country to the US for a better life. Even if it means committing a criminal act to achieve their economic goals." Participant 7 expressed, "People definitely are vulnerable, and you know, it's unfortunate because you know, when you go to these [illegal] cannabis farms, they're obviously breaking the law, but in a lot of respects, they're truly victims." Persons trafficked and forced to work on illegal cannabis farms are common in

the US (Zdinjak, 2022). These states include but are not limited to California, Oregon, and Washington (Weintraub et al., 2022).

11. **Do you feel understanding the root cause (like push/push factors) that funnels people into labor trafficking can lead to a better understanding of the vulnerabilities immigrant populations will encounter in the United States? Please explain and elaborate on your answer.**

All the participants believed that understanding the root cause is essential through education, training, or research. 90% of them agreed that studying the push and pull factors creates a better understanding of the vulnerabilities of migrants. However, Participant 3 felt that there needs to be more research done to create that expertise for recognizing the funneling factors. Participant 3 suggested, "I think there's a ton of, um, partisan politics that frame the narrative about the push factors… and push and pull factors, and not enough objective analysis or research about it." Similarly, Participant 10 theorized, "First have to have a deep understanding of it and I think that this also includes research like what you're doing and longitudinal research looking at this so that we can make informed and data-driven policy decisions that then lead to education."

Participant 8 expanded with a different analogy, "Yes, but I think we also need to resist *mission creep.*" Participant 8 believes there are well-meaning people who are pursuing the push-pull factors for understanding, but are overlooking the actual human trafficking mission, which is helping the victims.

12. **In your expert opinion, what vulnerabilities would make someone prone to labor trafficking? Please explain and elaborate on your answer.**

All the participants believed the migrants' immigration status coupled with their trek into the US are their principal vulnerabilities, making them prone to labor trafficking. Participants 1 and 6 added that the issues with the Southern (US-Mexico) border during the COVID-19 pandemic, combined with the illicit activities of the cartels, also increased the victims' vulnerabilities. Participant 8 provided an excellent hypothesis for the difficulties facing migrants, "I think the person has a need, the traffickers tell them they're going to help them, they do not realize that they are being lured and groomed to some sort of criminal scheme."

This researcher was expecting varying answers to this question, as the vulnerabilities can be numerous when someone falls victim to labor trafficking. However, most participants also added financial and economic status as justification migrants leave their originating country for a better life. Participant 1 stated, "The pull is the basic human instinct for wanting a better, more prosperous life." While Participant 3 provided, "They're [migrants] going to be economically stressed, right, and especially vulnerable to manipulation" when describing the victim's family circumstances leading to trafficking. Participant 8 stated, "Whether it is financial, a place to stay, or for food, I think that can create vulnerabilities that would make them more prone to labor trafficking," relating to the needs of migrant victims. Participant 9 also agreed with the "lack of education, people come from low socioeconomic situations because you know, they don't have anything, and they want to go somewhere where they know they can have something." Finally, Participant 5 recognizes another element to consider, "people [US citizens] with negative marks on their record [criminal past] can obviously, you know, be taking advantage of just as easily as people in the from the foreign community [migrants]."

Participants 2, 9, and 10 also associated language barriers as another variable to consider for the victim's vulnerability to labor traffickers. These vulnerabilities "put these people in the

hands of the folks [cartels] that they don't truly understand," as Participant 6 described it. However, Participant 7 summed it up best, stating, "There's all sorts of different reasons that people want to come to the United States for an opportunity and they'll do anything you know it's almost for lack of a better term sells their soul temporarily to get here."

13. Do you think foreign policy played a role in labor trafficking in the United States during the pandemic? Please explain and elaborate on your answer.

A majority (80%) of the participants believed foreign policy played a role in labor trafficking in the United States during COVID-19. However, two participants (5 and 7) did not believe foreign policy affected labor trafficking because traffickers have a constant flow of victims crossing the border whether there is policy created or not.

During Title 42, the US government had to work with the Mexican government to accept migrants turned away at the border. Participant 1 asserted the opinion that the Mexican government was not working with the US during the pandemic by stating, "First and foremost, the refusal of our government to enforce immigration laws has created an atmosphere that it's ok to sneak across our border, disregard the legal process that's required to become a US citizen." While Participant 2 stated, "I want to say in 2022 was it, what was it… 2 1/2 million or more than two and a half… 2.76 million undocumented people that came into the US which is a record number that year, so certainly that had an effect on foreign policy." Customs Border Patrol (CBP) reports for the 2022 fiscal year, there were 2,766,582 for total enforcement action through encounters. Participant 6 also believed that foreign policy had a role by stating, "I know it did! …Stopping the migration protection protocols is one of them, right. …known as MPP, excluding, and creating exemptions to Title 42, I mean, those things are well documented, that's not a perception, that's not a feeling, that's documented as push-pull factors." This may have

aided the transnational organized crime syndicates, as Participant 9 emphasized, “And the apparent foreign policy of many foreign countries especially Mexico contributed to the increase in trafficking crimes by transnational organized crime groups.”

Foreign policy was also used to ensure that foreign industry was not using forced labor abroad during supply chain shortages. Participant 8 confirmed this by stating, “I saw the effect of COVID-19 on worker situations abroad and from a foreign policy perspective, we did not want to be complicit by purchasing those goods. As the US government leveraged tariff acts, obviously now we have the labor force prevention act.”

14. Do you believe TOC organizations influenced labor trafficking during the COVID-19 pandemic?

a. Please explain which TOC networks are and how they influence labor trafficking.

All participants believe transnational organized crime (TOC) influences labor trafficking and continues their illicit activities during COVID-19. Also, all the participants had the same opinion regarding the second question: Mexican cartels are the leading cause of migrant trafficking for forced labor. Participants 5, 7, 8, and 9 also included Chinese organized crime syndicates in their answers. Participant 9 added several Latin American street gangs (i.e., Mara Salvatrucha [MS13], Surenos, and Mexican Mafia) working with the Mexican Cartels in their clandestine operations. Participant 9 explained it in this context, “Mexican drug trafficking organizations like the drug cartels, such as Sinaloa, Gulf Cartel, the Zetas, the Cartel Jalisco New Generation [CJNG], the Guadalajara Cartel, the Ochoa Cartel, and so on.” Then, Participant 9 added, “Others that are also considered transnational organized criminal organizations, such as MS13, Mara Salvatrucha. Again, that's international scope, the Surenos and the Mexican mafia,

which is international scope." The US Department of Justice (2021a) announced the arrests of fourteen (14) MS-13 members, charging them with terrorism offenses and working with cartels. These MS-13 gang members have been working with several Mexican Cartels in the United States, Mexico, El Salvador, Honduras, and Guatemala, trafficking humans, weapons, and narcotics (US Department of Justice, 2021a).

Participant 6 explained that the Mexican Cartels have been able to prey on more people because of the enormous influx of people at the border. To ensure that they pay off their debt bondage through labor trafficking, the cartels developed a wristband to monitor their biggest commodity, migrant victims. Participant 6 stated, "US Border Patrol agents trying to keep up with people crossing in mass scale, so was the cartel. And that's what the wristbands were all about, when you entered a stash house, if you didn't have a wristband you had to go through a process, where you gave up all your PII data, all your family's PII [Personal Identifiable Information] data, then they, the smuggler, would call on your cell phone to your family. Validate that you live there, and let's say you're a Mexican citizen, the cross [border crossing] was $2500 bucks, we had $500, you gave everything you had, and then you promised to pay." This promise by the migrants to pay shifted the migrant from being a smuggled person to a person labor trafficked for debt bondage. These wristbands ensure the cartels account for their migrants who owe money after they enter the United States.

15. In your expert opinion, are many labor traffickers associated with TOC organizations? Please explain and elaborate on your answer.

All participants agreed that labor traffickers are associated with transnational organized crime (TOC) organizations. Participant 3 originally stated, "No, I don't think so," but then changed his answer, expressing, "Everybody [migrants] I've ever talked to coming across, they

paid in full in advance. I was just thinking in terms of, umm, you know, if you owe the cartel $5000 and you know that's a kind of labor trafficking." Participant 3 believes more data and research is needed to present a more defined model of traffickers and organized crime. Participant 2 conveyed a more distinctive opinion, "Yeah, so not only in my opinion but I would say maybe a good one to say was in my experience, yes." Jones and Sullivan (2019) noted that cartels are not only drug trafficking criminal enterprises, but also human traffickers for profit.

All the participants expressed that either the traffickers are part of the TOCs or are associated with them. Participant 5 also identified the cartels' connection to traffickers stating, "They have to operate with the blessing of a cartel or whatever craft group is in control of that specific geographical area." Most of the participants' opinions were based on firsthand experiences interviewing the victims of human trafficking during their careers.

16. Do you believe traffickers increased their efforts in trafficking people for labor during the pandemic? Please explain and elaborate on your answer.

Most of the participants (90%) agreed that labor trafficking increased during the pandemic. One Participant believes labor trafficking is a continuous operation, so it did not increase or decrease. United Nations Office on Drugs and Crime (2022) researched the pandemic's economic crises, which they recognized as producing forced displacement and a continued change to the human community. This caused stressors and drivers, leaving more people vulnerable to exploitation and trafficking of persons (International Organization for Migration, 2022; United Nations Office on Drugs and Crime, 2022). In addition, industry closures caused gaps in the supply chain, as Participant 1 explained, "I mean those voids of workers had to be filled and those traffickers filled those voids, and they tripled their profits."

According to Participant 5, “They [labor traffickers] wanted to make sure that the construction sites were still full [migrant workers], you know, they wanted to make sure that, you know, whatever jobs they could secure…in the construction industry or, you know, even in what little was left of the restaurant industry.” The pandemic caused disruptions in the supply chains for food provisions, building materials, and medical supplies, causing a global panic for migration (International Organization for Migration, 2022).

Federal, state, and local law enforcement were also disrupted in their abilities to police criminality on levels, including human trafficking. This allowed traffickers to operate with less law enforcement oversight. Participant 7 stated, “Maybe a little bit of an increase because you know law enforcement was having difficulty working because of the pandemic.” This was more evident at the border as Participant 6 added, “Yes, and then at the same time as we took those [migrants], as we began removing those different requirements under Title 42, then you had to pull factor that sucked them right in. And right into the hands of the awaiting transnational criminal organizations.” With few law enforcement activities at the border, traffickers had less oversight and a greater ability to human traffic, thus filling those job voids with forced labor for monetary gain. According to Participant 10, “Like research shows us, I think upwards of like 79% of victims are exploited and trafficked in their home country.” Participant 10 then added, “I think labor trafficking is where we're going to see higher rates of that, and transportation is, I think, it's more a key in the labor trafficking aspect of it.”

17. **Did the COVID-19 pandemic exacerbate or illuminate the possibility that sanctuary cities provide refuge or a haven for human traffickers to operate in these states or cities, especially for forced labor? Please explain and elaborate on your answer.**

All the participants believe sanctuary cities and states provide refuge to human traffickers and create an atmosphere of forced labor, especially during the pandemic. Sanctuary states and cities created local laws to protect undocumented immigrants from deportation or persecution by not working with federal agencies (Burgess, 2023). It has been a political issue that has caused partisanship on both sides of the political aisle in the United States. Many of the participants agreed that it is a political hot topic, but believe it limits law enforcement's ability to police human trafficking. Participant 2 phrased his opinion by stating, "I know there was a big battle and we're not supposed to get political about it but certainly there was a big court debate, political debate about that whether they can reach to those areas being a sanctuary to remove them [traffickers], deport them, hold them accountable, or prosecute them... and whether those sanctuary cities or states would allow that, so certainly, I certainly believe that even in those sanctuary cities or states."

Participant 5 expressed his opinion not based on politics stating, "Yes, and that is not a, you know, spoken from, uh, Democratic or a Republican point of view. It is spoken from a reality point of view, and the reality is, you know, the laws were laxed in those areas [sanctuary cities], so whenever a law gets laxed, people take advantage of it."

Participant 6 asserted the opinion, "from the criminal standpoint they will always take the path where they will find the least resistance and then that's why we will see most of these kind of problems metastasize themselves in these areas where they don't have prosecution, or they have a large pool of migrants to abuse." Participant 6 then went on to describe working closely with the police in Houston (which is a sanctuary city). Participant 6 described the working relationship, "I worked very closely with their human trafficking unit, you know, one of the best

in the nation, by the way. Totally overrun, that unit's totally overrun with work, they can't keep up."

Participant 7 stated that the traffickers embed themselves with the victims, so law enforcement cannot identify the difference between the two, because law enforcement cannot contact federal partners for assistance. Participant 7 stated, "It's kind of like, a wolf hiding in sheep's clothing, right? Um, so, I don't think, you know, law enforcement tries to recognize who the traffickers are, and who the traffickees are, you know who the victims are, but to the best of our ability." Participant 7 also explained the difference between a sanctuary city for victims and traffickers by adding, "I think the sanctuary city policy, is a good thing for the victims, especially, you know, it's not forcing, you know, it helps not treat those people as, you know, as criminals. Um, but I think, you know, it can help the traffickers to a degree, because they can, you know, in a quick investigation it's hard to tell who the trafficker is, and who the traffickee is."

Participant 8 said, "Yes and police should be allowed to work with ICE [Immigration Customs Enforcement]." Participant 8 also explained, "I can't even believe that we have mayors and governors who are saying, I don't care if they are aggravated felons who may or may not be convicted of trafficking offenses, child sexual exploitation, child pornography or other crimes including felonies, and not have them deported." Participant 8 also wanted to explain how it affects the victims, stating, "Everyone can have a sympathetic heart to people who find themselves here in a labor scheme, but when we're talking about sanctuary cities. They are providing safe harbor not just to the folks who are here under whatever the auspices of their journey, but additionally like we were just so hampered." Participant 8 stated they were hampered because "The advocates know this, but what they are chasing after at the end of the

day is to completely move away from a criminal justice approach and to go to a public health approach."

Participant 9 simply said, "Yes, COVID-19 definitely exacerbated the situations in sanctuary cities and states that provided refuge for human traffickers to operate in those cities and states, especially for forced labor."

18. **In your expert opinion, do you think there should be a separate federal agency assigned to investigate just labor trafficking? Please explain and elaborate on your answer.**

This question elicited a 70/30 split between the participants' opinions. Participants 1, 3, 4, 5, 6, 9, and 10 believe a separate agency should investigate labor trafficking or, at minimum, just human trafficking. Human trafficking is a convoluted crime encompassing international border crossings, undocumented migrants, US citizens, transnational organized crime, street gangs, agricultural, hospitality, corporations, and labor industry that several participants believe is too vast for the FBI and HSI to handle. According to Participant 10, "You've got both the FBI and HSI having federal jurisdiction and one leaning I guess a little bit more towards sex trafficking and one leaning a little bit more towards labor, then you've got the blue campaign. It's confusing, even as a practitioner in the fields for almost 14 years, it's confusing to me!" Participant 4 added the combination of federal and local issues stating, "Yes there needs to be because it's a unique crime in itself. I can account… and when I teach human trafficking classes I give five specific examples of where I've missed human trafficking. Two of those were classic straight-up 100% labor trafficking cases that happened while I was working in uniform, doing a patrol response to a call. So yes, it is a very unique thing." The lack of training for local law enforcement to inform federal partners is also an issue and can hurt victims of human trafficking.

Farrell et al. (2019) researched police agencies' training and abilities to recognize human trafficking victims and found it remains low.

Participant 6 feels one federal agency investigating human trafficking will suffice, stating, “I think the human trafficking realm will have its own federal law enforcement agency. Ahh, and I also believe that there will not be a local or state law enforcement agency anywhere in this country that won't be investigating labor. Or any type of trafficking, because this is going to be modern-day slavery, is now here in the United States, period.”

Participant 5 explained that when investigating human trafficking, the differences between the two variables (sex and labor) support his opinion of having one federal agency for labor trafficking. According to Participant 5, “You have to approach them [labor and sex trafficking] in a different manner, so they should be definitely separated and worked and in the two different categories. Obviously, trafficking is trafficking, but you know when you get there the labor trafficking and the sex trafficking take two different turns.” This statement can coincide with Participant 10's additional statement, **“**If there was one agency solely committed equally to both labor and sex trafficking, both of them would have a fair share of the spotlight I guess, but then they would be able to give directives, they would have the authority to inform other agencies.”

Participants 2, 7, and 8 feel there should not be a separate agency, but revamping the current policies for a more cohesive task force would suffice. Politics and reform advocates push for changes that Participant 8 sees as an issue stating, “There's a big shift trying to move people away from criminal justice approach and the advocates have tarnished the name of ICE. People are saying we should give it to the Department of Labor, but they do not have criminal authority, they have only administrative.”

19. Given the clandestine operations of human trafficking, can federal, state, and local law enforcement agencies police labor trafficking in the United States? Please explain and elaborate on your answer.

The participants were split 70/30 in favor of law enforcement being able to police labor trafficking in the United States. Participant 8 offered a single response stating, "Yes, they need the resources for the mission." Participant 9 believes, "With more effective training, a commitment from police leaders, prosecutors, and additional intelligence resources, I think local, state, and federal law enforcement can easily police labor trafficking." Many participants believed that controlling the border, training law enforcement, and collaborating could assist in policing labor trafficking in the United States.

Three participants (1, 5, and 10) expressed the opinion that the current state of the border, combined with immigration and migrants not self-identifying to law enforcement makes it an improbable task. Participant 1 noted, "It can be done, but it's not going to be, it's not going to be productive." Participant 5 based his opinion on the statement, "there's not enough cops out there, there's not enough training and these cases are pretty much lengthy."

Participant 10 provided a theory that it is not just a law enforcement issue, stating, "I don't think the answer to eradicating human trafficking is just policing, in my opinion. So, we can't police our way out of a problem that's so complex and deeply rooted in policies such as immigration or societal and society norms, um, so I really believe that it has to be a multidisciplinary approach with everybody working towards a common goal but working in their sphere of influence and jurisdiction to coordinate and collaborate." Participant 10 added, "I think that it's kind of unfairly pegs this as a law enforcement problem, and I don't think that this is just a law enforcement problem."

20. Do you think federal, state, and local law enforcement agencies were policing labor trafficking in the United States during the pandemic? Please explain and elaborate on your answer.

Most of the participants believed there may have been some enforcement of labor trafficking, but they could not speak to all agencies across the United States without sufficient data. Only one Participant (3) would not provide an answer without sufficient information or data. Most participants believed that if the agencies were, it would have been significantly decreased as federal agencies predominantly worked from home or social distancing. State and local agencies were preoccupied with supporting medical staff and health departments. The Department of Justice's (2021b) noted this in their COPS Dispatch, stating police were enforcing "shutdowns, social distancing, and similar rules," adding demands on already strained agencies but also substantial operational challenges that posed health risks to officers (p. 1). Participant 1 answered, "I doubt it, but it's possible. I believe most law enforcement agencies were preoccupied with the ongoing civil unrest and the pandemic itself." Participant 2 responded similarly, "I think there was a big scale back a lot of law enforcement, not only on the level of human trafficking whether sex or labor. But I think they scaled back on just about everything."

Participant 5 was more boisterous, providing details while he was assigned to a human trafficking unit during the pandemic, stating "No, not to the scale that it needed to be. I know on a local level we were told, actually at one point, to not have any contact with people that were in the um, you know, possible victims and unless we were called out on a specific call out. But not to do anything proactive, so I'm sure the federal government was told the same exact thing as the local law enforcement."

Participant 8 recognized that the pandemic affected the federal agencies involved with labor trafficking, “People were asked to work from home, which means they were not out as much. I know, depending on which office it was of HSI, they were still doing more site enforcement. If they were getting leads on labor trafficking, they were investigating them, so I think it kind of just depends because I hear mixed reviews.”

Participant 9 further explained, “I think that they were trying, but I think that manpower shortages hurt them, their abilities that were related to COVID-19. Sicknesses… investigative and specialized units were directed to stay home and on call a lot of the time.” Conversely, Participant 10 added a general knowledge of all agencies stating, “I think it was incredibly difficult for law enforcement agencies across the board on any level to do their job during the pandemic, period.”

21. Did civil unrest that occurred throughout COVID-19 exacerbate the human trafficking problem? Please explain and elaborate on your answer.

All the participants had the same responses to this question that civil unrest exacerbated the human trafficking problem because “without question, it drained law enforcement resources tremendously” (Participant 1). Police agencies that typically have plain clothes investigative units reassigned their staff to other tasks. Participant 3 stated, “I think a lot of police officers were, uh, like investigators, had to go get uniforms.” According to Croce and Nicole-Berva's (2023) research on civil disobedience during the pandemic, if police officers are not policing civil unrest, society cannot function at any level. Accordingly, police agencies must reassign officers' duties to crowd control, public safety, and criminality over investigating long-term investigations such as labor trafficking.

Many participants provided firsthand experiences based on their practitioner experiences during COVID and in specialized investigative units. For example, Participant 2 shared some of the police experiences stating, “Law enforcement's involvement during that time period was certainly diverted to other areas of unrest.” Participant 4 stated, “Law enforcement was tied up, they were trying to minimize the exposure [COVID-19] with everyone else… but then they had to deal with civil unrest.” Participant 5 was redirected from investigating human trafficking and stated, “Our unit, after the civil unrest that occurred after the George Floyd incident, which would happen during the pandemic obviously, umm our unit was pulled to patrol downtown [location removed] on the midnight shift.”

Participant 7 shared the experience stating, “because it took law enforcement away from, you know, their assignments, you know, their interdiction assignments, just, you know, to, to have to deal with these riots.” Participant 10 also presented a resemblance of that statement, “two state agencies that have human trafficking units, Tennessee and Maryland, reassigned their agents, they got reassigned to be able to focus on, actually, some of the civil unrest stuff.”

Industries such as restaurants and hospitality businesses were also struggling during the pandemic and civil unrest, thus closing their doors to prevent looting and damage to property. Participant 8 explained, “We here in [location removed] had a lot of unrest during COVID-19 and a lot of businesses went out. People had to close down, because of the shutdown initially to begin with and then their businesses were phased out, which pushed out a lot of workers. That's when we saw a lot of gig economy, so I think it did because you could not even conduct business.”

Participant 9 was avid about answering the question stating, “Oh yes, and in a variety of ways. Such ways like the redirection of law enforcement resources to concentrate on civil unrest

sites, which are often prolonged and involve other crimes such as vandalism, shootings, robberies, massive retail theft crimes, and others."

22. Did defunding law enforcement movements that occurred during the COVID-19 pandemic leave fewer resources available to have specialized human trafficking units? Please explain and elaborate on your answer.

All of the participants provided the opinion that defunding police movements that occurred during the pandemic left fewer resources for human trafficking units nationally, similar to question 21. Many of the participants provided similar answers to both questions (21 and 22) because both civil unrest and defunding police movements were occurring during the height of the pandemic. These questions were vital to evaluating stressors to human trafficking units or policing labor trafficking during the pandemic. Participant 5 stated that although the unit was reassigned, defunding the police department was not an issue for his agency, but he acknowledged it nationally. Participant 5 explained, "I didn't experience that part so… I did see it on a national scale, you know other cities, you know, they're funding was cut so there was less police, so there was less and more problems."

Participant 4 suggested, "Yes, because they pulled individuals out of those specialized units and had to put them back in uniform to answer calls, due to the shortages." Similarly, Participant 6 stated, "Yes! …you would have pulled resources to help with other issues going on, which would've impacted, ultimately." Finally, Participant 9 advised that it "definitely left fewer resources available to have specialized human trafficking units or units typically investigating human trafficking, less resources for other units and personnel which have a better chance of encountering human trafficking."

Participant 8 provided a federal perspective for funding agencies stating, “From a federal government perspective, we were scraping together as much money as we could, to push out to the field. Whether that was non-for-profits or state and local law enforcement because we just knew that money was not coming from certain states or local municipalities.”

23. **Do you think the COVID-19 pandemic illustrated the need for law enforcement and private anti-trafficking non-government organizations (NGOs) to assist each other by hiring private investigators to identify victims and traffickers? Please explain and elaborate on your answer.**

Participant 1 expressed the comparable opinion of all the participants stating, “Absolutely, that's exactly what we do, here. So yes, yes!” as all the participants agreed on government and non-government partnerships in combatting human trafficking. The participants believed it would help law enforcement agencies fight trafficking as “a force multiplier” (Participant 4).

According to Hounmenou and O'Grady (2021), private investigators trained in human trafficking could assist law enforcement in aiding victims of trafficking and pursuing traffickers for prosecution. However, Hounmenou and O'Grady (2021) did identify that this is not without its issues, as law enforcement tends not to share information or work with private agencies. This was confirmed via Participant 2, stating the following as a retired officer, “Even though we might have someone that could work this case and lead this unit, but he retired so therefore we can't use him.” Several participants acknowledge that retired law enforcement working in NGOs investigating human trafficking is still not received well by law enforcement agencies. Participant 5 added, “when law enforcement works with the local NGO's… and licensed private investigators, um, obviously speaking, I was in law enforcement and now I am a private

investigator, so I will say that law enforcement would have to vet and screen these individuals very closely" regarding trusting PIs in investigations.

Participant 3 agrees with the private and public partnership but emphasizes, "If done properly, uh, I mean there's really no replacement for law enforcement investigation." Participant 6 took a more hardline approach by declaring, "I believe not only is that what's coming, um, it will be required. The crime problem that we are dealing with, not only currently in the state of [state removed], but in the future, has changed everything. The government agencies are not capable of handling the influx [migrants] of what we are seeing right now."

Participant 8 has concerns about the sensitivity of law enforcement investigations being absorbed by private agencies. However, Participant 8 believes it is necessary to explain, "There is a place for that obviously, even in the private sector, we support the investigative side behind the scenes. We do parallel reconstruction; I mean, there's a way to do it."

Participant 10 grouped together several questions by clarifying, "I think COVID, defund, civil unrest, I think a lot of these things that are happening right now are screaming this as proof to everyone that it has to be, it's not law enforcement's problem alone and I would say it's not the government's problem alone, this is public and private working together to solve the issue."

24. Do you feel the victims' reluctance to self-identify is leading to underreporting of forced labor?

a. If so, in your opinion, did the COVID-19 pandemic worsen the issue of victims underreporting labor trafficking? Please explain and elaborate on your answer.

Research has shown that victims of labor trafficking are unlikely to self-identify or report their victimization to law enforcement or government agencies for several factors ranging

from fear of deportation, being groomed to fear law enforcement, and being unaware of how to report persecution (Farrell et al., 2020; Farrell et al., 2019; Polaris Project, 2018; Stickle et al., 2020). All the participants had the same response, indicating that the reluctance of victims to self-identify is leading to underreporting of labor trafficking, as research has shown. Two participants provided the best responses, to sum up, what most of the participants indicated. Participant 5 described the reluctance to self-identify, asserting, "Oh, absolutely, absolutely! It's the same thing with labor trafficking and sex trafficking, you know, I encountered many women who would refuse to identify as a victim of sex trafficking, and a lot and most of the... time that was because of fear. And, you know, and it's the same way in labor trafficking, it's fear. These traffickers put the fear in them that, you know, if you tell on us or, you know, you rat [report] on us, you're, you'll be dead. And, you know, they demonstrate that very well, you know, below the southern border in actually Mexico and places like that where they, you know, slaughter people on the streets."

Participant 10 has been working with victims for years and provided a passionate response stating, "Yes, I mean I think 1000%, and in fact, that's like a part of my experience with victim service organizations. That's a part of like what we would say is like, we're not law enforcement, we don't even have the jurisdiction to lock you up or do any of that, and so that's like how we would build trust with them, and then over time with law enforcement and with the victim, we had to convince them that this was a trusted person of ours for them to talk to so that they could get the information that they needed to investigate basically, like this person's trafficker, the place, and you know they needed the details and they needed to hear it directly from them for custody and legal reasons."

The second part of the question, *did the COVID-19 pandemic worsen the issue of victims underreporting labor trafficking*, met with similar answers. Again, all the participants agreed that it worsened during COVID-19 for various reasons. However, Participant 8 covered the answer with this statement, "Yeah because they [victims] were not going into establishments or they might disclose it at medical centers, they weren't coming into contact with the outside world as much. So, I think there's probably less opportunity for reporting during the pandemic."

Participant 10 supported all participants' answers stating, "And this was an easy one, and the answer is yes. I know that I, even with data from Georgia, can tell you, but also, we can look at the national human trafficking line run by Polaris, and we can look at the hotline that they run, who is more of a law enforcement approach who I really appreciate, but all three of those numbers, like the reports and instances, have decreased dramatically throughout COVID."

25. Is there a technique or practice that could help victims be less reluctant to self-identify as a victim of labor trafficking? Please explain and elaborate on your answer.

This question could be answered in many ways, and the researcher was not expecting so many participants to agree on two specific factors, which were education and outreach. Several participants combined the two by advocating for education of the public, victims, and law enforcement through outreach programs. Most participants believed law enforcement and the general public are not trained in identifying persons who have been trafficked for labor or a labor trafficking situation. Also, victims may not be aware they are being forced into labor or trafficked for labor, often blaming themselves for being in the position of agreeing to work.

Participant 1 explained, “Well first thing, we need to do is we need to develop trust. The victim needs to develop a trust in the system, which is difficult, so we need to alleviate the fear of arrests, deportation and to an extent, that trafficker retribution. So, outreach and education are the key to helping these victims understand that they can be helped.”

Several times during the interviews, the participants mentioned prosecutors as separate entities in the criminal justice process. Law enforcement can arrest, but will prosecutors prosecute the crime of human trafficking? Participant 2 included all the factors into his statement, “But so certainly I look at, to me, the one that stands out, the biggest one, quite honestly is education. Education is a big one here so I, that would be at the top of my list but also not only education for our victims of labor trafficking or victims of… of labor period. You know, education is one, but then also education for law enforcement, prosecutors you know it would be amazing.”

Participant 6 chose to educate the public through outreach, “part of the struggle and the challenge that law enforcement communities across the nation will face, so the more public education, more public outcry, and notification of the public, could surely help with that.” Participant 6 expanded on his answer, stating, “Give you a great example, you can't, in the state of Texas, you can't even go to get your haircut, in any Barbershop without seeing placards everywhere, that say, please report human trafficking, and gives you items to look for. There's a lot of things that have gone in, truck track if you drive truck tractor trailers, give you a great example, a CDL holder in Texas, you have to go through, this sort of training. So, there's a whole lot of great initiatives that have been undertaken to try to identify both human smuggling and human trafficking of people, especially being a border state.”

Some other great ideas were stated by Participant 8, “Yes, continued presence, remedy T Visa's, victim assistance specialists, who really have those capabilities of working with victims. Education and presence gives them the ability to stay in the United States, it's like a very quick remedy through DHS and then the visa allows them stay, as long as they cooperate with law enforcement.”

Participant 9 provided a host of excellent techniques stating, “I think covert tip lines that are available 24/7 with a national linkage but with local resources to immediately assist labor traffic victims on a 24/7 basis. I think immediate identification on these tip lines to locate in the identified victims without compromising their safety. I think we should have more and many walking locations where traffic victims can immediately go for refuge, these safe havens, as we sometimes call them can be covertly operated and easily advertised where trafficked victims will be immediately safe from their traffickers.” Participant 9 also emphasized the value of training for law enforcement, as well as providing outreach programs to victims so they will not be prosecuted for reporting labor trafficking.

Participant 10 added the approach for youth services due to the rise in child labor trafficking in the US. Participant 10 stated, “We saw law enforcement work with the youth, we saw them, you know, working with CPS or like Child Protective Services, and they would say nothing to them, and they would give no indication, but then our highly trained social workers who were trained in trauma and human trafficking.” This is another layer of outreach through education and services for victims that several participants echoed.

26. Are there other barriers to the early detection of labor trafficking that, in your opinion, could prevent the identification of labor trafficking? Please explain and elaborate on your answer.

During all the interviews, the participants discussed barriers, and all the participants listed barriers in other questions that identify emerging themes. However, when asked this specific question, this researcher received a list of varying barriers. Several of the participants (2, 7, and 10) listed language as a barrier to early detection. Participant 7 continuously discussed the government's inability to have the correct interpreters that spoke different Asian dialects. "I think in the Chinese organized crime specifically, language is the barrier" (Participant 7).

Another barrier that participants (1, 4, and 10) discussed when asked this question was the need for more public and law enforcement education. Participants 1 and 4 discussed educating the public, "domestically, what we need to do is we need to educate people to spot the signs" (Participant 1). Whereas Participant 4 added educating not only the public, but also the companies, stating "a lack of education in the public, in the industrial realm and the workforce." Participant 10 was specific in educating law enforcement on the signs of labor trafficking.

Participants 6, 8, and 10 discussed migration and border policies which allow the cartels to control the trafficking of persons. Participant 8 expressly stated, "Yes, our border policies."

Participant 5 discussed the lack of government oversight of corporations contributing to labor trafficking by hiring migrants with poor wages.

27. Is there an emphasis on law enforcement and prosecutors to police sex trafficking over labor trafficking?

a. If so, does this emphasis heighten the vulnerability of those exposed to labor exploitation? Please explain and elaborate on your answer.

The consensus among the participants was that there is an emphasis on prosecuting sex trafficking or sexual exploitation crimes over labor trafficking. As Participant 3 expressed, it is often considered a more "heinous crime." Previous research has shown that the public may

underreport labor trafficking, and the criminal justice system focuses exclusively on victims solely surrounding the context of sex exploitation and trafficking (Irwin, 2017; Farrell et al., 2020; Feehs & Wheeler, 2021; Lane et al., 2022; Washburn et al., 2022).

All the participants agreed that sex cases are more straightforward to investigate than labor trafficking, and law enforcement is often more trained in the area. As Participant 1 stated, "I just believe it's easy to recognize, investigate, and there's a higher instance of reporting," so law enforcement and prosecutors gravitate towards sex over labor cases. Participant 4 described bringing cases to state prosecutors, "when you talk about labor trafficking, they kind of sit back and they kind of cringe and they go *you know that one's kind of hard to prove*." So, it may not be a consorted effort, but law enforcement and prosecutors alike find it difficult to prove forced labor cases in court. According to Participant 4, "sex trafficking, is the hot topic and labor trafficking, everybody knows it happens, but it's not really enforced near the scale to sex trafficking."

Police departments across the country often have Vice Units that investigate organized prostitution. So, participants (2, 8, and 9) may not believe there is an actual concerted effort to target sex trafficking over labor trafficking. However, they, too, agreed with the other participants; in that sex trafficking is easier to prosecute. Participant 8 presented an opinion that was in line with Participants 2 and 9 by stating, "I don't know there's emphasis, I think people do want to get after forced labor, but it's just easier to process sex trafficking."

Participant 2 described the emphasis in this manner, "I think sex trafficking is easier to spot and identify and prosecute than labor trafficking and you're going to see those numbers, even though we all know… who work in this arena that say labor trafficking globally makes up you know 4/5 of the of the type of trafficking we're talking about in the world." Participant 4 added a

similar statement, “because it seems like sex trafficking, by numbers, is the most known and the most publicized venue of human trafficking out there.”

Participant 10 provided an explanation that can move policymakers to shift funding, stating “The emphasis comes basically from the resources and the grants available and then I think, like I was saying earlier, I think it's been also marketed differently sex trafficking.”

All the participants agreed on the second part of the question, that this emphasis heightens the vulnerabilities of the labor-trafficked victims. Participant 8 provided a one-line answer with the best correlation, “Yeah, there's just not enough resourcing for sex trafficking, let alone both.”

28. Did the COVID-19 pandemic change the way your agency assisted victims, researched, or investigated human trafficking and, more specifically, labor trafficking? Please explain and elaborate on your answer.

All the participants explained that, to some extent, they or their agencies may not have changed their focus, but the pandemic affected it. The pandemic impacted many different aspects of everyone's life; consequently, it had to have affected labor trafficking investigations and victims. Participant 6 explained best, “Yes, due to the restrictions and lack of mobility, absolutely.” For example, the participants provided the following factors that were affected; government services, victim services, transportation, minimized contact with the general public, 14-day quarantines, working from home, economic constraints due to job loss, decrease in donations to anti-trafficking NGOs, migration, law enforcement training ceasing, and law enforcement priorities shifting the abilities to reach victims.

29. Do you believe frontline (patrol) officers are receiving training to identify victims of labor trafficking? Please explain and elaborate on your answer.

The participants split on this question 50/50, with half believing training has become better at reaching sections of criminal justice and the other half stating there is no training for labor trafficking. It appears the participants' geographical location and current job status affected their responses. Participant 6 is on the US-Mexico border as many as three times a week, so training in human trafficking and smuggling is very robust. Whereas Participant 9 stated in the northeast of the US, "No, I can tell you for a fact that if they are receiving training, it's not effective enough. It's not adequate. And I can tell you as a trainer of thousands of law enforcement officers each year since 1998…. I believe frontline officers are not receiving adequate training to effectively identify victims of labor trafficking."

Many of the participants believed training has changed over the years for the better to incorporate human trafficking, but often geared towards sex trafficking rather than labor. "I can't speak for every agency, but I don't believe that law enforcement is receiving the training necessary to combat labor or human trafficking and I know this personally from my experience" (Participant 1). Participant 10 had a similar answer stating, "Specifically labor trafficking, and I think the answer is No! I think that, in terms of the field of trafficking, we've done a better job educating on the sex trafficking part of human trafficking and I think that's because of our focus on youth, and then I think we've done a particularly great job I think in terms of marketing the issue of sex trafficking tied up with so many other criminal enterprises and criminal activity." Participant 10 also added, "I think it's just in the way that we've marketed these things and I think we could definitely do a better job with labor trafficking."

Participant 3 explained, "No! I think if they if they're receiving training, it's for sex trafficking. I think labor trafficking is sort of like the poor stepchild of policing. I'm glad you're focusing on it because everybody always focuses on the sex trafficking part of it."

30. In your expert opinion, what are or could be the best approaches to combat labor trafficking during a pandemic like COVID-19? Please explain and elaborate on your answer.

Best approaches to combat labor was another question where this researcher was aware there could be many answers. Not just from one Participant but all the participants providing a list of different ways to combat labor trafficking. The participants were given the freedom to enumerate the methods to help future research, stakeholders, and policymakers. The main methods were identified to answer the question.

Most of the participants (1, 3, 4, 5, 6, and 8) stated directly (and indirectly) that we must fix the border issues and the broken immigration system. The participants often paired border issues as the driving force behind the Mexican cartel's ability to continue trafficking people for forced labor. The lack of control at the borders prevents the US from "effectively policing our immigration laws like keeping them intact. Don't keep breaking or allowing our immigration laws to just probably fall apart. We need to keep those in place" (Participant 4). Participant 8 was straight to the point stating, "Better border policies and fix a broken immigration system." In Participant 6's opinion, it is causing unprecedented oppression in the US regarding the migrant population expressing, "We cannot have modern-day slavery in our country. We cannot have It! It should not be allowed, in my, that's my opinion, and as somebody that's down there fighting this problem."

Many of the Participants (1, 2, 5, 9, and 10) also believed in more education for the public, law enforcement, prosecutors, politicians, and policymakers. Participant 9 believes education could "emphasize the human side of these victims to law enforcement, the public, and politicians. And explain how these victims can be your son, your daughter, your next-door

neighbor. And even maybe that unrecognizable labor trafficked victim, which was once someone's loved one." Participant 2 added prosecutors to the equation stating, "I think it was in the study that you referred to in your question. 90% of the of the prosecutors in that study said they had no formal training on how to prosecute a labor trafficking case, so… so that would be a big one."

Participants (1, 5, and 10) added private and public partnerships as the best approach to alleviate the strain on law enforcement agencies. Participant 10 stated, "I'd say the public-private partnership that we talked about, private investigators, and then increased education and then kind of underpinning all of that is an infusion of resources and money to incentivize those things to happen."

31. Is there anything I might have left out of this interview of importance to this study you would like to add?

Most of the participants believed that the main elements of labor trafficking during COVID were covered in the interview. Many expressed that they were grateful that someone was researching labor trafficking because of the limited research on the topic. They were hopeful this would illuminate the issues of labor trafficking and educate the public, academia, politicians, and the criminal justice system. Several continued to emphasize the need for training law enforcement and prosecutors as well as educating the public about the victims. They also stressed the need for more research on child labor in the United States.

Themes Overview

An analysis of all the interview data was finalized and input into ATLAS qualitative data analysis software. ATLAS was utilized to assist in the theme coding process. The semi-structured interview transcriptions were inserted into ATLAS to identify reoccurring words and

phrases for the emergence of patterns during data saturation. While reviewing the data, five themes were developed from the semi-structured interviews after multiple readings and data analysis. Patterns began to emerge from ideas and information from the interviews, which assisted in coding the data processed. The ATLAS software was beneficial in this process.

Theme 1: Interference with law enforcement response

Government policies created for the pandemic have interfered with law enforcement's ability to police labor trafficking effectively. All of the participants emphasized issues with border policies and the current immigration system of accepting migrants. Title 42 under both presidential administrations (Trump and Biden) affected the acceptance of migrants, changing the landscape of federal oversight on migration, thus affecting municipalities. Participant 3 identified, "one of the big vulnerabilities now, post COVID, is just and because of Title 42, because of the exceptions in Title 42, is that you have a hurried processing, government processing, of these unaccompanied minors into foster homes." Several participants also described the policy issues with migrant visa holders and the disconnect between federal and local guidelines. Participant 8 stated, "The problem, there is unintended consequences for labor trafficking victims because the authorities for the continued presence of the T Visas and U Visas are issued by DHS. So, even if state and local law enforcement wanted to provide parole or temporary visa they can only go so far. Local law enforcement does not have that right, so then that person is at risk of deportation, because now they [victims] are not getting the protections from DHS, even if they are trafficking victims."

The influx of migrants and the inability of federal, state, and local agencies to work together has been hampered by government policies such as sanctuary cities. Local police agencies are taking a hands-off approach to investigating persons if it appears they are

undocumented migrants, for fear of reprisals from politicians or false narratives based on public opinion. Participant 5 stated, "gives them [traffickers] a sense of entitlement to practice their illicit activities even more and more and more, and not have to worry about the police or the federal government bothering them." Participant 9 stated, "Local law enforcement officers are most likely going to come in contact with labor trafficking victims of all types. But again, if we don't have that cooperation because for whatever political reasons or whatever misguided reasons, local politicians don't want local law enforcement to work with the Feds." This can foster prosecutors to avoid labor trafficking cases as well, as identified by Participant 6, stating "We have juveniles holding men, women, and children in stash houses with weapons, who are arrested by Border Patrol, they're turned over to the US attorney's office, they're released the same day, and they're arrested again, that evening back in the stash house, doing it all over again, because we have zero prosecution going on."

The current migration policies and "defund the police" movements implemented during the pandemic have created a disconnect between the federal government, local law enforcement, and the public. This has had a ripple effect on the ability to rescue victims of human trafficking. Participant 6 stated, "We're dealing with such a mass migration issue right now. We're seeing things we've not seen previously, right, and what we've done is we've put these people in the hands of a criminal underworld that literally has taken over a country." Participant 7 stressed, "If you defund the police, you still have to answer the calls and solve the violent, violent crimes, and why, you know, human trafficking isn't considered a violent crime, it becomes a lower priority."

Theme 2: Lack of collaboration between agencies

Sampled participants continually identified a lack of collaboration not only between public and private anti-trafficking organizations but also within government agencies (federal,

state, and local). During their interviews, all the participants identified a necessity for more collaboration between government agencies. Specifically, they recognized the need for more agencies to work together to combat labor trafficking by detecting more defined roles. Participant 1 detailed the lack of teamwork by stating, "when I offered the training to them [HSI task force], just spotting the signs, make it easier to recognize, I received no response." Local law enforcement agencies feel the disconnect, as Participant 5 stated, "you got to get that collaborative effort between local and federal law enforcement."

Currently, the federal agencies that are involved with investigating labor trafficking are the Department of Homeland Security, known as HSI, the Federal Bureau of Investigations (FBI), the Department of Labor (DOL), and the Immigration, Customs, and Enforcement (ICE). These agencies each have different degrees of investigative resources and policies, which can be confusing for local law enforcement. Furthermore, the Blue Campaign is an arm of DHS to work with public and private agencies. Participant 10 explained, "You've got both the FBI and HSI having federal jurisdiction and one leaning I guess a little bit more towards sex trafficking and one leaning a little bit more towards labor, then you've got the blue campaign. It's confusing, even as a practitioner in the fields for almost 14 years, it's confusing to me!" Participant 10 expanded, declaring that if one agency was in charge, it could bring everyone to the table, and they could direct the operations accordingly.

Several participants recognized that federal agencies' workforce size is small in each state and unknown to the general public. For example, Participant 4 identified that there are only two (2) DOL investigators for the whole state of North Carolina. Participant 5 added that Nashville Police dissolved their human trafficking unit. Participant 10 identified that only two (2) HSI investigators and two (2) FBI agents in the state of Georgia are assigned to human trafficking.

These investigator numbers can demonstrate that overworked agents are attempting to support an entire state, which can fall short of the teamwork necessary to fight labor trafficking.

All of the participants surveyed believe public and private partnerships are vital to combatting labor trafficking, which was amplified during COVID-19. Although there is the Blue Campaign, several participants gave examples of law enforcement not working with NGOs to help garner increased force multipliers such as private investigators. They all felt this collaboration could be the solution because it is not solely a law enforcement problem. Law enforcement was redirected or reassigned to pandemic-related duties, which affected their ability to police labor trafficking. Thus, illuminating the need for more assistance from NGO anti-trafficking agencies. As Participant 10 stated, "We can't police our way out of a problem that's so complex and deeply rooted in policies such as immigration or societal and society norms, um, so I really believe that it has to be a multidisciplinary approach with everybody working towards a common goal."

Theme 3: Pandemic led to social issues for victims

The misconception of labor trafficking is a social issue that has led to a lack of identifying its victims during the pandemic. The fears created by the COVID-19 pandemic, such as economic loss, food shortages, job loss, shutdowns, travel restrictions, and healthcare, have created enormous social and health issues in the United States. All the participants recognized, to some extent, how social issues that affect victims of labor trafficking started with the mass migration across the US borders. The participants identified that migration has been more prevalent at the Southern border. This has funneled migrants into the cartel's criminal underworld world. Participants provided several instances of working with victims who would not self-identify and feared law enforcement or their traffickers. The perception that a prostitute

is not a victim of labor and sex trafficking, but simply a prostitute allows for physical and mental victimization. Participant 6 identified a case where an undocumented female migrant was seven months pregnant but forced to work for the cartels as a prostitute. This was to pay her and her husband's debt to be smuggled across the US border. The female was afraid to report her victimization and debt bondage for fear the cartels would hurt her family in Mexico. Also, going to the authorities could lead to the possibility of deportation. However, after she began to hemorrhage from forced sex labor, she reported her dilemma to the medical staff. The cartels later advised her that missing a night of work as a prostitute caused her debt to rise.

Crimes against people are magnetized under the current situation at the Southern border and the public's perception of migration. All the participants believe sex trafficking is given more emphasis over labor trafficking by law enforcement, prosecutors, and the public, which marginalizes the victim's plight of forced labor. Participant 10 believes, “I think it's just in the way that we've marketed these things [sex and labor] and I think we could definitely do a better job with labor trafficking.”

60% of the participants were able to identify there has been an upswing in child labor in the US post-COVID-19. This is unprecedented as the US has had some of the strictest laws for human trafficking, which is an extreme social issue. However, the inability of law enforcement and the public to identify victims of labor trafficking has led to children working in factories or begging on the streets. Participant 9 stated, “Our personal observations showed a significant increase in child labor trafficking, especially children trafficked for the purposes of facilitating panhandling in affluent areas across the United States.” Participant 3 specified changes to Title 42 may have exacerbated the child labor issues. Participant 3 stated, “We're seeing a lot of labor

trafficking now involving children. Mainly because the, this particular crisis, or, you know, mass migration event is child centric."

The social issues that are being created for children are coming in the form of government services. Government agencies place children in harm's way by placing migrant children with people "who are posing as someone that's a family member, relative or even a foster parent, who are actually looking to take advantage of these kids and put them into exploitive situations" (Participant 8). Participant 6 stated, "I've seen where young men as young as 14, 15 working on construction sites, the illicit construction sites, and then you know I've seen kids working in Chinese restaurants."

Theme 4: Lack of training and education to the police and the public

All the participants stressed the need for labor trafficking training for law enforcement, with 30% of the participants adding prosecutors to their list. This researcher believes that if there were a survey question specifically on educating prosecutors, that percentage would have been even more significant. In addition, 90% of the participants discussed the need to train the public to identify the signs of labor trafficking. The responses correspond with research that describes the need for the general public to receive education (Caralin & Fallik, 2021).

Participant 1 stated, "we provide law enforcement training, human trafficking training to law enforcement agencies free of charge. [Name of current agency removed], yes, and it's post-credited and we offer training to a lot of agencies and some agencies take it, but many agencies are reluctant."

Participant 2 noted, "I also believe even though that they have introduced the labor trafficking training, I believe the lack of knowledge of the lack of spotting the signs, the lack of

experience investigating labor trafficking certainly needs bullet proof beyond where it is right now for our law enforcement partners and prosecutors."

Participant 4 emphasized training through more investigative techniques, "Those are all elements that are always missed in this training [labor trafficking], so no, nobody's getting effective training on this." Participant 4 also added the public stating, "Some of the barriers that I feel are…a lack of education in the public, in the industrial realm and the workforce itself, on what labor trafficking is."

Participant 6 described, "the more public education, more public outcry, and notification of the public, could sure help with that [combat labor trafficking]."

Participant 9 stressed, "I believe frontline officers are not receiving adequate training to effectively identify victims of labor trafficking."

Many of the participants believe training has improved over the years for sex trafficking, but labor trafficking has fallen short in the training of law enforcement, if taught at all. For example, Participant 5 conducts training on human trafficking but states, "We touch on labor trafficking." Labor trafficking and its victims are not often the main points of training for law enforcement; the signs of sex trafficking dominate the training, as participants and previous research has shown.

Suppose the public is more educated on the signs of forced labor. In that case, they can report it to the authorities since 100% of the participants agreed that victims are reluctant to self-identify. Educating the public would intensify a greater outcry for change, and "if we could change the legislation, which specifically protects labor trafficked victims from prosecution, I think that's a start" (Participant 9).

Theme 5: Organized Crime's control of human trafficking

All participants believe transnational organized crime (TOC) influences labor trafficking, specifying the Mexican Cartels as the main caveat through human trafficking and smuggling. In addition, 40% of the participants also included Chinese organized crime syndicates in their description of transnational crimes' hold on labor trafficking. The TOC dominance of human trafficking is leading to forced labor, debt bondage, peonage, modern slavery, and child labor within the US.

Participant 2 stated, "the cases that I've investigated regarding labor trafficking and the agricultural arena as well, certainly not only they were human trafficking on the labor side but certainly that debt bondage was actually still there from the cartels from South America that they still owed money to and that of course would never be paid off."

Participant 6 stated, "we're at the forefront of the border problem and mass migration, and where transnational criminals are taking, exploiting people on an unprecedented level."

Participant 7 expanded on Asian TOC organizations, "you know the illegal cannabis farms, umm it's either ran by Mexican cartels or Chinese organized crime and they're all illegal. A lot of them, people who are forced to work there, are here in the country illegally and, and working at the behest of these criminal organizations."

Participant 8 explained tariffs on companies, "those were some of our best tools to help get companies and state imposed forced labor to get transnational organized crime to tamp down on their abuses during COVID-19."

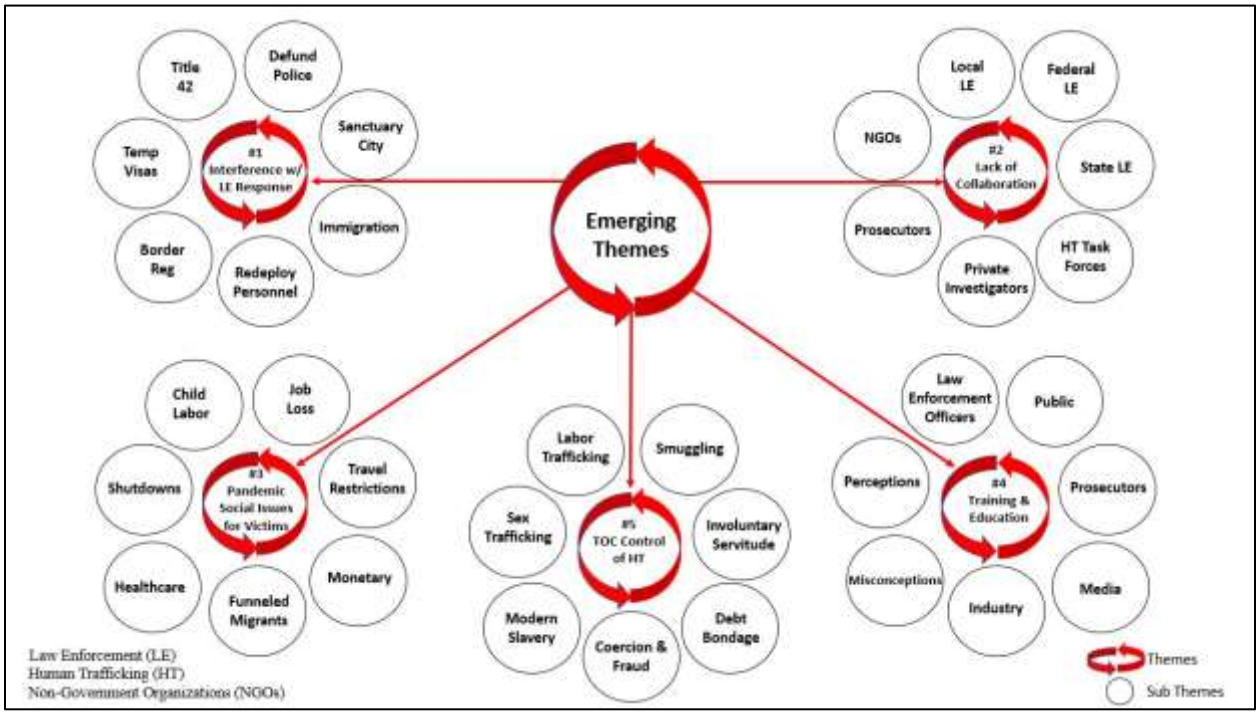
Participant 9 expanded on the TOC control, "These transnational organized criminal organizations use a variety of tactics, such as corrupting Mexican US law enforcement, corrupting border agents, threatening migrants with death of their families if they don't

cooperate, promising (falsely of course) easier access into the US, convincing migrants seeking to enter the US that the US government officials and law enforcement work with cartels."

90% of the participants described that many victims of transnational organized crime are in debt bondage or involuntary servitude in the US. Participant 6 described this at length, identifying the wristbands cartels are placing on their victims to monitor their movements. "CDG [Mexican cartel] was putting wristbands on men, women, and children, and in Roma, TX. Now they were doing that, because they were forcing people into a new form of debt bondage that we had never seen previously." 80% of the participants described the current form of labor trafficking as modern slavery.

All of the emerging themes and sub themes link by swirling around each other (Table 3). Each theme presents sub themes that can affect other themes and sub themes.

Table 3



Chapter 5: Discussion

Introduction

Labor trafficking is a global crisis, but during the pandemic, it metastasized into a United States (US) crisis. The criminal justice system and the general public must clearly understand the signs of this phenomenon by utilizing their ability to detect, investigate, and ultimately prosecute labor trafficking cases. The initial contact that law enforcement, the public, or NGOs have with victims could define the response and identify a victim of labor trafficking. Everyone must recognize the barriers and challenges labor trafficking victims will face, which are often undocumented migrants reluctant to self-identify due to their immigration status, fear of their traffickers, or distrust of government agencies. This will allow researchers, law enforcement, prosecutors, and the public to understand the enormity of the problem and how to combat forced labor, debt bondage, and modern slavery.

The themes for this research were created from the barriers observed by the participants based on their experiences and opinions. The responses in most of the answers were broadly similar, but labor trafficking is a covert operation with varying characteristics of complex factors into other criminality. This can be viewed as an issue based on the experiences of experts in labor trafficking because their skills can be specific to this field or observed from different situations of forced labor. This could be from their roles in investigating, researching, reporting, or victim outreach of the other aspects of labor trafficking. Therefore, the themes presented in this research should be considered when creating policies and procedures for conducting labor trafficking investigations.

The literature reviewed and analyzed for this study was the foundation of the research. However, the pandemic officially ended on May 11, 2023 (Center for Disease Control and

Prevention, 2023), so there is minimal research due to the full effects of the pandemic on labor trafficking. The inadequate access to data regarding COVID-19's influences such as Title 42 and mass migration on victim services, prosecution of traffickers, and victim perceptions is still in its infancy. The sample population for this research was obtained from ten (10) case studies that were comprised of participants that are highly specialized experts on the subject of labor trafficking. The participants in this study acknowledged and often identified the lack of research on labor trafficking and are familiar with the recent pandemic's impact on this phenomenon. They understand the need to address the underlying factors of trafficking persons for labor and the policies created by government agencies that placed its victims into a funnel for transnational organized crime.

The five themes (government policies interfere with policing, lack of training and education, misconception or perception of labor trafficking is a social issue that has led to a lack of identifying its victims during the pandemic, lack of collaboration between private and public agencies, and transnational organized crime's control of human trafficking) were identified for this research and were common in the responses from the participants to some extent. Varying experiences were contributed by participants who deemed some elements of forced labor more influential for discussion. The idea is the creation and emergence of themes developed during the comparison of the data from each case study. For this researcher to distinguish if any unrecognized themes were missed during the case study, the interview ended with an open-ended question, asking if anything should be added to the survey that should have been discussed. This question has yet to create any new themes for this research. Additionally, all participants were very supportive of the research and enthusiastic about participating in a possible groundbreaking study into labor trafficking.

Interpretation

This study explored covert criminality linked with a pandemic to identify the signs of labor trafficking. Identifying the experienced barriers by the participants in labor trafficking cases can help combat this phenomenon by developing research that can better prepare the US for another pandemic. This researcher endeavored to foster an understanding of the impact of labor trafficking during a pandemic by answering the two research questions that guided this study:

1. **RQ1:** What are the perceptions of the impact of COVID-19 on labor trafficking?
2. **RQ2:** Did the pandemic illustrate the need for new methods to combat labor trafficking?

These two research questions were the catalysts for the semi-structured questionnaire, which presented data for analysis from the participant's responses. The responses are intertwined amongst the research questions and the questionnaire proposed for this study, but they must be considered together in context. Criminal justice personnel and the public require training and education, which will improve in identifying complex signs and obstacles encountered when distinguishing labor trafficking victims. The identified themes from this study indicate a lack of knowledge about labor trafficking, a lack of agencies collaborating, misguided government policies, and perceptions that have led to social issues for victims and transnational organized crimes hold of labor trafficking. The predominant underlying factors emerged from the five (5) distinctive identified themes, each containing a dynamic attribute that can be combined or isolated for analysis.

Interviews with the sampled participants for this study conveyed their responses during face-to-face video conferencing due to the locations of all the participants throughout the US. Therefore, the numbered bullets will coincide with each theme interpretation.

1. One of the most important themes to emerge is that government policies greatly affected the ability of law enforcement agencies to police labor trafficking. The macro system that swirls around criminal justice can include laws, policies, legislation, and police reform; all have greatly affected labor trafficking, policing the border, and local law enforcement. The current state of mass migration initiated originally during the pandemic under Title 42 guidelines changed from one presidential administration to the next. All the participants discussed the unprecedented numbers of migrants crossing the border in some structure during the interviews. As Participant 1 stated, "I think lack of renewing that [Title 42] is going to make it- labor trafficking, a thousand times worse." Police redeployments to combat pandemic policies and regulations decimated human trafficking units and, in some cases, were eliminated. For example, Participant 5 identified that the Nashville Metro police department abolished its human trafficking unit. Participant 5 also described redeployment from an anti-trafficking team to uniform, "I know on a local level we were told, actually at one point, not to have any contact with people that were the, um, you know, possible victims and unless we were called out on a specific call." Police departments' reassignments removed the officers from police human trafficking laws and, more specifically, labor trafficking. Participant 10 explained that state agencies reassigned their agents to focus on civil unrest, essentially abandoning human trafficking investigations.

All participants discussed at some point during their interviews how government policies at every level can affect federal, state, and local agencies in policing labor trafficking. Participant 6 stated, "Law enforcement and government can leverage policy effectively to go after those who commit the crimes," policing the migration issue feeding the trafficking and smuggling operations of transnational organized crime. For instance, during the interview with Participant 1, the discussion of sanctuary cities was presented as possibly affecting victims

because it shields the traffickers, so it was incorporated into each interview. Some of the participants recognized it as a hot political topic to discuss. Still, some were candid about the issue, as the policy was created to protect the migrants from victimization and further prosecution from law enforcement. However, it can also protect and shield traffickers who victimize migrants. Participant 1 stated, "I think it's an issue. I think it's first of all, the whole immigration policy. So, in the sanctuary cities, these immigrants come here illegally. There is no enforcement of the federal immigration laws." This created a discussion that the pandemic identified flaws in the sanctuary cities harboring organized crime and trafficking. All the participants agreed that sanctuary cities and states had produced a challenge to law enforcement to go after traffickers and "remove them, deport them, hold them accountable, or prosecute them" (Participant 2). Policies created by state and local governments not to work with federal partners distract from the goal of deporting criminals engaged in trafficking and other crimes against persons.

Sanctuary cities were created for state and city agencies to separate undocumented migrants from the federal government by impeding the flow of information from local law enforcement to federal agencies (Hoye, 2020). According to Fox (2023), migrants who are victims of crime may decide not to report their victimization for fear of being reported to immigration. Participant 8 stated, "I can't even believe that we have mayors and governors who are saying, I don't care if they are aggravated felons who may or may not be convicted of trafficking offenses, child sexual exploitation, child pornography or other crimes including felonies, and not have them deported; Everyone can have a sympathetic heart to people who find themselves here in a labor scheme, but when we're talking about sanctuary cities. They are providing safe harbor not just to the folks who are here under whatever the auspices of their

journey, but additionally like we were just so hampered." As several participants stated, overhauling the current work Visa programs could assist in holding companies liable for their hiring processes and forced labor.

50% of the participants addressed the fact that sanctuary cities were created to help the victims as Participant 7 stated, "I think the sanctuary city policy is a good thing for the victims, especially, you know, it's not forcing, you know, not treat, it helps not treat those people as, you know, as criminals." However, Participant 7 also stated, "Law enforcement tries to recognize who the traffickers are, and who the traffickees are, you know who the victims are, but to the best of our ability," using the analogy of a "wolf hiding in sheep's clothing." Therefore, academia should reanalyze the background of sanctuary cities' non-cooperation policies for local law enforcement agencies (Fox, 2023), especially when considering human rights violations by traffickers.

All the participants were surveyed on the issues during the height of the pandemic (2020 and 2021), including Title 42, defunding the police movements, and civil unrest, for a well-rounded study. These influences could be considered factors impacting the enforcement of labor trafficking laws, as they were all during the height of the pandemic (2020-2022). These influences create pathways for separate analysis, but this researcher was sure to include them in the questionnaire to start the conversation for possible future research. 90% of the participants felt Title 42 under both administrations played a role in labor trafficking. All participants agreed that defunding the police movements and civil unrest during the pandemic affected policing labor trafficking. It pulled resources from investigating labor trafficking, such as the specialized units like human trafficking.

2. All of the sample participants identified a lack of collaboration between government agencies and, especially, the need for agencies to work together with defined roles in human trafficking. Labor and sex trafficking can coincide with each other, as stated by Participant 6, "We're, we're, going into some realms we've never been in before, where this forced labor and sex truly intermingled. She's working by day as a day laborer, working by night as a sex worker, to work off that debt." So, agencies have to work together at each level to combat this as a human rights violation in the US. Participant 5 agreed, stating, "you got to get that collaborative effort between local and federal law enforcement." This, again, is also often hampered in sanctuary cities as these agencies often convey to their personnel not to work together.

All participants surveyed believe COVID-19 illuminated the ideology that public and private partnerships can alleviate the strain on law enforcement's abilities to fight labor trafficking. Agencies working as force multipliers could bypass local law enforcement's concerns about approaching migrants due to politics, such as sanctuary cities. All the participants believe public and private agencies cooperating can be the solution because labor trafficking victims need more than just police action. Participant 10 expressed this, stating "We can't police our way out of a problem that's so complex and deeply rooted in policies such as immigration or societal and society norms, um, so I really believe that it has to be a multidisciplinary approach with everybody working towards a common goal." Victims need social services and mental health counseling so as Participant 8 described it, "instead of breaking it totally off from law enforcement, I chose to plus up the victim assistance specialist and forensic interviewers, within the law enforcement agencies."

3. The COVID-19 pandemic created stressors on people not just from a medical standpoint but also due to the economy, supply chains, travel restrictions, government closures, food

shortages, and job loss. Although the end of the COVID-19 health declaration has posted on May 11, 2023, all the participants could identify to some extent the social issues that affected and continue to affect victims of labor trafficking, mainly through mass migration across the US borders. The participants identified that the mass migration had been US-Mexico border centric. The participants agreed that the migrants had been funneled into the cartels' criminal underworld world as they journeyed to the border. They provided several opinions on why victims do not self-identify, and all opinions included fear of law enforcement and their traffickers.

The general public's perception of migrants and labor can be an additional issue in an already clandestine crime. The general public does not see the social stressors of migrants forced into labor or sex trafficking. Participant 6 stated, "You have to remember, they're hidden in vehicles, they're hidden in stash houses, then they're transported hidden from the public's view, then they're put into forced labor." All the participants believe sex trafficking is emphasized more over labor trafficking by the criminal justice and the public, which can downgrade forced labor victimization. Participant 10 believes, "I think it's just in the way that we've marketed these things [sex and labor], and I think we could definitely do a better job with labor trafficking."

Social issues from the push-pull factors have been identified in unaccompanied undocumented minors (UUM) crossing the border. Participant 8 stated, "An upstream push-pull factor way, the direct impact on labor trafficking in the United States, I think it might have reduced the supply, but obviously it did not stop it because we were still taking unaccompanied minors and that has been disastrous. HHS was not putting them [migrant children] into proper settings." Placing UUM in various precarious situations was identified by 60% of the participants who indicated the increase in child labor in the US post-COVID-19. As previously

discussed in the literature review, Gibbs et al. (2020) noted a rise in child labor pre-pandemic, but Becerra (2022) outlined unprecedented numbers as the US Department of Health and Human Services (HHS) has struggled with placing them in US homes. In addition, the inability of law enforcement and the public to identify victims of labor trafficking has led to children working in factories or begging on the streets. Participant 9 stated, "Our personal observations showed a significant increase in child labor trafficking, especially children trafficked for the purposes of facilitating panhandling in affluent areas across the United States."

Furthermore, the social issues created for UUM come from government services. Government agencies (i.e., HHS) place children in harm's way by placing migrant children with people "who are posing as someone that's a family member, relative or even a foster parent, who are actually looking to take advantage of these kids and put them into exploitive situations" (Participant 8). Participant 5 stated, "I've seen where young men as young as 14, 15 working on construction sites, the illicit construction sites, and then you know I've seen kids working in Chinese restaurants."

4. The literature review in this study found a lack of training in law enforcement regarding labor trafficking (Farrell et al., 2020). All the participants stated the need for labor trafficking training for law enforcement. All participants felt labor trafficking training was lacking but did acknowledge that human trafficking training has come a long way over the years. This has created an atmosphere of investigations for sex exploitation rather than labor abuse. Local law enforcement and prosecutors alike lack experience in spotting the signs of labor trafficking. They need more extensive training to learn how to ask the right questions of possible victims, investigate cases, and gather intelligence on possible trafficking situations. Conversely, Participant 4 emphasized training of investigative techniques, "those are all elements that are

always missed in this training [labor trafficking], so no, nobody's getting effective training on this [labor trafficking]." Training officers how to identify labor trafficking, forced labor, debt bondage, or coercion was communicated by several participants.

90% of the participants discussed the need for training the public to identify the signs of labor trafficking. The public often views human trafficking as the movie "Taken" with actor Liam Neeson (Participant 4). The public, being educated on labor trafficking, can flow into industry and the workforce spotting forced labor. Therefore, by educating the public on the signs of forced labor, the public could be more inclined to report this crime since victims do not self-identify, as 100% of the participants conveyed. Educating the public would intensify a more significant outcry for change, and as Participant 9 stated "if we could change the legislation, which specifically protects labor trafficked victims from prosecution, I think that's a start." This could transform the political climate of forced labor and create more activism for the victims of this new form of modern slavery.

All participants believe training and education have improved over the years for sex trafficking, and some participants identified specific training techniques. For example, Participant 5 conducts training on human trafficking but states, "We touch on labor trafficking." Participants 3 and 6 described current advertising trends for human trafficking. Although there were no questions regarding social media and the internet because the study was about the impact of COVID-19 on labor trafficking, Participant 2 provided the opinion about more online courses being offered to law enforcement to avoid personnel having to take off from work. It is essential to provide equal training in sex and labor trafficking under the umbrella of human trafficking.

5. As stated in the literature review, Weber (2022) determined that human trafficking is a "manifestation of transnational organized crime" (p. 1). However, there is limited research on transnational crime organizations' (TOC) involvement with traffickers. Washburn et al. (2022) noted that TOC has a connection to traffickers, but it was important for this study to identify the participants' opinions of TOC's connection to traffickers.

All of the participants believe TOC influences labor trafficking, starting at the US-Mexico border as the impetus part of human trafficking and smuggling in the US. All of the participants identified the Mexican cartels as the primary influence on labor trafficking in the US. Additionally, some participants (40%) added Chinese organized crime into their opinioned responses. Many participants spoke from firsthand experiences as Participant 2 stated, "The cases that I've investigated regarding labor trafficking and the agricultural arena as well, certainly not only they were human trafficking on the labor side but certainly that debt bondage was actually still there from the cartels from South America that they still owed money to and that, of course, would never be paid off." Participant 6 has researched the Southern border, "we're at the forefront of the border problem and mass migration, and where transnational criminals are taking, exploiting people on an unprecedented level." Participant 7 expanded on Asian TOC organizations, "you know the illegal cannabis farms, umm it's either ran by Mexican cartels or Chinese organized crime and they're all illegal. A lot of them, people who are forced to work there, are here in the country illegally and, and working at the behest of these criminal organizations." TOC will use various strategies, such as corrupting government officials, threatening migrant families (home and abroad), falsely promising easier access across the border, and convincing migrants to fear US law enforcement or government agencies.

90% of the participants described that many victims of TOC have fallen into debt bondage, involuntary servitude, or modern slavery in the US. Furthermore, United Nations Office on Drugs and Crime (2021b) indicates that traffickers have taken advantage of migrants during the pandemic and developed new schemes for exploitation. This was never more evident than in Participant 6's description of the wristbands the cartels are placing on adults and children, constructing a new form of a debt bondage monitoring system. In addition, 80% of the participants described the current form of labor trafficking as a form of modern slavery, and these wristbands can demonstrate a numbering classification similar to holocaust victims' numbered tattoos.

Context

This is the first qualitative study on the impact of COVID-19 on labor trafficking in the US. The study's acceptable sample size reached data saturation with geographical distribution throughout the US. The sampled participants in this study were diverse in gender, age, and labor trafficking expertise but presented uniformity of emerging themes. Nevertheless, the themes discovered during this study provide perceptions on the complex issues of labor trafficking, particularly during a pandemic.

The limited research on labor trafficking in the US identifies the uniqueness of this type of crime that spills over into all facets of federal, state, and local jurisdictions. This research is germane as it initiates the process for further research identifying the drivers and factors of labor trafficking, specifically with the epidemiological framework of a pandemic. Factors such as the lack of collaboration, education, training, government policies, health issues, and social issues that push and pull migrants into labor trafficking can create a foundation for further studies.

Implications

The findings in this study recognize the ramifications of training law enforcement and educating the public regarding labor trafficking. The risk factors and vulnerabilities for a victim of human trafficking (labor and sex) are substantial but not limited to migration (documented and undocumented), age, gender, socioeconomic status, and lack of education. Research has shown there are multiplying factors to labor trafficking and there is no particular technique to eradicate this phenomenon. The participants, practitioners, and researchers agree that resource allocation, collaboration, training, education, and changes to immigration policies are required to initiate change and disrupt the trafficking of persons for forced labor.

1. The border is a hot topic in politics and media and a leading discussion during this study. The immigration system and border policies must be overhauled to alleviate the illegal trafficking and smuggling of migrants. The COVID-19 pandemic illustrated the need for better border policies for asylum seekers, refugees, and victims of trafficking. Title 42 ended on May 11, 2023, which prompted tens of thousands of migrants to approach the Southern border to seek asylum, overloading an already overwhelmed Department of Homeland Security's Border Patrol and Immigration, Customs, and Enforcement (ICE). Title 8 must be reinstated and remedy the U and T Visas, which were created to assist noncitizen migrants that are victims of crimes. These Visa programs could provide victims with specialists to assist in the process of combatting forced labor or child labor. There should be more government oversight and accountability by the Department of Labor for companies that have H Visa immigrant employees, to ensure overstays are not the result of forced labor by employers. Laws should be strengthened to hold those companies accountable with arrests, not just fines. More research must be done on the Visa programs to create an easier transition from immigration to legally working in the US. This may also assist with the participants' issues with sanctuary cities' inability to work with federal

agencies on immigration issues. A bipartisan approach to sanctuary cities for the benefit of trafficked persons is significant for discussion and policy amendments for federal, state, and local agencies to work together to combat human trafficking. This will also create better collaboration for agencies to work together.

2. There should be more training for officers and education for the general public on human trafficking, particularly labor trafficking. Training has come a long way regarding human trafficking, but as many participants identified during their interviews, labor trafficking is lacking, if taught at all, in most training. Law enforcement officers (LEO) or agents should receive human trafficking training in their respective LEO academies, which provides an equal share of sex and labor trafficking. Having in-person training, or even virtual, should be required yearly by Subject Matter Experts (SME) and fall under federal or state-regulated Peace Officer Standards and Training (POST) requirements for certifications. Although these agencies have federal and state grants, they should be streamlined to allow easier access to funds for this training. Training from NGO anti-trafficking groups should not be discouraged or rebuffed because they are not LEOs. NGO anti-trafficking groups can offer training that identifies various victim services and hotlines to self-identify as a victim of labor trafficking, such as the Polaris Project's 24-hour, 7-days-a-week National Human Trafficking Hotline.

There is a need to educate the general public within communities as they do not understand the magnitude of cruelty and violence associated with human trafficking. As one of the participants pointed out, they watch movies similar to “Taken,” where the victims escape the traffickers with violence by standing up for themselves. In reality, traffickers are often of the same ethnic background and manipulate their victims by gaining their trust, then are forced, or coerced into debt bondage or a life of servitude. Labor traffickers can be family members,

extended family, friends, or person(s) posing as personnel representing illegal job staffing companies. Since victims of forced labor often do not self-identify, speak to police, or report their victimization, the public often has the opinion that it does not exist. This is very common in children as they trust adults for protection, leading to child labor in the US. Limited research has been done on child labor in the US because it was viewed as limited or non-existent. The COVID-19 pandemic created supply chain and workforce issues, so companies have been less stringent in hiring practices. They allow staffing agencies with less than honorable intentions to supply workers, which has led to identifying child labor in the US workforce (US Department of Labor, 2023).

Educating the public can create public opinion on social media and political outcry for change. Education can come in various forms, such as social media and advertisements (i.e., billboards and commercials), similar to ads regarding public health concerns (Gallo et al., 2020). In addition, education can come in the form of posters, creating public awareness similar to the national campaign motto for the signs of terrorism, "see something, say something." For example, workers in factories and industries can identify and report possible labor trafficking if they know whom to call or where to go for assistance.

3. Although the participants were (70/30) split in favor of a separate federal agency investigating human trafficking, it does cast light on an unidentified issue. Are the current agencies and policies able to combat human trafficking? Based on this study, they do not qualify for several reasons. The DHS and FBI are the lead investigative agencies for human trafficking crimes. However, they staff human trafficking units with little personnel and rely on state and local agencies for assistance. In addition, state and local agencies have been plagued with defund the police movements, and civil unrest. Additionally, budgetary constraints are forcing

many local law enforcement agencies to disband or minimize their personnel from human trafficking task forces. This diverts personnel to fight the seven major index crimes (i.e., Murder/Nonnegligent Manslaughter, Forcible Rape, Robbery, Aggravated Assault, Burglary, Larceny-Theft, Motor Vehicle Theft, and Arson) instead that are reported to the FBI for the Uniform Crime Report (UCR).

The UCR does not include human trafficking crimes, so local law enforcement often has to respond to more pressing, data-driven criminality for crime analysis and research. It is a flawed policy for reporting crime and does not identify the true nature and criminality of human trafficking. Police departments are scrutinized by crime statistics, thus forcing more personnel into patrol operations, and removing personnel from trafficking units. The impact of the pandemic, defunding police, and soft-on-crime approaches have taken a toll on the criminal justice system. It has now been plagued by retirements and less applicants for law enforcement careers. The pandemic reassigned law enforcement to enforce health violations, affecting human trafficking investigations. One federal human trafficking agency can direct investigations and bring other agencies to the table for more significant deployment of personnel. This agency would have the power to enforce laws against traffickers and be supported by prosecutors that are assigned to human trafficking cases, avoiding diversion of staff to other crimes. For instance, after the 9/11 attacks, the FBI and DHS rearranged their personnel to investigate terrorism.

Labor movement advocates wish to decriminalize labor related polices, not considering the adverse effect on victims of labor trafficking. The Department of Labor (DOL) has no arrest capabilities; the agency can only impose fines and issue violations. Consequently, traffickers could hide within the migrant labor community and operate without criminal oversight. However, if there was a separate agency assigned to human trafficking with equal distribution of

investigations for labor and sex trafficking, it would alleviate staffing shortages. Moreover, it would investigate traffickers without outside influences that could redirect mission goals and avoid mission creep.

4. NGO anti-trafficking organizations should have the ability to hire vetted private investigators (PIs) to investigate cases of missing persons, assist in victim services, and conduct training. Once a trafficker is identified, the PIs can bring the case to the US Attorney or state prosecutor offices for further investigation. This will create a force multiplier for investigating human trafficking, particularly labor trafficking. Many PIs are former law enforcement officers with years of experience in investigations, interviewing witnesses, and identifying criminality. These PIs could enhance investigations since victims are reluctant or fearful of law enforcement and government agencies. In addition, anti-trafficking NGOs have better accessibility to experts in victim counseling and services that could bypass government notifications and not offend sanctuary city policies. Some NGOs (i.e., Hope for Justice) have successfully conducted such work but need more cooperation and collaboration from federal, state, and local agencies. Federal policy and grants could ease restrictions and force more partnerships.

Limitations

Human trafficking is a covert and clandestine crime where the victims are often reluctant to speak of their plights or even self-identify as a victim. Access to victims of labor trafficking can be problematic as this type of crime often goes undetected and creates issues with the recognition of victims who are undocumented migrants within the US. Victims of labor exploitation are hesitant to discuss border crossings, smugglers, and traffickers since they are a vulnerable group that fears retaliation from traffickers, captors, and law enforcement.

Interviewing experts with secondhand knowledge from interviews that were conducted with victims, researchers, journalists, politicians, and training can occasionally create the socio-political context for researcher conclusions. Thus, this kind of research can construct various limitations that may exist and affect the study results. However, qualitative research recognizes the design of the phenomenon being researched, and in order to draw decisive conclusions, the participants in the study must be forthcoming in their responses. This researcher must recognize and identify the limitations of the design model to permit readers and future researchers to assess the findings.

Although the experts were evaluated and appeared to maintain high standards and integrity, limitations in this study can incorporate self-reporting, resulting in the absence of moral construct by the participants. All participants were forthcoming and transparent in their answers, but some participants could have hesitated to discuss issues publicly. Therefore, this researcher attempted to obtain complete and honest responses by preparing the participants with the following these steps in the study:

1. The questionnaire was provided to the participants before the interview.
2. Participants were permitted to review and inquire about any of the questions in the questionnaire for clarity.
3. Participants were provided ample time to respond to each question during the semi-structured interview.

Providing the questions in advance allowed the participants to be comfortable with the questions and the opportunity to research their answers before the interview. This researcher feels this promoted honesty in the participants' answers because they were more willing to

anticipate their answers and not overlook a critical issue for this study. It provided a smooth, effective, efficient interview process for participants with demanding schedules.

The sample size of the participants for this generic qualitative research may be considered small but adequate for data saturation of these purposely selected experts in human trafficking. Furthermore, there was no apparent personal bias from the participants, but it must be considered during interpretation as an influence on the study's data collection and reporting. All the interviews were recorded, except for one participant who chose to refrain from being voice recorded. However, this participant allowed for transcription and notes of their answers for accuracy and clarity. All the recordings were transcribed, and the transcription was then entered into ATLAS, a qualitative analysis software. Both this researcher and ATLAS software identified themes for comparative analysis and limiting personal error on the researcher's part.

Future Directions

There is an urgent need for further studies into the impacts of COVID-19 on labor trafficking in the US, as little research is available on the subject (Gallo et al., 2020; Washburn et al., 2022). Furthermore, this research has uncovered a need for future research into human trafficking overall, as Participant 2 stated "I would certainly classify it as a pandemic." Participant 2 made the comparative analysis that labor trafficking itself is a pandemic. This study was inspired by qualitative research and would be appropriate for future research to uncover more impacts of COVID-19, as the CDC recently ended the pandemic on May 11, 2023. Data on the effects of this pandemic are still trickling in, and the migrants' surge with the end of Title 42 may create future labor trafficking problems. Victim data is not often readily available for qualitative research, so that can be problematic for future studies in identifying the full scope of this phenomenon.

Statistics are often skewed from victim data as they are often complicated with privacy laws and complied with by anti-trafficking NGOs hotlines of alleged victim reports. Victim statements to these private agencies often do not end with the arrest of traffickers (Polaris Project, 2019). During the prosecution phase, convictions of traffickers often end with plea deals for different crimes (Lane et al., 2022). This provides a quandary of issues for quantitative analysis, especially as victims often do not self-identify or fear testifying against their traffickers for various reasons (Lane et al., 2022). For these reasons, qualitative and possibly mixed methods research is relevant for labor trafficking studies. Furthermore, this study found the need for training and education for law enforcement, district attorneys, and the general public. This could create better statical analysis when people have more knowledge of the crimes associated with human trafficking respectfully.

The data analysis from this study does demonstrate that the US is moving in the correct direction, but there is still more work to be done with labor trafficking. Participants noted during this study that training in human trafficking has improved over the years. However, those participants that were previous practitioners emphasized the lack of human trafficking training when they attended law enforcement academies. According to Farrell et al. (2020), pressure from community personnel can force change in the criminal justice system from investigations to arrests and, finally, prosecution. Whereas enforcement from human trafficking task forces and improved laws are in progress, this research must instill training and education as the key ingredient for change. Criminal Justice programs in colleges and universities must incorporate human trafficking (labor and sex) material in their coursework to initiate change. This will begin the process of our future criminal justice personnel being educated and calling for change as they enter the criminal justice job market.

Summary

Human trafficking can be traced back to the 16th century globally and is not a new phenomenon (Stickle et al., 2020). However, what is new, is the human trafficking variable of labor exploitation combined with a pandemic that created mass migration into the United States. This is one of the first academic studies that has researched this fluid and ever-developing trend. The immigration issues in the United States have become political, with advocates on both sides of the aisle drawing a line in the sand for lack of change. Whether the cause is sanctuary cities, policies surrounding the border, defund the police movements and immigration, the effects ultimately fall on the victims of trafficking, hidden within these policy wars. According to Participant 8, "I think there's well-meaning individuals who are chasing after the push pull factors and forgetting about the human trafficking mission." That mission is to help the victims of labor trafficking to avoid child labor, forced labor, and modern slavery. The empirical literature regarding labor trafficking incidents, especially child labor in the United States, is in its infancy (Greenbaum et al., 2022). Sex trafficking studies, investigations, and prosecution of sex trafficking often overshadow earlier research and education. The outcome of this study review can create a conceptualization of a case that could be valuable to stakeholders and the public in an attempt to identify labor trafficking victims. This study is a valuable first step in addressing the impacts of COVID-19 on labor trafficking in the United States.

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Appendix: Interview Questionnaire

Introduction to Research

The purpose of the proposed research study was to expand on the limited research regarding the impact of COVID-19 on labor trafficking in the US based on (a) reviewing existing literature; (b) interviews with representatives from anti-trafficking non-government organizations (NGOs); (c) researchers from academia; and (d) practitioners. The proposed research will qualitatively explore if the common factors associated with labor trafficking were heightened during the pandemic and whether the pandemic shed light on the need for private investigators to work with NGOs to augment law enforcement, when combined or not. This research's findings could educate and assist the anti-trafficking stakeholders who seek answers to the difficulty of the criminal justice system in identifying labor trafficking – particularly the victims of this form of modern-day slavery. The deductions and conclusions from this research will seek to contribute to the limited literature available on the effects of COVID-19 on labor trafficking. Furthermore, although research is emerging, it has yet to comprise a meaningful body of research, and the need for continuous and rigorous research is required.

Questions:

1. How would you define labor trafficking?
2. How would you classify labor trafficking in the United States (US)? Please explain and elaborate on your answer.
3. Do you think gender plays a role in labor trafficking? Please explain and elaborate on your answer.

4. Do you think age plays a role in labor trafficking? Please explain and elaborate on your answer.
5. Do you think COVID-19 has played role in labor trafficking in the United States? Please explain and elaborate on your answer.
6. Do you think COVID-19 travel restrictions have had an effect on labor trafficking in the United States? Please explain and elaborate on your answer.
7. In your expert opinion, who was more prone to fall victim to labor trafficking during the COVID-19 pandemic, US citizens or non-citizen migrants? Please explain and elaborate on your answer.
8. Do you think Title 42 played a role in labor trafficking during the pandemic? Please explain and elaborate on your answer.
9. Do you think migrant temporary visa holders were vulnerable to labor trafficking in the United States during the COVID-19 pandemic? Please explain and elaborate on your answer.
10. Do you feel examining US Citizens and non-Citizens is an important aspect of law enforcement's ability to police labor trafficking, particularly when understanding factors that "pull" and/or "push" someone into the forced labor funnel? Please explain and elaborate on your answer.
11. Do you feel understanding the root cause (like push/push factors) that funnels people into labor trafficking can lead to a better understanding of the vulnerabilities immigrant populations will encounter in the US? Please explain and elaborate on your answer.
12. In your expert opinion, what vulnerabilities would make someone prone to labor trafficking? Please explain and elaborate on your answer.

13. Do you think foreign policy played a role in labor trafficking in the United States during the pandemic? Please explain and elaborate on your answer.
14. Do you believe TOC organizations influenced labor trafficking during the COVID-19 pandemic? Please explain and elaborate on your answer.
    b. If so, please explain which TOC networks are and how they influenced labor trafficking. Please explain.
15. In your expert opinion, are many labor traffickers associated with TOC organizations? Please explain and elaborate on your answer.
16. Do you believe traffickers increased their efforts in trafficking people for labor during the pandemic? Please explain and elaborate on your answer.
17. Did the COVID-19 pandemic exacerbate or illuminate the possibility that sanctuary cities provide refuge or a safe haven for human traffickers to operate in these states or cities, especially for forced labor? Please explain and elaborate on your answer.
18. In your expert opinion, do you think there should be a separate federal agency assigned to investigate just labor trafficking? Please explain and elaborate on your answer.
19. Given the clandestine operations of human trafficking, can federal, state, and local law enforcement agencies police labor trafficking in the United States? Please explain and elaborate on your answer.
20. Do you think federal, state, and local law enforcement agencies were policing labor trafficking in the United States during the pandemic? Please explain and elaborate on your answer.
21. Did civil unrest that occurred throughout COVID-19 exacerbate the human trafficking problem? Please explain and elaborate on your answer.

22. Did defunding law enforcement movements that occurred during the COVID-19 pandemic leave fewer resources available to have specialized human trafficking units? Please explain and elaborate on your answer.
23. Do you think the COVID-19 pandemic illustrated the need for law enforcement and private anti-trafficking non-government organizations (NGOs) to assist each other by hiring private investigators to assist in identifying victims and traffickers? Please explain and elaborate on your answer.
24. Do you feel the victims' reluctance to self-identify is leading to underreporting of forced labor? Please explain and elaborate on your answer.
    b. If so, in your opinion, did the COVID-19 pandemic worsen the issue of victims underreporting labor trafficking? Please explain and elaborate on your answer.
25. Is there a technique or practice that could help victims be less reluctant to self-identify as a victim of labor trafficking? Please explain and elaborate on your answer.
26. Are there other barriers to the early detection of labor trafficking that, in your opinion, could prevent the identification of labor trafficking? Please explain and elaborate on your answer.
27. Is there an emphasis on law enforcement and prosecutors to police sex trafficking over labor trafficking? Please explain
    a. If so, does this emphasis heighten the vulnerability of those exposed to labor exploitation?
28. Did the COVID-19 pandemic change the way your agency assisted victims, researched, or investigated human trafficking and more specifically, labor trafficking? Please explain and elaborate on your answer.

29. Do you believe frontline (patrol) officers are receiving training to identify victims of labor trafficking? Please explain and elaborate on your answer.
30. In your expert opinion, what are or could be the best approaches to combat labor trafficking during a pandemic like COVID-19? Please explain and elaborate on your answer.
31. Is there anything I might have left out of this interview of importance to this study you would like to add?

Table 1

Demographic Results

Participant #	Age	Race	Gender	Years Exp. HT*	Years Exp. LT*	Education
1	62	W	M	10	5	Bachelors
2	51	H	M	15	10	Bachelors
3	59	W	M	10	3	2 Masters
4	50	W	M	21	5	Associates
5	45	W	M	15	10	Bachelors
6	51	W	M	26	15	Bachelors
7	57	H	M	10	3	Bachelors
8	44	W	F	22	22	Masters
9	65	W	M	30	15	Bachelors
10	34	W	F	14	14	Masters

**Denotes years of experience with human trafficking*
***Denotes years of experience with labor trafficking*

Table 2

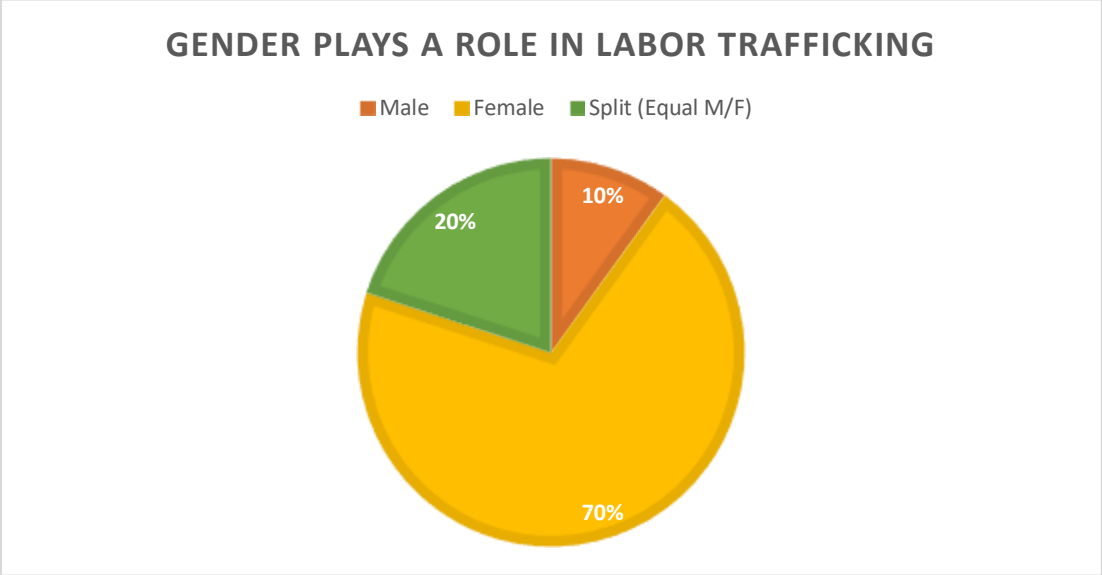
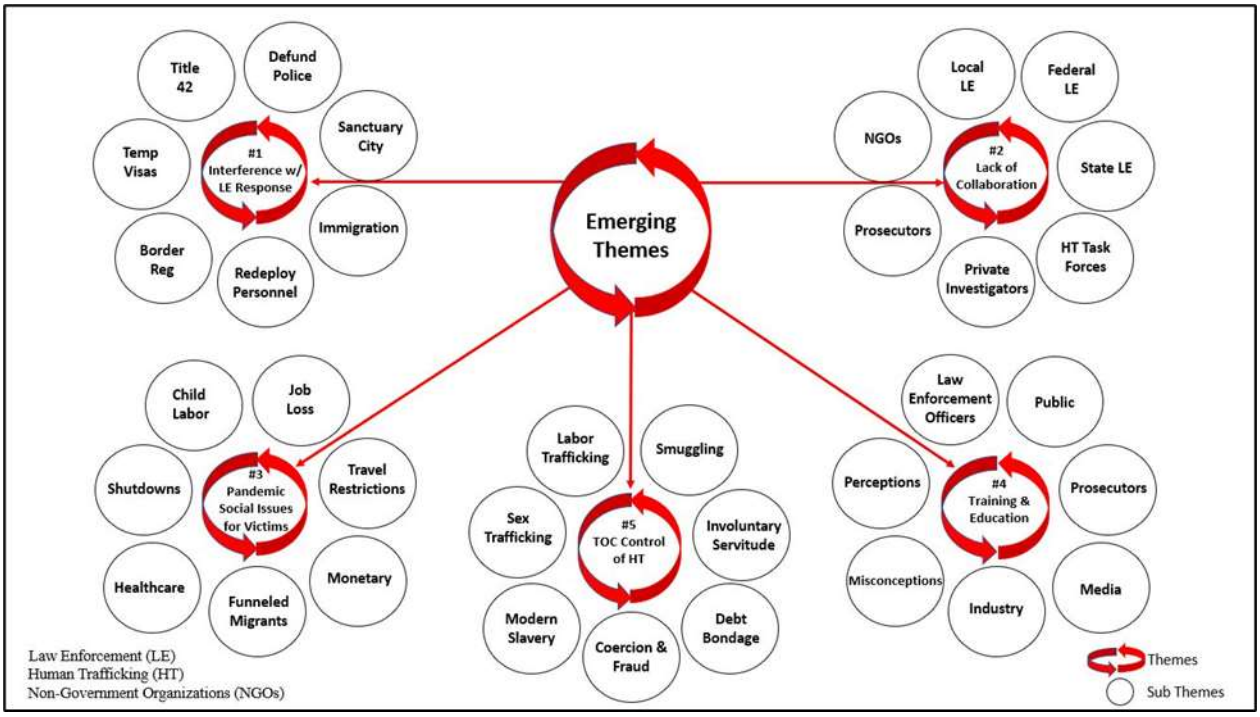

GENDER PLAYS A ROLE IN LABOR TRAFFICKING
Male
Female
Split (Equal M/F)
10%
20%
70%

Table 3


Emerging Themes
#1 Interference w/ LE Response
Title 42
Defund Police
Sanctuary City
Immigration
Redeploy Personnel
Border Reg
Temp Visas
#2 Lack of Collaboration
Local LE
Federal LE
State LE
HT Task Forces
Private Investigators
Prosecutors
NGOs
#3 Pandemic Social Issues for Victims
Child Labor
Job Loss
Travel Restrictions
Monetary
Funneled Migrants
Healthcare
Shutdowns
#5 TOC Control of HT
Labor Trafficking
Smuggling
Involuntary Servitude
Debt Bondage
Coercion & Fraud
Modern Slavery
Sex Trafficking
#4 Training & Education
Law Enforcement Officers
Public
Prosecutors
Media
Industry
Misconceptions
Perceptions
Law Enforcement (LE)
Human Trafficking (HT)
Non-Government Organizations (NGOs)
Themes
Sub Themes