

## Introduction Starting Over

Maria loves to sing. Her karaoke machine sits in the middle of her basement apartment in Queens. She fires it up when she has friends over, and they cook and sing. She also sings her favorite songs when she is home alone. She has sung songs into my voice mail on my cell phone. It's no surprise, then, that she describes her heartache for her son in the Philippines with the words to a song about being five hundred miles away. She left him in the care of her sister over twenty years ago, when she first traveled overseas for work. The United States is the third foreign country she has worked in. She never thought she would be gone this long. On the eve of preparing to finally see her son she turns to singing: "I don't know what I will say when I see him. What can I say? Hello, how are you, you are my son. I don't know what I will do. That's my situation. He is over five hundred miles away. So when I come home, I open my Magic Microphone and read the lyrics and sing and forget for a while."

Maria also expressed through song her love—and grief—for Felicia, her best friend in the United States. Meeting through a Filipina domestic workers' organization in New York, they became fast friends. As one another's surrogate family in this country, they looked out for each other. When Felicia had an accident and broke both her knees, Maria stopped by every day after work to check on her, to help her bathe, and to cook. It was Maria, not Felicia's husband, who nursed her back to health. Felicia loved Maria immensely, explaining over plates of barbecued meats and glasses of creamy halo-halo shakes, "Maria is my best friend. She took care of me when I could not do much. She is a real friend." Maria was also there for

Figure I.1. Karaoke machine in Maria's living room.  
Photograph by author.



Felicia when she learned that her beloved friend was dying of cancer and had only weeks to live. Maria nursed her as she had before, and it was she who was by Felicia's side in the hospital as she died. "I kissed her and held her hand and told her, 'I will always be with you.'" In those last days in the hospital, Maria tried to comfort her friend by singing. "I sang a lot of songs. I sang and sang and she would smile."

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Carmen pointed to the Long Island Rail Road tracks underneath the small bridge we were walking on. She brought me there because of the view: "It reminds me of a Chilean song about a young boy about to go on a big adventure. It makes me feel melancholic: happy, but also a bit sad." We were walking near the house she shared with her boyfriend in Queens, where she had been hiding after being physically attacked by a coworker at a housekeeping job in a midtown hotel. "Sometimes I feel like people are staring at me. Like they are going to eat me." I did not think that she would agree to go out for dessert and coffee, but without skipping a beat she said, "Sure, but let's go to Manhattan!" Back in her house, as she zipped from her bedroom to put on eyeliner, eye shadow, and red lipstick, she talked about a new start. She had been interviewing for jobs, and she pointed to her review books for the GED. As she brushed her long thick black hair, she vowed that she was going



Figure I.2. Train tracks near Carmen's house. Photograph by author.

to cut it. "I want a new look. I want to feel like I did when I wore a wig as Cleopatra last year for Halloween. I want a fresh start."

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Flo carried a large white envelope to the afternoon potluck at a domestic workers' organization in the Washington, D.C., area. The theme of the day was "poetry." During the workshop she helped fellow participants who were not as fluent as she with the English language. Following the dramatic tone set by a social worker leading the workshop, Flo acted out the poem she and another participant had written about the sun. The other women cheered when she was done. But she had more to share. Out of the white envelope she pulled an orange spiral notebook. She had written a poem the night before in anticipation of this day. This poem, about enjoying life and realizing how lucky she is, was an even bigger hit.

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Eva was carrying a book in English on dreams. She regularly goes to the library in her Bronx neighborhood to get books in English for herself and her son and explains that she looks up words she doesn't know in an online

dictionary. Since she is in school to be a nursing assistant, she makes a routine for them both to study: “After school, it is rest, snack, play, homework. We don’t watch television. There is no time. Last night I was up to 1:30 in the morning researching white blood cells.” Since her own schooling was cut short when she was a young girl in Mexico, she wants her son to be able to focus on school while he is young. “My son picked a flower for me. He told me, ‘One day I’ll buy you one when I work.’ I told him not to worry about work and to only think about school. I told him, ‘You have years of studying ahead of you. Listen to your teachers.’”

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I open this book about trafficking into forced labor with these snapshots of Maria’s, Carmen’s, Flo’s, and Eva’s lives precisely because these stories have no clear connection to their time in forced labor. Rather they recount ordinary moments of composing lives in the United States. Like all newcomers, they have had to take risks, step into new relationships, and try on new experiences. The United States was uncharted territory for them; three of the women had no prior ties to the country through family or friends.<sup>1</sup> Building a new life in a new country is difficult in the best of circumstances. What if one’s introduction to the United States is through forced labor? How individuals who were trafficked into forced labor set up their households, care for their children (whether in the United States or at a distance), find decent work, take classes, make friends, fall in love, and spend their free time is the focus of this book. While the media often has highlighted the spectacular aspects of trafficking, supplying a voyeuristic catalogue of abuse and dramatic stories of escape or rescue, this book picks up where these sensationalistic accounts leave off. Life after forced labor is a series of private daily struggles and successes, usually not the stuff of public press conferences and headline-grabbing news. This book dwells on the ordinary tasks and chores of resettlement in the United States, what I call *everyday lifework*. It recounts the ways formerly trafficked persons spend their days and nights, far from the media spotlight, quietly reclaiming their lives and making the United States their home.

The book operates on two levels: it examines the lived experience of migrating internationally for work, and it analyzes the effects of immigration policies—which may not have an ostensible connection to trafficking—on efforts to prevent trafficking into forced labor and assist trafficked persons. Both the focus on migrants’ lives and the policy analysis grow out of years

of anthropological fieldwork, along with migrants' and workers' rights advocacy. In this book, I introduce readers to real people, not mythologized versions of "trafficked persons," and call attention to the relationship between anti-immigrant policies and the pervasive exploitation of migrant workers. Individuals designated "trafficked" are just one part—a small part—of a much larger story of everyday exploitation of migrant laborers in the United States. Trafficking into forced labor is on the extreme end of a continuum of abuse of migrant workers.<sup>2</sup> A range of exploitation thrives without legal protections for all workers regardless of their immigration status. When workers fear reporting exploitation, employers can exploit with impunity. Widespread migrant labor abuse—including trafficking—is the result of robust demand for low-wage workers, the absence of federal immigration reform, ineffective labor laws, and migrants' fears of detection, detention, and deportation.

Although this is a book about individuals who suffered exploitation that was severe enough to qualify as trafficking, their experiences and insights are set within this larger political backdrop of everyday exploitation of migrant workers. My main analytical frame highlights migrant workers' vulnerability to abuse—both workers who are undocumented and those who have temporary work visas.<sup>3</sup> There is a huge gap between the paltry number of special visas ( $\tau$  visas) that the U.S. government has issued to severely exploited migrants to remain in the United States—under four thousand—and the millions of migrants who work in abusive conditions that may not be abusive *enough* to qualify as trafficking.<sup>4</sup> This number is particularly low in light of the U.S. government's estimate that 14,500 to 17,500 persons are in situations of severe exploitation in the United States.<sup>5</sup> While news headlines scream about "modern-day slavery" all around us and organizations fundraise on trafficked persons' behalf, this media attention and fundraising is fantastically disproportionate to the small number of individuals assisted as well as the vast number of migrant workers left to continue working in vulnerable and dangerous situations.<sup>6</sup>

Despite the media fascination and fundraising frenzy, formerly trafficked persons are largely on their own after initial government assistance. There is a striking disconnect between the splashy media coverage about trafficking, nonprofit organizations' emotional fundraising appeals, celebrity public service announcements, and the banality and poverty of formerly trafficked persons' actual day-to-day lives. Usually in the United States alone without family or any other contacts, they struggle to establish economic secu-

rity and a support network. Most do not know—and often never meet—anyone else with a trafficking designation. And, they are not allowed to travel outside the United States while their applications for trafficking visas (T visas)—and then for green cards—are pending. A physician who cares for patients who had been in forced labor observes that “they are not quite free” since they start new lives in the United States with no money, family, or friends and strict limits on their mobility. Chronic financial insecurity characterizes formerly trafficked persons’ lives in the United States not only in the short term but also for years into resettlement. Life after forced labor in the United States is life on the margins.

### What Is Trafficking into Forced Labor?

Trafficking into forced labor is migration gone awry.<sup>7</sup> Individuals undertake migration strategies hoping that the crossing will be safe, they will pay off their debts to those facilitating the crossing, and that they will have better economic opportunities than they currently have. But once migrants cross borders, many lose the support of their home community and the protections their citizenship may offer them. Agreed-upon travel arrangements can fall apart. Relying on someone else to hold up his or her end of a bargain is risky.<sup>8</sup> Although migrants assess risk and payoff, their migration calculation often stems as well from emotion and dreams.<sup>9</sup> The reasons some individuals get on the road elude easy mapping. Motivations for migrants’ dreams of new and better lives slip through and between researchers’ neat categorizations and theories. So do some migrants’ embrace of risk-filled travel plans. And, as many attorneys emphasize, not all of their trafficking clients’ plans were inherently risky; some had entered the United States legally with temporary work visas.

Many capitalize on migrants’ dreams: States that rely on remittances from citizenry working abroad in lieu of supplying a social safety net; recruitment agencies charging would-be migrants exorbitant fees; corrupt police officers and border guards; and unscrupulous employers. All these actors make trafficking into forced labor possible. While one person, or several persons, ultimately may be singled out as the “trafficker” or “traffickers” at the end of this chain, these other actors and forms of corruption create the conditions under which forced labor occurs.<sup>10</sup> This book explores what happens when individuals lose control of their border crossing. It is based on conversations I have had since 2004 with individuals whose strategies of

migration to enter the United States went terribly wrong. I recount stories of individuals who ended up in forced labor in a variety of industries in cities and towns throughout the United States. Their stories of life before, during, and after forced labor provide insight into the origins and maintenance of the power relationships that undergird trafficking into forced labor. Before their experiences in forced labor begin, potential migrants may reinforce existing inequalities, particularly class hierarchies, as they sign on—and sometimes pay exorbitant fees—to travel for work. They do so with few or no assurances that recruiters, travel brokers, and employers will stick to their end of the agreement. These global workers, often from marginalized social classes, have little control over the location of work, working conditions, and pay. If they want to work in an economy outside their home country, they have to comply—even if with great reservations—to the terms of travel and work set by others.<sup>11</sup>

### Terminology: Trafficking, Modern-Day Slavery, Forced Labor

As eager migrants set out to find work outside of their own countries' borders, the word *trafficking* obscures what is going on; the twin pillars underpinning trafficking into forced labor in the United States are abuses surrounding migration and labor. The desire, and sometimes desperation to migrate for work and the kinds of jobs available for workers in poorly regulated or unregulated labor sectors produce a perfect storm of worker exploitation—a global regime of worker exploitation.<sup>12</sup> Migrant workers the world over are central to local economies but enjoy few protections from abusive employers or are too intimidated to exercise them.<sup>13</sup> They enter new, unfamiliar labor markets in new, unfamiliar countries and may not be knowledgeable about their basic rights. Their undocumented status—or temporary work visas—ensure that they will remain quiet about these abuses. They may not have any place to turn—or fear doing so. Their employers bank on this fear and sometimes go to great lengths to cultivate it. Since there also may be an existing range of exploitative labor practices in these work sites, extreme abuse may go undetected by coworkers also experiencing exploitation.

The term *modern-day slavery* is also a flawed way to describe forced labor in the United States.<sup>14</sup> Slavery is not the law of the land. It is not protected by a legal framework that is based on race, and no one is born into a race-based enslaved status. No human being is legally defined as property that

can be bought and sold. Nor do individuals expect to be sold. Under chattel slavery, individuals of African ancestry knew that they or a family member could be sold at any moment. In this sense, although enslaved individuals lived with chronic uncertainty, they knew what was ahead: they faced a lifetime of being bought and sold. The historian Walter Johnson writes that waiting to be sold “suffused every moment of the present with the fear of an unknown future, the heart-rending pain of losing loved ones to the traders, loss and survival in the shadow of the slave market.”<sup>15</sup> Enslaved individuals also knew that certain destinations, such as the Deep South, meant a death sentence. Johnson quotes Lewis Clarke, who had been enslaved: “Why do slaves dread so bad to go to the South—to Mississippi or Louisiana? Because they know slaves are driven very hard there, and worked to death in a few years.”<sup>16</sup>

In contrast, individuals in forced labor in the United States today are surprised to find themselves without control over their lives. They may not know what is ahead for them, but they know that employers may not lawfully prevent them from quitting. They know that their freedom does not have to be bought and declared through legal documents. Francisco, in his early twenties, jumped out of his abuser’s van while they were parked at a gas station in California. He ran directly to police officers he had spotted. Without documentation to work and live in the United States, he expected that running to law enforcement would mean his deportation (he ended up qualifying for a *T* visa), but he had never expected to be held by an employer against his will. He explains his calculus: “I did not care if they arrested me and sent me back to Mexico. I had to get away.”

Today’s traffickers in people do not have the law on their side, nor do they have the assistance of slave patrols, fugitive slave laws, and courts.<sup>17</sup> They must be discreet about their coercive extraction of uncompensated labor.<sup>18</sup> Women who were in forced domestic labor, for example, relate that their abusers told them to stay out of sight—usually in upstairs rooms or in the basement—when their employers entertained guests. Beatrice, who had been trafficked into forced domestic labor as a teenager, suspected a young woman was in a similar situation when she met her at a party Beatrice attended. The young woman did not leave the kitchen for the duration of the party and seemed to try to make herself unnoticeable. Beatrice said, “I saw myself in her. She was afraid. She was hesitant to answer any of my questions. I told her she did not have to stay there.” Beatrice reached out to her and gave her the name of her attorney and the domestic workers’ rights or-

ganization that had helped her. She also followed up with phone calls. (The young woman eventually decided to go back home to Africa.)

With exploitation of low-wage migrants pervasive in the current labor system in the United States, this country's experience with sweatshops at the turn of the twentieth century is a more fitting historical reference than chattel slavery. Today many migrants labor in modern-day sweatshops where employers get away with paying poverty wages under lousy conditions because they know that their workers fear detection and deportation, or need their sponsorship for a temporary work visa.<sup>19</sup> Workers' debts to recruiters, smugglers, and family members back home also keep them working without complaint.<sup>20</sup> In some cases, such as in forestry work, which only lasts around three months and pays poverty wages, workers often leave work contracts with greater debts than before ever working.<sup>21</sup> Exploitative employers leverage workers' fear and debt burden by threatening to turn them over to law enforcement. Not paying agreed-upon wages, or not paying wages at all, is also commonplace in these environments where threat and fear reign. Legal scholar Jennifer Gordon writes about a kind of "super exploitation" that happens to most low-wage migrant workers who, at some point, are cheated out of their wages in what she calls "everyday sweatshops."<sup>22</sup> Still, meager wages—even no wages—do not guarantee an exploited worker a "trafficking" designation.<sup>23</sup> Routine forms of wage theft and intimidation are simply part of doing business in places where migrants labor.<sup>24</sup> Sweating labor—in agricultural fields, restaurant kitchens, factory floors, construction sites, brothels, and people's homes—occurs every day. Contrary to sensationalistic claims that slavery is all around us, a more mundane and politically thorny reality is that exploited migrant labor undergirds parts of the U.S. economy. Certain industries, such as agriculture, rely on paying low wages as well as employing seasonal laborers. If these workers want to be rehired, they have many incentives to stay quiet about their exploitation.

The language I have chosen to use throughout the book therefore pivots on issues related to labor. No one term accommodates a wide variety of individuals and experiences in forced labor. In fact,  $\tau$  visa recipients may have little in common other than their U.S. government designation as "trafficked." In order to emphasize that trafficking is about labor exploitation, I write about *trafficking into forced labor*. When I write of trafficking, I am specifically referring to the legal category created through the passage of the Trafficking Victims Protection Act (TVPA) in 2000 and a set of accompany-

ing legal rights. While U.S. government documents often refer to trafficked persons as *victims*, social workers, trauma specialists, and medical doctors use the term *survivors*. Most formerly trafficked persons use vague, generalized phrases such as “my situation” or “back when I was with that woman” or “when I was with that man” to describe their time in forced labor.<sup>25</sup> The language of trafficking also has been widely criticized by social service providers. “I don’t like the term *trafficking*,” explains a physician based in California. “Instead, I want a term that captures that this is someone who has lost autonomy, been exploited, and abused.” Concerned as well about the much larger population of exploited migrant workers who have been left out of any form of legal relief, she emphasizes that she also “would include twenty guys sleeping in a van in a field within this definition.” Labor protections and immigration relief thus are at the heart of larger discussions about this wider circle of exploited individuals who do not qualify for any trafficking benefits but live and work in abusive conditions nonetheless.

Since a trafficking designation by the U.S. government confers benefits and rights—and obligations—I refer to individuals whom the government has determined qualify for  $\tau$  visas as “formerly trafficked persons” and “ $\tau$  visa recipients.” With the first group of  $\tau$  visa recipients—like Maria and Carmen—finally having received their green cards, I realize that  *$\tau$  visa recipients* is a flawed term since it captures only a particular time during the legal process leading to permanent settlement in the United States. I continue to use the term, however, since it is a critical first legal step to living and working permanently in the United States. Social workers and attorneys at organizations involved in the resettlement of formerly trafficked persons consequently focus much of their energies on securing  $\tau$  visas for their clients. The first group of  $\tau$  visa recipients—pioneers like Maria and Carmen who navigated this legal regime—waited considerably longer than applicants do today. It is primarily these first trafficking clients with whom I have spent time. Their prolonged wait first for  $\tau$  visas and then for green cards profoundly shaped their resettlement in the United States.

### A New Legal Category: Exceptions to the U.S. Immigration Regime

Those with a “trafficking” designation from the government receive  $\tau$  visas to stay in the United States and also qualify for a range of social services much like those that refugees receive.<sup>26</sup> To qualify, exploited workers must prove that they are victims of “force, fraud or coercion.”<sup>27</sup> This is not easy to

prove. Legal scholars have noted not only how difficult it is to prove coercion, particularly without physical violence, but also how this narrow definition of exploited labor that offers relief on a limited basis actually weakens the antitrafficking legal regime. Extending protections and benefits to more individuals “would have the advantage of undermining the exploitative labor practices that have been allowed to thrive at the unpoliced intersection of labor law and immigration law.” Instead, by reserving relief for only a special few, the “growing chasm between the treatment of trafficked victims and all other unauthorized migrants” has “further fuel[ed] policies that limit the official scope of trafficking prosecutions.”<sup>28</sup> And those whose exploitation is deemed not coercive enough to qualify as trafficking risk deportation.<sup>29</sup>

Although extreme abuse may be the exception, forms of exploitation, such as wage theft, are commonplace for migrant workers.<sup>30</sup> Most undocumented migrants (or those with temporary work visas) work within a kind of labor liminality.  $\tau$  visas are not given out for a little bit of exploitation. Providing protections for only the most extreme cases of migrant exploitation sidesteps the divisive politics of immigration reform and labor law. There is an immense gulf between these trafficking victims worthy of relief and undocumented workers regarded by many as deportable lawbreakers. When the U.S. government confers the legal designation “trafficked” upon an individual, everything changes. Unprotected migrant workers are delivered into a state of immigration grace. Not only saved from criminalization and deportation, trafficked persons also jump to the head of the line in the government’s relief regime. Those designated “trafficked” are exceptions to an otherwise punitive immigration regime.

Not only is trafficking difficult to prove, but almost immediately after the TVPA’s enactment, a rhetorical shift took place that sought to redefine the term *trafficking*. While many of the initial supporters of the TVPA saw trafficking through the frame of labor rights, others, particularly within the Bush administration, viewed trafficking primarily through the lens of prostitution with the goal of eradicating all forms of sexual labor through law enforcement. Thus, the TVPA’s implementation has been caught between two competing principles. One view contends that the legislation is, in effect, an effort to provide labor rights protections to extremely exploited workers while the other seeks to enforce the law as a means to end all forms of sexual labor. Early in the implementation of the TVPA, the Bush administration, evangelical nonprofit antitrafficking organizations, and mainstream femi-

nist organizations turned the campaign against trafficking into a crusade to end prostitution (the focus of chapter 1). The impossibility of such a goal notwithstanding, this war on sex work, in the name of ending trafficking, in part explains why so few T visas have been issued to date. By focusing on finding exploitation in only one labor sector—the sex sector—exploited workers in other labor sectors went unassisted.<sup>31</sup> In the process, sex workers have been caught in the crossfire of this assault on all commercial sexual transactions—including those between adults who were not coerced. As they have tried to work undetected to avoid arrest and deportation, sex workers—both undocumented migrants and U.S. citizens—now labor in less safe conditions. Working more in the shadow of the law than before the campaigns to “rescue” them, these workers have borne the brunt of these misguided policies. Women working in brothels fit the public imaginary of trafficked victims, men picking fruits and vegetables simply did not spur the same call-to-arms.<sup>32</sup> Since many workers in the sex sector are U.S. citizens, a focus on the sex trade not only provided an iconic victim deserving of assistance, but also avoided the political debates surrounding assisting undocumented workers.

Many legal practitioners and legal scholars have argued that the low numbers of T visas issued during the Bush administration resulted from the Department of Homeland Security’s and the Department of Justice’s focus on the prosecutorial goals of the T visa. When investigators and prosecutors identify trafficking victims, they decide both whether a victim would be a good witness and whether the individual is a victim for the purposes of the T visa. This conflict, observes the legal scholar Jayashri Srikantiah, “results in a failure to identify as trafficking victims those who do not present themselves as good prosecution witnesses.”<sup>33</sup> Thus, even after the Obama administration backed away from the centrality of sexual labor in its approach to fighting trafficking, the predominance of the criminal justice frame still informs the U.S. government’s antitrafficking efforts.<sup>34</sup>

### Continuum of Exploitative Labor Practices

Since most undocumented workers—and some workers with temporary work visas—experience exploitation at some point, I situate trafficking into forced labor on a continuum of exploitative labor practices that low-wage migrants regularly experience in work sites throughout the United States. Low pay, no pay, unsafe work conditions, job insecurity, and no clear chan-

nels for redress are routine in work sites where migrants labor. Forced labor exists today in part because exploitative labor conditions exist and are allowed to proliferate. When some level of exploitation is the norm in work sites where migrant labor predominates, forced labor may flourish. It blends into an environment of everyday forms of normalized abuse. Trafficked persons typically are not physically restrained; thus, as they pick tomatoes or wash dishes or sew clothes alongside other migrant workers, they appear to be working under the same conditions as their coworkers. What distinguishes these coerced individuals from their coworkers is that they fear for themselves or their families if they try to leave their abuser. Intimidation works. All trafficked persons in forced labor, regardless of their particular circumstances of exploitation, have a compromised ability to walk away. For some, having no passport, money, contacts in the United States, or even seasonally appropriate clothes shapes their perception of the opportunity and safety of leaving.

There is an absurd quality to parsing out different degrees of exploitation. Although there are cases of forced labor that are so extreme that they can be mapped easily at one end of a continuum of exploitation, there also are many stories that are not so clear-cut. Rather, many of the cases of migrant worker exploitation beg the question of how to compare one exploitative practice against another. This hair splitting over different degrees of exploitation—but exploitation nonetheless—leaves many workers out in the cold. The TVPA structures new categories of labor and exploitation and sorts exploited workers into trafficked and nontrafficked categories, but this binary conceptualization obscures and effaces a broader range of migrant labor abuses. In many work sites, workers who qualify as trafficked may labor beside other employees who have a compromised ability to leave and find other work but who may not qualify for T visas. This kind of doling out of immigration relief to a few while the majority are unprotected causes tension within organizations. The staff at a domestic workers' rights organization in the Washington, D.C., area, for example, relates that there is both joy and jealousy and tension when a client receives a T visa. Those left out of any possibility for immigration relief know that if they stay in the United States, they likely will live and labor in the shadow of the law. One staff member at this organization describes their clients as living in a kind of labor "purgatory." This liminal zone of abuse and limited rights lays the groundwork for more egregious forms of exploitation to thrive unnoticed, unchecked, and unreported.

With exploitation the norm, those in severe situations of abuse that may qualify legally as trafficking into forced labor may not consider their labor experiences as significantly different from those of their similarly exploited migrant peers. Rather, there is a kind of normalization of exploitative conditions among migrant workers.<sup>35</sup> Importantly,  $\tau$  visa recipients say that they were unaware of  $\tau$  visas and the accompanying benefits. Instead those who eventually received a “trafficking” designation initially may have sought legal assistance for domestic abuse or for their immigration status.<sup>36</sup> An attorney in Florida explains that none of her trafficking clients first came to her and said, “I’m a victim of trafficking”; rather they came seeking help to avoid deportation or regarding an abusive partner. A social worker in New York similarly explains, “[Clients] talk about abuse, like ‘My boyfriend beat me.’ People do not talk about trafficking ever.” Consequently, it is not surprising that most trafficking cases have not unfolded through self-identification. This environment of rampant abuse and employer intimidation, even when there is no forced labor, helps explain why there have been fewer than four thousand individuals designated by the U.S. government as “trafficked.”

Peer-led rights-based outreach in places where migrants work and live is a first step to informing vulnerable workers of their rights. Peer-to-peer outreach as skillfully and creatively practiced by migrants’ rights organizations such as the Coalition of Immokalee Workers (CIW), *Lideres Campesinas*, *CASA de Maryland*, and *Damayan*, protects workers against a range of workplace abuses, from wage theft to forced labor. These organizations’ rights work model can be best practices for antitrafficking efforts in the United States and abroad. In the spirit of activist research, the central analytical frame of the book, which places forced labor on a continuum of exploitative labor practices, draws from these organizing strategies. It is these organizations’ pathbreaking work and advocacy that inform policy recommendations in an appendix.<sup>37</sup> Basic rights work is the front line of anti-trafficking work.

### Who Are Trafficked Persons in the United States?

Often portrayed as a monolithic group, trafficked persons may share little more than their legal status. They come from many different countries, were forced into different forms of labor throughout the United States, and have settled in small towns and large cities. They speak different languages and

have varying education and work histories, as well as differences in ethnic, racial, gender, sexual, generational, and religious identities. The length of time they were held in forced labor varies from weeks to years, and while most experienced psychological coercion, others also suffered physical brutality. A victim-witness coordinator for Immigration and Customs Enforcement (ICE) explains, “ICE agents ask me for profiles of traffickers and their victims. I tell them there is no one MO of a typical trafficker, there is no typical victim, and the paths that lead them here are varied. I’ve never seen anything like this before.” A formerly trafficked person, Esperanza, who now speaks at law enforcement trainings agrees: “I’ve learned in trainings that every case is different. You may think you know about trafficking. But you only know your case.”

Some formerly trafficked persons had never planned to live in the United States, such as young women who were persuaded by their boyfriends or husbands to travel to the United States or women who had worked as domestics overseas whose employers then moved them to the United States. Unplanned migrations such as these often capitalize on particular vulnerabilities: women manipulated by their boyfriends tend to be younger than the men. Employees following employers to the United States may be from not just a different social class but also a different nationality or ethnic group from their employers. Sometimes youth, inexperience, or traveling alone intensifies vulnerabilities. But there is no clear pattern of vulnerability that leads to forced labor. It cannot be said, for example, that trafficked persons come from the poorest classes in their countries of origin.<sup>38</sup> Rather in many cases these migrants had steady income-earning arrangements but could not make significant financial progress. Migration for work was a mobility strategy, a plan to attain long-term economic goals such as purchasing a home or buying a shop. In short, this is an ambitious and resourceful group, willing to avail themselves of whatever resources are within their reach.

Gendered migration patterns from their countries of origin also play a major role in determining where these resourceful and hopeful migrants look for work as well as the kind of work they seek. Out-migration for work in the caregiving industries, for example, is common among women, in particular from countries such as the Philippines.<sup>39</sup> Similarly migration for work in agriculture is a route for men from Mexico and Central America.<sup>40</sup> These individuals compose migration strategies that are not unlike those of their family members or neighbors. What could possibly go wrong when migration to the United States is a familiar path to economic mobility?

## The Trafficking Assistance Regime

When all does go wrong and migrants' exploitation qualifies them for a "trafficking" designation, the trafficking assistance regime has significant shortcomings. The  $\tau$  visa allows recipients to stay in the United States for up to four years and to apply for permanent residence (LPR status) if they have not left the country during that time.<sup>41</sup> Their dependents can apply to live with them in the United States.<sup>42</sup> Grateful for the legal status the  $\tau$  visa has offered them, some of the first trafficked persons who received  $\tau$  visas, back in 2002 and 2003 also acknowledge the limitations of a "trafficking" designation. A major theme throughout the book is the critical lack of longer term social service assistance. Thus the actions of the state, first in identifying who qualifies as trafficked, and then in setting the terms of assistance, profoundly shape formerly trafficked persons' lives.<sup>43</sup>

The legal categories  $\tau$  visa applicant and recipient and green card applicant and recipient constitute and reinscribe notions of particular kinds of victims. These victims are deportable, while at the same time they are potential witnesses. At all stages they must be cooperative as they continue to prove their worthiness for a trafficking designation.<sup>44</sup> Since they cannot leave the country until they have a green card and may be called to testify against their abusers or decide to pursue civil damages, their legal status as "trafficked" subjects them to continued demands. These restrictions on mobility and ongoing encounters with law enforcement and with the justice system produce certain understandings of self, home, the United States, and place within the nation.

Maria, whose love of singing opens this introduction, was one of the first in the United States to file for a  $\tau$  visa, but she did not receive her green card until nearly ten years after leaving her situation of forced labor.<sup>45</sup> "It has been a long journey," she explained. "I've walked a long way. I have been in limbo for ten years!" She has been on the road and away from her son even longer. When she first left her home in the Philippines to work in the Middle East more than twenty years ago, Maria never imagined that she would be apart from her son for so long. Nor could she have foreseen that she would wait as long as she did for her green card. While she waited, her son grew into young adulthood in her absence.<sup>46</sup> With a green card in hand, she finally traveled to the Philippines to see her son. Now in his early twenties, he is the center of her life; she was truly lovesick thinking of their

reunion: “I will be there for his birthday—I have never celebrated a birthday with him.”

Carmen, whose story of gazing over the railroad tracks also opens this introduction, was equally frustrated that she could not travel outside of the United States to see her family while she waited for her green card. Her sisters had children she had not met, and her father’s heart condition was a constant concern. “The  $\tau$  visa,” she explained, “does not really give you much.” Formerly trafficked persons are in a state of emotional and economic suspended animation while they wait to hear the result of their legal claims. Social workers who work with trafficked persons report that their clients do not find peace or calm until they receive their  $\tau$  visas and then their green cards. As a result, they often remain in a near-crisis state for years, unable to settle down and settle in. “My trafficking patients,” commented a physician, “only begin to relax when their legal situation is more certain. When they have hope, they can sleep and eat and finally find some relief.”

### Everyday Lifework

While  $\tau$  visas allow formerly trafficked persons to live and work in the United States, removing significant fear, worry, and stress, they still face profound uncertainty and insecurity in other aspects of their lives. Consequently the overarching question animating this book is how do formerly trafficked persons rebuild their lives? How do they set their lives in motion on their own terms? Writing about how those who have suffered through brutality resume the “task of living (and not only surviving),” the anthropologist Veena Das questions how they simultaneously try to generate “a renewed capability to address the future” while they are caught up in the everyday.<sup>47</sup> For formerly trafficked persons, addressing immediate material needs—housing, work, health care—is more than enough to manage. As they focus on securing these basic elements of life, longer term plans for the future are stalled.

Mired in and at times overwhelmed by the demands of daily living, trafficked persons must learn, as have others who have suffered abuse, “to inhabit the world, or inhabit it *again*” through the “everyday work of repair.”<sup>48</sup> As they once again make all the decisions in their lives, the smallest of these, such as deciding what to cook for dinner, can propel them forward. Tending to the ordinary tasks and chores of creating a home in the United States can

help them move beyond the extraordinary exploitation of forced labor. This everyday lifework of home creation is a central theme of this book.

The new set of material living conditions and work options that formerly trafficked persons face after forced labor are unfamiliar at best and frightening, hostile, and potentially exploitative at worst. As these individuals plunge into a new life in the United States, factors that contributed to their forced labor in the first place may continue to shape their resettlement. Financial responsibilities to children or parents give particular direction and added stress to their decisions. Their lack of friends or family is one of the most significant factors that affects their well-being and sense of home in the United States. Nor do they have ready-made connections to communities of coethnics. In fact if their abusers are coethnics and if they or their associates are still at large formerly trafficked persons try to avoid communities of coethnics. Their level of English-language competency, marketable education or skills, knowledge of the United States, location and jail term of their abuser (in the rare cases when traffickers go to prison), and debt obligations to their recruiter, smuggler, or other travel brokers, all can aid or hinder their transition. Whether or not they are involved in court proceedings through which they have contact with their abusers, either to put them behind bars or to pursue civil awards, can prove haunting or liberating. Access to affordable health care is pivotal to their mental and physical well-being. Factors such as the economy, housing market, access to transportation, and availability of educational resources determine their longer-term strategies.

Securing an economic toehold in the United States is not easy. Most formerly trafficked persons only have access only to insecure, low-paying, and dead-end jobs. They also may face the kind of exploitative labor conditions that many workers in low-wage labor sectors face.<sup>49</sup> Since they do not have social networks to help them find new jobs with better wages, greater security, or opportunities for mobility, most perform the same jobs that they were doing while in forced labor. After all, if they had social networks in the United States to help secure good jobs and safe housing, they might never have been vulnerable to their abusers in the first place. And for those who want to acquire new skills or degrees, paying for school and balancing work and classes present even more challenges. They may ride out their time in a job longer than they had planned. Most formerly trafficked persons struggle to save enough money to put mobility strategies into place—for example, to go to school or to open a small business. In short, they con-

front the same obstacles the working poor face to getting ahead. Eva (whose story of raising her son opens this introduction) was able to go to school because, quite unusually for formerly trafficked persons, she and her son lived with Eva's brother who had been living in the United States. But since most  $\tau$  visa recipients have no family members with whom to pool income or other resources, social workers throughout the country have expressed concern that the deck is stacked against their trafficking clients. Even with legal permission to live and work in the United States, these individuals likely will enter the ranks of the working poor.<sup>50</sup> As a social worker in California explained, the benefit package can do only so much. Without more benefits and for a longer period of time, the current program often produces "a new subset of poor immigrant workers." Here are a few scenarios of life after forced labor:

One woman occasionally sleeps in her car when she does not have enough money to pay for gas to get home from work.

Another woman is over her head in debt following a divorce. Without her ex-husband's income, she cannot meet all her expenses as a single mother.

A leader in the antitrafficking movement works full time where she is respected and challenged, but she can barely make ends meet and has no medical benefits.

A number of women and men have remained in relationships that they want to end but cannot afford to move out and live on their own.

These stories of poverty and hardship, of course, are not unique to formerly trafficked persons. With both the recent recession and a tattered social safety net, stories like these are increasingly common depictions of life in poverty in the United States. What makes these challenges distinctive for formerly trafficked persons, however, are the cumulative emotional and financial impacts of being trafficked into forced labor. A Washington, D.C.-based attorney points out that this population must contend with both limited social networks and the financial repercussions of years without earnings. "These are not cases of ordinary wage theft; trafficked individuals have been deprived of their wages for years." Another attorney also in Washington, D.C., explains, "It is possible to recover from the trauma of trafficking; it is impossible to recover from years, and sometimes decades, of lost in-

come. I have one client who was paid nothing for nearly twenty years. You cannot recover from that financial hit.”

### Home-Sense

Despite these many obstacles to living securely in the United States, those who pursue  $\tau$  visas and then green cards are continuing to choose to remain in the country.<sup>51</sup> They set about trying to feel at home in a country where their first experiences had been abusive. They not only have few, if any contacts, but also may have little knowledge about the United States. While social workers frequently talk about securing their clients’ “stability” and medical doctors use the language of “well-being,” I add to these descriptions of successful resettlement anthropological thinking on belonging and place- and home-making. Feeling at home, the subjectivity of place and belonging—what I call home-sense—takes time. But even before feeling at home, formerly trafficked persons must imagine the United States as offering possibilities worth staying for—a completely different vantage point from their first experience of the United States.

While forcibly displaced individuals assess the “degree of danger, financial viability, and reception” as they imagine returning home, formerly trafficked persons who elect to pursue a  $\tau$  visa imagine *staying* in the United States.<sup>52</sup> They take a leap, a chance that eventually they will feel at home and at peace in their newly chosen country.<sup>53</sup> Unlike refugees and others who were forced to leave their home as they fled insecurity and possibly violence, most formerly trafficked persons willingly left their home, in some cases undertaking complicated, dangerous, and expensive out-migration strategies.<sup>54</sup> The individuals who chose to stay in the United States do not look to or romanticize the past as a time of security.<sup>55</sup> Rather they look ahead. What they mourn is the time stolen from them by their abusers, not the loss of their past lives in their homeland.<sup>56</sup> In this way they do not expect or attempt to reconstitute the practices and understandings of their past homes. Nor do the formerly trafficked persons I met talk about return to their home country as a fall-back plan. Once they make the decision to stay in the United States, they focus on building a life there as if there is no other option—at least for the time being.<sup>57</sup> They invest in the “possible.”<sup>58</sup>

In the course of building a sense of home, what the anthropologist Laura Hammond describes as the “affective space in which community, identity and political and cultural membership intersect,” new migrants and refu-

gees must build new personal, political, and professional ties.<sup>59</sup> These ties may be forged where they live, work, worship, or volunteer. Formerly trafficked persons, however, lack this entrée into a broader social network. They do not have meaningful and varied networks they can immediately tap. Thus while they face similar settlement challenges as other migrants and refugees, they do so without the assistance, knowledge, and sense of belonging that accompany membership in coethnic migrant and refugee communities that are reconstituted in the United States. They may live among other struggling newcomers, but they struggle largely on their own.

### Notes on Conducting Research and Writing about Suffering *Meeting Formerly Trafficked Persons and Other Migrants*

I have been extraordinarily fortunate to get to know remarkable individuals over many years. I have followed how they have been settling into their communities and jobs, as well as how they trust again as they create and maintain new social networks of friends, neighbors, and coworkers. At the same time that these individuals forge new relationships, they continue to manage old ones with family members back in their home countries. In some instances they are reunited with their relatives in the United States (since spouses and dependent children under twenty-one qualify for resettlement). While living in the United States, many have fallen in love and had children. Some also have left their partners or had their hearts broken. As they regained control over their lives, opening themselves up to new relationships has meant risking being deceived once again.

This book is based on multiple in-depth conversations with individuals trafficked into forced labor and those who have assisted them. I am indebted to the social workers and attorneys who introduced me to their trafficking clients in Los Angeles, Orange County, New York City, Long Island, Florida, Maryland, Washington, D.C., and Virginia. I first conducted formal interviews with these clients between 2004 and 2007, and since then I have continued to spend time with those who live near me (in Washington, D.C., Virginia, and Maryland) or in New York City and Los Angeles, where I visit regularly. During our first meeting, usually held in the office of a social service organization or in a client's home, a social worker or case manager was always present, and I tape-recorded our conversations. I spoke with thirty formerly trafficked persons in these formal meetings, as well as approximately twenty formerly trafficked persons in a variety of informal settings,

such as potlucks held by community-based organizations, celebrations, workshops, and protests. I also met formerly trafficked persons at conferences, including participating on the same panels. I have kept in regular touch with some, and we have cooked dinner together or eaten out, seen movies, gone sight-seeing in their cities, or run errands. Many of these formerly trafficked persons, along with leaders in migrants' rights communities, social workers, attorneys, and labor organizers whom I first met as a researcher, are now trusted friends. Both formal interviews and casual dinners inform my analysis. For those of us doing research where we live, with people we know well, and on issues we also work on as activists, research blurs and blends with friendship and advocacy.

It was difficult for social workers and attorneys to identify appropriate candidates for taped conversations. Keenly aware of the possibilities of re-traumatization and of potential legal issues, social workers and attorneys were careful to introduce me to clients who had shown an interest in and whose legal cases would not be jeopardized by speaking with me. Barraged by a steady stream of requests by journalists and academics who wish to meet their clients, these gatekeepers spent time interviewing me before introducing me to their clients. I am deeply grateful for the trust they put in me. They introduced me to clients whom they believed would be strong enough to talk about their lives after forced labor. Because of this, a psychiatrist who works with trafficked patients cautioned that I may have met only particularly resilient individuals. Since I have known some of these individuals for over nine years, I have seen them confront many problems and setbacks. Their lives have taken unexpected twists and turns; domestic violence, chronic poverty, major health issues, and separation from their children are just some of the daunting challenges they have faced. Although it may be likely that initially I was introduced to individuals who are particularly energetic and determined, I have seen them struggle with a range of crises.

I also should note that social workers introduced me to more women than men since they thought we were more likely to hit it off; this is not a reflection of the gender balance of their caseload. Moreover since I have worked with half a dozen domestic workers' rights organizations throughout the United States, I have met more women than men. Consequently the book, for the most part, reflects more women's experiences than men's. I cannot emphasize enough, however, that the labor protections that I call for throughout the book are needed to protect all workers—women and

men—across industries. Gender can shape forms of work and types of exploitation and abuse, to be sure, but women are by no means more vulnerable to forced labor or more deserving of assistance than men.

Assistance-givers within the trafficking care regime—social workers, case managers, attorneys, and staff at shelters—were crucial to my research. Since they are on the front lines of resettling formerly trafficked persons, I relied on regular communication with them in one-on-one meetings, telephone calls, and the annual Freedom Network conferences (a coalition of organizations that provide services to trafficked persons) and other anti-trafficking events. I cannot underscore enough how important their knowledge and experience was to this project. They generously invited me into discussions in which they exchanged concerns, successes, and best practices. Social workers and case managers who are in large agencies that oversee large caseloads know a great deal about experiences in and after forced labor. They have helped me to situate conversations with different trafficking clients in relationship with one another. I checked in with them about how they make sense of particular themes, whether recurring in many conversations or present only in one. Whereas law enforcement agents and attorneys need to produce linear accounts of what happened, social workers listen for what is not said—how events may affect individuals’ self-identity and self-worth, their current relationships, health and well-being, and decision making. They ask questions that those trying to prove coercion may not, such as, “Do you hesitate when faced with a new experience or when meeting new people?” and “Is your current living situation safe?”

Living in Washington, D.C., has afforded me a front-row seat to watch antitrafficking policy unfold. Over the years I have been to a number of congressional events and hearings as well as events hosted by the Office to Monitor and Combat Trafficking in Persons at the U.S. Department of State. I have participated in small-group listening sessions convened by State Department officers who write the annual TIP Report, sessions in which these officers hear from social service agencies and researchers. I also have served as an “expert evaluator” for U.S. government grants for university researchers. And I have attended local-level antitrafficking task force meetings in Washington and in Los Angeles, as well as training sessions for law enforcement.

Because the book strongly asserts that trafficking into forced labor cannot be understood or prevented without learning from creative rights outreach in migrant communities, I also have spoken informally with migrants

in low-wage jobs who have experienced a range of workplace abuses but who do not qualify for a T visa. I have met these exploited—but not trafficked—migrants through many of the same organizations that provide services to formerly trafficked individuals. They have been a part of labor-organizing meetings, potluck dinners, celebrations, health fairs, protests and other venues, some of which I attended with formerly trafficked persons throughout the country. During my travels to meet formerly trafficked persons and their assistance-givers, I also met with migrants' rights organizations and workers' rights organizations across low-wage labor sectors. When I write about the strategies, successes, and frustrations for organizers within domestic worker, farmworker, and day laborer communities, particularly in chapter 1, I draw from these conversations.

I also met workers who were exploited but not trafficked in spaces where I have been involved as a migrants' rights and workers' rights activist. In Washington, D.C., northern Virginia, and Maryland I have attended migrants' rights and workers' rights organizations' "know your rights" workshops, skill-building activities, and social events; hearings on antimigrant legislation; and coalition meetings on wage theft and other crimes against migrants. I have served as a volunteer at a day laborer center in northern Virginia and at an immigration legal clinic. I also have attended meetings of the Economic Empowerment Working Group, a coalition of organizations in New York City working to provide long-term support—including fellowships, loans, and training—for formerly trafficked persons. It is my hope that this book will bring attention to the difficulty of securing long-term economic stability. In sum, as a researcher and a migrants' rights and workers' rights activist, I am regularly in spaces where migrants and vulnerable workers assume leadership positions, advocate on their own behalf, and seek legal protections as they become part of the communities in which they live and work.

### *Learning through Activism*

Watching membership-based migrants' rights and workers' rights organizations in action has shaped how I have framed this project both within conversations on migrants' rights as well as labor protections for low-wage workers. Scholars concerned with issues of oppression, inequality, and injustice long have explored the dialectic between theory and action.<sup>60</sup> Antitrafficking advocates and policymakers can learn a great deal from labor organizing strategies that improve workers' lives. For researchers, advocacy

can be a form of what anthropologists' call "participant observation" that brings them into a variety of spaces where they may occupy dual roles as researchers and advocates. These political commitments also allow those who work on issues that are not site-specific to "participate" in a kind of community on an ongoing basis.<sup>61</sup> Getting involved locally on national-level issues can be part of an "active" and "activist" participant observation.<sup>62</sup> Before this research project began, I had been involved in conversations, workshops, and campaigns with a long list of migrants' rights, sex workers' rights, and low-wage workers' rights organizations. Through these various ties and commitments, I have had the opportunity to learn about resources, funds, and strategies that could be of use within the antitrafficking community. In this way, I have tried to be a conduit between the antitrafficking and migrants' rights communities. These communities generally otherwise have been siloed, in part because they have different goals and tactics, and in part because they often compete over scarce resources and media attention.

#### *Listening to Formerly Trafficked Persons*

Before meeting trafficking clients at social-service organizations, I did not read any news reports, court documents, or Department of Justice press releases about their legal cases. Nor do I use these sources here to fill in the gaps, alter, or "correct" the stories that they told me. I am not an investigative reporter, and I told them as much; I promised that I would listen to *their* stories. My primary aim is to convey their perceptions of what happened from their vantage point. Traumatic events can affect memory, and abused individuals may not be able to piece together events exactly as they happened, or place them in chronological sequence.<sup>63</sup> It has been up to attorneys to prove coercion throughout these events; I do not want to be in the business of proving anything with the stories told to me or of "setting the record straight." To do that, I would have to test interviewees' memories and the accuracy of their accounts. In light of controversies over getting an individual story right rather than getting out a larger representative story, I intend this project to illuminate issues after forced labor, not to retell "facts" that already may be in news accounts, court documents, or press releases. It is of critical importance that individuals who have been in forced labor keep control over their story. I would be further abusing their trust if I were intentionally to look for factual errors.<sup>64</sup> This is their record, an account of how they make sense of events as they lived through them. Their vantage point is significantly shaped by the vast differences in power between

them and their abusers. For example, a few formally trafficked persons who had worked overseas before coming to the United States describe former employers as “like ambassadors.” And a few individuals who had been trafficked into the United States also describe their traffickers in these vague terms. The view that their abusers were unassailable and did not answer to anyone or any law conveys a sense of their perceived powerlessness in the face of those more powerful.

Taped conversations and the recordings and transcripts involved can take on timeless, near fetishistic qualities. A taped conversation captures reflections at a particular moment in time. I hope to communicate how much in flux these individuals’ lives are. Throughout my ongoing conversations with the same individuals over the past nine years, I have seen how they have changed their views of particular events and the choices that they have made. From these casual conversations without a tape recorder, usually over a meal, my discomfort with taped conversations has intensified. Deeply wary as well of the limits of one-time conversations, I sought to have as many ongoing conversations as possible.<sup>65</sup> And just as some formerly trafficked persons talk about events differently today than they did when I first met them, it is likely that they will alter them again and again in the coming years.

In the case of some of the individuals who feature prominently in the book, I shared the book in progress. Flo read page by page while we drank green tea in a Japanese restaurant. “Oh, the pictures that are coming back to my mind. I can’t believe this all happened.” I worried that reading about her time of escape (in Chapter 2) would be upsetting. She assured me it was in the past, “It was a terrible time. But now it seems a long time ago.” While she was reading, her phone buzzed with calls and texts from some of the people that had helped her escape. She tapped her phone, reminding me, “See this is my sister’s friend who helped me.” And, “That’s my friend from church calling.” As she remembered the details of her time living with her abuser and of leaving, and we talked about the many friends she has now and “all the sacrifices” they had made to support her, we closed the restaurant. These moments when formerly trafficked persons remember, and I listen, have changed as we came to know one another over many years. As they move further away from their time in forced labor, they see past events from a different perspective. Certain gains or losses have become more important today than when we first met eight or nine years ago, while others have receded, supplanted by new concerns.

Through both formal tape-recorded conversations and these many follow-up, informal exchanges, clear themes have emerged. I listened for crosscutting themes that seem to matter to many individuals. Difficulties trusting others again, the struggles living and working on the economic margins of the United States, and the consequences of keeping silent about one's experiences in forced labor arose again and again. I attempt to convey the feelings that formerly trafficked persons — many of whom were in vastly different circumstances of forced labor — expressed about their experiences in and after forced labor. I am confident that the stories I recount in chapter 2 of life in forced labor, for example, capture the experience of being under someone's control as well as the mechanisms used to control, even if the specific details vary from case to case. My ongoing conversations with those who assist trafficked persons — social workers, case managers, attorneys, and shelter staff — helped me to draw connections and understand distinctions between individual cases.

Other circumstances of conversations with formerly trafficked persons also shaped my understanding of their resettlement. I spoke with individuals from all over the world, and consequently had to rely on their limited English, on translators for those who spoke only Vietnamese, or on my own Spanish. Having social workers present who vouched for me certainly helped me gain trust with clients I was meeting for the first time. Their presence also may have unintentionally spurred their clients to talk about certain themes, as well as to downplay or avoid others. Getting to know formerly trafficked persons outside of their social workers' offices has allowed for wide-ranging conversations — and a great deal of fun. Our interactions have not always been about telling and listening, but are also about sharing our lives, cooking and eating, meeting friends and partners, and family, and going to parades, protests, street fairs, museums, movies, and concerts.

For cases that have been covered in the press and are easily identifiable, I leave out identifying characteristics. Some individuals are among only a handful of trafficked persons from their home country who have resettled in a particular town or city (and in some cases there may be just one person). As a result, I am vague about their country of origin to keep my promise of confidentiality to them. In these instances, I refer to the continent of their home country or the state in which they live now, not the specific country or city or town. I use pseudonyms throughout the book. Out of extra caution with particularly identifiable cases, in some parts of the book I do not use any name (not even an assigned pseudonym) but instead write gener-

ally that “a woman’s trafficker is still at large” or “a woman fell out of love” with a live-in boyfriend. In the sections where I reproduce what formerly trafficked persons said to me, I have at times altered verb forms to make clear the sequence of time. For example, I have added the word *had* in front of verbs to indicate an event that happened earlier. Otherwise I have not copyedited their accounts.

In sections on programs and policies that could help prevent forced labor and find individuals in an abusive situation, I identify migrants’ rights and workers’ rights organizations by name that are models of innovative peer-led outreach. I do not identify specific organizations by name, however, when I quote particular member-activists, peer leaders, labor organizers, or attorneys, but write generally about a “farmworker activist in California” or a “day labor organizer in the Washington, D.C., area.” Nor do I identify by name specific social workers, attorneys, or shelter staff or the organizations for which they work. Instead, to protect their clients and their organizations’ funding—and in some cases, their own jobs—I quote a “social worker in New York City” or a “shelter staff worker in Los Angeles.” In sum, the practice I have followed is to call attention to creative and effective migrant- and worker-led and centered rights work while protecting the specific names of these organizations’ worker-members and staff. I also hope that the expertise and dedication that so many social workers, attorneys, and shelter staff bring to crafting new best practices with trafficking clients shines through.

### *The Currency of Victimhood*

Unlike attorneys who must produce a full narrative of events for legal cases, I made clear to the formerly trafficked persons I met that they need not tell me anything they did not want to. I encouraged them to talk about things that matter to them. I explained that I was writing about life *after* forced labor. In every conversation, however, formerly trafficked persons wove their present-day experiences together with their past ones in forced labor. Thus the book also includes portraits of life before and during forced labor. Some details remained murky. While I did ask questions about their lives today—such as what they do to relax or what they think of their current working conditions—I did not ask questions intended to prompt them to elaborate on information about their time in forced labor.

It is hard to know why so many formerly trafficked persons returned to the period of forced labor in our conversations; they may have done so

because this was one venue in which they could control the terms of the telling. Asked by many law enforcement, attorneys, and social service providers to talk about their time in forced labor, they ironically are silenced. They know that in these spaces of proof they must tell stories of victimhood. In contrast, talking in venues that they choose to be in, such as community events, is a way to present themselves as they want to be seen. I also think that they spoke about their time in forced labor because it has shaped who they are now. They are reminded of this when they return to their social service providers' offices, which may be the only spaces in which they talk about their experiences in forced labor.<sup>66</sup>

Since the formerly trafficked persons I met explain that they are shaped, but not stopped, by these past events, how much of these past events should I retell? In an essay on suffering, the anthropologists Arthur Kleinman and Joan Kleinman ask a powerful question relevant here: "To what uses are experiences of suffering put?"<sup>67</sup> Images and stories of human suffering help organizations raise money, fuel social movements, and persuade governments to act. Eyewitness accounts of the horrors of the Middle Passage (from ship doctors or members of the ship's crew), for example, were powerful tools for nineteenth-century abolitionists to gain public support.<sup>68</sup> The forum or audience also informs the storytelling; whether bearing witness in a truth commission, testifying against one's abuser in a court of law, or proving one's legal status, the venue influences what is said and unsaid.<sup>69</sup> Fiona Ross found that women's testimony before the South African Truth and Reconciliation Commission, for example, "permitted the expression of certain kinds of experience while eliding others." "Any telling," consequently, "is produced of silences and erasures."<sup>70</sup> Similarly, while participating on Peru's Truth and Reconciliation Commission, the anthropologist Kimberly Theidon found that only "certain victim categories became 'narrative capital.'"<sup>71</sup>

In the United States only certain conditions of "victimhood" qualify the tellers for trafficking status. The language in the telling of suffering is measured and assessed. In the chapters that follow, I write about the dilemmas inherent in measuring labor exploitation, which result in leaving abused workers—but not abused *enough*—out of assistance and immigration relief. Language is central to proving these different degrees of victimhood and thus worthiness for legal protections and of assistance. Evidence of suffering on the body is another. During my research with Dominican women (in the Dominican Republic) who had been trafficked into forced labor in

Argentina, a young woman took off her shirt during our conversation in her social worker's office. She wanted to show — not just tell about — the abuse she endured in Argentina.<sup>72</sup> Not everyone, of course, finds the process of recounting suffering as empowering or healing as others want it to be for them. The anthropologist Maria Olujić achingly demonstrates this point when she describes Croatian women who killed themselves after speaking to journalists about being raped during the war.<sup>73</sup>

Recounting abuse in great detail has been a cornerstone of human rights reporting. Careful accounting of gruesome human rights violations makes it more difficult for governments and international organizations to do nothing.<sup>74</sup> With the TVPA guaranteeing assistance to trafficked persons and with state and federal laws in place to prosecute traffickers, the fight against trafficking in the United States does not lack political will or legal tools. Nonetheless news accounts and organizations' fundraising materials generally recount stories in which trafficked persons emerge either as heroes who courageously escape or as beaten-down victims who need to be "rescued" by "modern-day abolitionists." Either way, accounts of their suffering are essential to the creation of an iconic image of a trafficked person.

Instead of fitting real lives within these two extreme representations of trafficking, I try to make clear the context of coercion in which trafficked persons make decisions. I do not want to trade in stories that reduce individuals to particular details of their suffering. Nor do I want to overstate their active strategizing when there may have been few opportunities to do so. Forced labor is not always a physical state of coercion, with locks on doors preventing individuals from leaving. It can be a mental state with chains built out of fear (the focus of chapter 2). Forced labor takes place within a zone of power differentials — class, race, ethnicity, gender, and religion. When writing about forced labor, therefore, there must be an interplay between recounting the specific forms of coercion and suffering that individuals endured and the larger systems in which such profound injustice, inequity, and abuse could exist and thrive. In the details of life in and after forced labor, real lives come into view, not a monolithic portrayal of victims of trafficking. There simply is no unified narrative about living through forced labor, exiting it, and recomposing a life afterward. The narratives of survival through and after forced labor that are celebrated and circulated simultaneously produce a particular body of knowledge about trafficking and trafficked persons' needs as well as constitute a popular understanding of trafficking and trafficked individuals. A frustrated social worker in New

York observed, “We like stories of a young woman who was trafficked into a brothel—and does amazing things and then ends up on *Oprah*. We never hear about women who stay in sex work. This is not recorded anywhere. But many stay—because the money is so good.”

## The Chapters Ahead

With fewer than four thousand individuals in the United States with trafficking visas, trafficked persons’ stories, often sensationalized, frequently unfold in the media. I hope this book allows readers to learn about the daily concerns and successes of real people. These individuals are not just one-dimensional statistics in a chart or a three-sentence harrowing vignette in a news article. Maria, Carmen, Flo, and Eva are far more than their experience in forced labor, their story of exit, or their current visa status. Those with T visas explain that nearly everyone they know in their low-income neighborhoods and at their low-wage work sites struggles as they do. This shared struggle at marginalized communities throughout the United States is rarely depicted in the dominant narratives about trafficked persons. Instead the main story line is about sex trafficking. The conflation of trafficking with prostitution has led, as chapter 1 explores, to “rescuing” individuals in the sex sector who are not trafficked and do not want assistance, but want to continue working. At the same time, migrant workers who experience actual instances of abuse—but not severe enough to rise to the level of trafficking—risk deportation if they come forward.

These claims about who trafficking “victims” are and what they need—expressed in U.S. government documents, the media, NGO mission statements, and fundraising campaigns—extend and rely upon mythic notions of trafficking victims. A ferocious and evidence-bereft battle over sexual labor has set the terms of debate on how best to undertake antitrafficking activities in the United States. While extending labor protections to workers (regardless of immigration status) in unregulated industries (such as agriculture) is critical to preventing forced labor, this war on sex work—along with an assault on undocumented migrants—instead has dominated U.S. antitrafficking policy. I devote chapter 1 to the sexual and immigration politics of trafficking. Chapter 2 examines the conditions of and exit from forced labor. Formerly trafficked persons settle into new lives, solving crises immediately upon exiting forced labor (the focus of chapter 3), and facing more crises over the long term (the discussion in chapter 4). Chapter 5 ex-

amines their new relationship to labor *after* forced labor. I close the book by offering some ideas for action.

## Conclusion

Formerly trafficked persons quietly settle into towns and cities throughout the United States. They soon time-out of government benefits and find themselves dogged by bills, obligations to send money home to family, and the everyday assaults of living in poor neighborhoods. Tires blow, gas tanks empty, kids' shoes tighten, teeth need dental work, and rents rise. They face ordinary financial stressors, usually on their own, without family. They create a sense of home. They imagine what is possible. As bills mount, a recession wracks the U.S. economy, and they and their migrant friends, coworkers, and neighbors struggle in low-wage jobs. Making ends meet is a monumental challenge.

Nothing is resolved overnight. A string of small and large setbacks, surprises, and accomplishments punctuates formerly trafficked persons' resettlement process. These individuals tell their own stories. Julia, now a marathon runner, anchors her description of building a new life in California in the races she has run. Flo maps her time in the United States by ticking off the goals she has methodically accomplished: obtain a GED, driver's license, and nursing assistance degree. Yet while Flo was able to save enough money to invest in her education by living rent-free with a family she had met at her church, most formerly trafficked persons tread water financially. Bills and other immediate responsibilities regularly sideline longer-term plans. A \$500 speeding ticket cut into Beatrice's goal, for example, to take a full course load at a local college. Trafficked into forced domestic labor as a young teen, Beatrice is determined to make up for the time taken from her. Now in her early twenties, money is tight. Securing an affordable apartment and a job that accommodates her school schedule has meant that she practically lives on the highway. With work, school, and home at least a forty-five-minute drive from each other, Beatrice operates on the brink of logistical and financial disaster. Like the majority of formerly trafficked persons who have no family or established social networks in the United States, she confronts one crisis after the next on her own. Having to raise herself, she has learned to drum up resources from all corners. She texted me, for example, to see if I knew of any programs to help defray the costs of filing for her green card. (Her pro-bono attorney eventually was able to secure a fee

waiver.) Years into their resettlement, long after their government benefits have ended, formerly trafficked persons like Beatrice and Flo must rely on the knowledge and generosity of their new friends and colleagues, as well as their own savvy—and luck.

Over time their legal status as a trafficked person determines their choices less and less. Their life experiences and education and skill sets that they brought with them to the United States become all the more important. So do local factors—job opportunities in the local economy, housing costs, and the presence or absence of coethnics. This status as a new migrant and not a trafficked person is what the outside world knows about them. Short of becoming a locally or nationally known antitrafficking activist and publicly referencing their past exploitation, formerly trafficked persons look, sound, and struggle like their migrant friends, coworkers, and neighbors. Since most formerly trafficked persons do not talk about their trafficking status and only invoke it in private bureaucratic encounters, they move further away from this juridical label and the benefits it carries. The cards in their wallet announce this legal status—and reference past abuse—but once put away in purses and pants' pockets, there are no other visible ways that they are marked as trafficked. They do not live in a separate community of formerly trafficked persons or enjoy long-term social benefits stemming from their legal status. As they time out of case management and the benefits accompanying their trafficking designation, and later receive their green cards (and possibly receive criminal restitution or civil damages), they no longer have the formal guidance of social workers or attorneys.

They struggle. Their struggles resemble those depicted in a rich array of migrants' testimonials, memoirs, novels, and art that tell of the compromises and losses—along with the surprises and joys—involved in making a new home in the United States. Racial profiling by law enforcement, unwelcoming communities, and inflammatory media pundits have demonized individuals simply trying to make a living in low-wage jobs that are essential to the U.S. economy. At the same time that antimigrant vitriol floods prime-time TV and drive-time radio, trafficked persons are mythologized and trafficking is popularly understood as a major human rights issue of our time. Central to this mythologizing has been the removal of trafficking from the domains of migrants' rights or workers' rights. Trafficking instead has come to signal sexual victimhood even though the sex sector is just one labor sector among many into which individuals are trafficked.

This book squarely situates trafficked persons' experiences in and after

forced labor alongside those of other exploited migrant workers. It tells the early story of resettlement of the first trafficked persons, who are the object of public fascination but who remain unknown as *trafficked* in the communities where they live and work and whose stories may not resemble those told in the media. It has a viewpoint—that of formerly trafficked persons themselves. Through their stories we will learn what they identify as hallmarks of forced labor, how they exited it, and what they need and strive for afterward. This is a book about them, their concerns, their struggles, and their successes—their everyday lifework.