



THE SLAVE NEXT DOOR

**HUMAN TRAFFICKING AND
SLAVERY IN AMERICA TODAY**

Kevin Bales and Ron Soodalter



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PREFACE TO THE PAPERBACK EDITION

Since we sat down to write *The Slave Next Door*, there have been some significant developments; and while many areas are still in serious need of improvement, a number of things have changed for the better. First, let's look at the good news.

POSITIVE DEVELOPMENTS

New Administration, Fresh Outlook

From all outward signs, the election of Barack Obama to the presidency has brought a fresh outlook to the issue of human trafficking and slavery in our country. This “debasement of our common humanity,” he stated, “has to be a top priority.” And Secretary of State Hillary Clinton echoed these sentiments. In a June 17, 2009, op-ed in the *Washington Post*, timed to accompany the release of the annual Trafficking in Persons Report, she wrote, “The Obama administration views the fight against human trafficking, at home and abroad, as an important priority on our foreign policy agenda.” It is still too early to tell, but thus far, the new administration is saying and doing all the right things. In a move that demonstrated an understanding of the problem and how best to address it, President Obama nominated Luis CdeBaca as the State Department's ambassador-at-large to monitor and combat trafficking in persons. CdeBaca, arguably one of the most qualified people in America for the position, brings a career-long history of fighting human trafficking cases as

Counsel to the U.S. House Committee on the Judiciary, on detail from the Civil Rights Division of the U.S. Department of Justice. On the Committee, his portfolio for Chairman John Conyers, Jr. includes national security, intelligence, immigration, civil rights, and modern slavery issues. At the Justice Department, CdeBaca served as Chief Counsel of the Civil Rights Division's Human Trafficking Prosecution Unit. During the Clinton Administration, he was the Department's Involuntary Servitude and Slavery Coordinator and was instrumental in developing the United States' victim-centered approach to combating modern slavery. He has investigated and prosecuted human trafficking cases in which victims were held for prostitution and other forms of sexual exploitation, farm labor, domestic service, and factory work. CdeBaca received the leading honor given by the national trafficking victim service provider community, the Freedom Network's Paul & Sheri Wellstone Award.¹

For years CdeBaca has dealt with the broad spectrum of human trafficking, from the premise that all forms are equally egregious. As is evident from the various comments he has made throughout the book, he “walks it like he talks it.”

Trafficking Victims Protection Reauthorization Act: The Latest Reauthorization

The most recent reauthorization of the Trafficking Victims Protection Act (TVPA)—officially dubbed the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA)—took longer than expected to pass, but it was well worth the wait. The “Title 2” section of the law, which

pertains specifically to human trafficking and slavery in America, offers a broad spectrum of improvements, many of which are structured to help both foreign-born and domestic victims and enhance prosecutions. Shortly after the passage of the “Reauth,” an extensive memo was circulated by Robert Moosy, director, and Hillary Axam, special litigation counsel, of the Department of Justice Human Trafficking Prosecution Unit, summarizing the key points of the new law as it pertains to the United States. The memo is quoted below in its entirety:

As many of you know, on December 23, 2008, the President signed into law H.R. 7311, the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, which was passed by Congress on December 10, 2008.

While this far-reaching Act addresses many aspects of human trafficking, including international aid programs, victim benefits, and immigration issues, we wanted to highlight some of the provisions that affect criminal prosecution of trafficking offenses here in the United States.

Section 222 of the Act, available at <http://www.govtrack.us/congress/bill.xpd?bill=h110-7311>, includes several important enhancements to the anti-trafficking criminal statutes, which DOJ has supported since their introduction by the Senate in an earlier version of the legislation. As we noted in DOJ’s July 2008 views letter, these enhancements are “helpful additions . . . that will enable more effective prosecutions and protections for victims.” We are pleased to see these additions signed into law. Some of you have asked about the status of earlier legislative proposals that would have federalized commercial sex acts in affecting interstate commerce with no requirement of force, fraud, or coercion. These proposals were not enacted in the final legislation.

We will be introducing more detailed and technical training materials in the coming weeks. For the moment, however, we wanted to provide a brief overview of some of the enhancements that will most directly affect criminal prosecutions.

NEW CONSPIRACY STATUTE

A new trafficking-specific conspiracy statute prohibits conspiring to commit the Peonage (§ 1581), Enticement into Slavery (§ 1583), Forced Labor (§ 1589), Trafficking (§ 1590), Sex Trafficking (§ 1591), and Document Servitude (§ 1592). In contrast to the general conspiracy statute whose maximum penalty is five years, the penalty for violating this provision is equal to the penalty for the underlying substantive offense, except that there is no minimum mandatory penalty for conspiring to commit Sex Trafficking (§ 1591). This statute therefore enhances the penalty for conspiring to commit trafficking crimes.

EXPANDED CRIMINALIZATION OF BENEFITTING FINANCIALLY FROM TRAFFICKING

The Act contains new provisions penalizing those who knowingly benefit financially from participating in a venture that is engaged in trafficking crimes. Previously, only the sex trafficking statute, 18 U.S.C. § 1591, contained such a provision. The new legislation expands the prohibition against profiting from trafficking ventures to criminalize benefitting financially from a venture engaged in Peonage (§ 1581), Forced Labor (§ 1589), or Document Servitude (§ 1592), knowing or in reckless disregard of the fact that the venture engaged in such a violation.

CLARIFICATION OF FORCED LABOR STATUTE

The Act clarifies the application of the Forced Labor provision, 18 U.S.C. § 1589, by: 1) adding “force” as a fourth prohibited means of violating the statute in addition to serious harm, scheme/plan, and abuse of the law; 2) clarifying that the foregoing prohibited means are alternate means of violating the same statute and that the statute may be violated by any one or a combination of these means; and 3) adding definitions of the terms “serious harm” and “abuse of the law” as discussed below.

EXPANDED CRIME OF SEX TRAFFICKING BY FORCE, FRAUD, OR COERCION

New language inserted into Section 1591 broadens the crime of sex trafficking by force, fraud, or coercion by expanding the *mens rea* requirement to include reckless disregard as well as knowledge. Previously, the government was required to prove that the defendant actually knew that force, fraud, or coercion would be used to cause a person to engage in a commercial sex

act; the expanded statute can be satisfied by proof that the defendant acted in reckless disregard of the fact that such means would be used.

EXPANDED CRIME OF SEX TRAFFICKING OF MINORS

The Act broadens the reach of the crime of sex trafficking of minors by eliminating the knowledge-of-age requirement in certain instances. Previously, the government was required to prove that the defendant knew the person engaged in commercial sex was a minor. By contrast, the new legislation provides that where the defendant had a reasonable opportunity to observe the minor, knowledge of minor age need not be proven.

DEFINITION OF KEY ASPECTS OF COERCION

The Act clarifies the definitions of “serious harm” and “abuse or threatened abuse of the legal process,” which are among the prohibited means of coercion in the Forced Labor (§ 1589) and Sex Trafficking (§ 1591) statutes. While the TVPA of 2000 did not explicitly define these terms, its legislative history called for a broad interpretation of the forms of coercion it proscribed and the statutory language now codifies the broad definitions of these forms of coercion that had begun to evolve under the TVPA of 2000. Under the newly codified definitions, “serious harm” means any harm, including psychological, financial, or reputational harm, that would compel a reasonable person with the victim’s background and in the victim’s circumstances to perform labor, services, or commercial sex acts to avoid that harm. “Abuse or threatened abuse of the legal process” is defined as the use or threatened use of the law or legal process in a manner for which it was not designed to cause a person to take or refrain from taking some action.

EXPANDED AUTHORITY FOR DETENTION

The Act expands the Government’s authority to detain pending trial defendants charged with trafficking offenses. Under the new law, the charging of a Chapter 77 offense with a maximum term of imprisonment of 20 years or more raises a rebuttable presumption of pre-trial detention under 18 U.S.C. § 3142(e). These offenses include Peonage (§ 1581), Enticement into Slavery (§ 1583), Involuntary Servitude (§ 1584), Forced Labor (§ 1589), Trafficking (§ 1590), and Sex Trafficking (§ 1591).

NEW CRIMES OF OBSTRUCTING HUMAN TRAFFICKING ENFORCEMENT

New provisions criminalize and severely penalize the obstruction or attempted obstruction of enforcement of any of the major Chapter 77 statutes, including Enticement into Slavery (§ 1583), Involuntary Servitude (§ 1584), Forced Labor (§ 1589), Trafficking (§ 1590), Sex Trafficking (§ 1591), and Document Servitude (§ 1592). The new obstruction violations are punishable to the same extent as the underlying crime. Previously, a similar obstruction provision applied only to enforcement of the Peonage statute, 18 U.S.C. § 1581.

EXTRA-TERRITORIAL JURISDICTION

The Act expands the reach of criminal anti-trafficking statutes by extending extra-territorial jurisdiction to trafficking crimes committed outside the United States, where the alleged offender is a national or lawful permanent resident of the United States or is present in the United States. The new law provides this extra-territorial jurisdiction for charges of Peonage (§ 1581), Enticement into Slavery (§ 1583), Involuntary Servitude (§ 1584), Forced Labor (§ 1589), Trafficking (§ 1590), and Sex Trafficking (§ 1591).

A new crime, codified at 18 U.S.C. Section 1351, prohibits fraud in foreign labor contracting. This provision imposes criminal liability on those who, knowingly and with intent to defraud, recruit workers from outside the United States for employment within the United States by means of materially false or fraudulent representations. The statute provides for a maximum term of 5 years' imprisonment.

We look forward to working with you to implement these new provisions, which we believe will enhance our ability to charge, convict, and punish human traffickers and vindicate the rights and dignity of trafficking victims. The Human Trafficking Prosecution Unit will be issuing more detailed guidance shortly, and please do not hesitate to contact us if we can provide further assistance in your efforts to serve trafficking victims and bring traffickers to justice.²

The advances in the law are indeed significant and will hopefully result in a major jump in the number of traffickers convicted and the number of victims of all forms of slavery rescued.

2009 Trafficking in Persons Report

The 2009 TIP Report was released with considerable fanfare from both Secretary of State Clinton and Ambassador CdeBaca. Although the United States still remains the only country not included in the State Department's global evaluation, the good news is that in 2010 it will be—although the level of objectivity the U.S. government can bring to its own evaluation remains to be seen. Also of interest will be the rest of the world's response to America's perceptions of its own anti-human trafficking efforts.

Domestics and Diplomats

It could be a coincidence, but one key recommendation of *The Slave Next Door* became government policy in October 2009. In chapter 2, we looked closely at the plight of domestic workers abused and often enslaved by foreign diplomats. These diplomats tend to escape scrutiny and, if they are found out, claim diplomatic immunity and quickly leave the country. We called for more protections for workers hired by diplomats, and now our government has provided just that. In a Diplomatic Note to all foreign embassies, Secretary of State Hillary Clinton issued two new requirements governing the employment of domestic workers. First, all embassies have to notify the State Department *before* they hire a domestic and apply for her visa. This allows the government the opportunity to examine the potential employee and ensure that the diplomat is ready to meet the second requirement—that providing a safe and legal job. An important point of the new policy is the State Department's assumption that diplomats *will not* be able to provide the legally required wages and working conditions unless and until they provide evidence to the contrary. To meet the requirements, the diplomat must guarantee that there will be a contract stating hours and wages; a separate and independent bank account controlled by the worker where the wages will be deposited; overtime payments; travel provided to and from the United States; and the assurance that all relevant federal, state, and local laws will be obeyed. If diplomats violate these guarantees, their embassy will be denied visas for workers. And if there is serious abuse of workers, diplomats will be placed on notice that their immunity can be removed, making them liable to prosecution. We salute the State Department for establishing these rules, which we hope will become models for other countries as well.

In 2007, a small, diverse coalition of antislavery and antitrafficking groups was formed with the intention of speaking with one voice to policy makers. The group, now called the Alliance to End Slavery and Trafficking (ATEST), was given crucial guidance and support by Humanity United, a foundation that supports work to eradicate slavery. Many of the significant changes featured in the above-summarized Reauthorization came about because of the unified efforts of this coalition.³

Counting Victims: Addressing the Issue of Quantification

Since its beginning, the movement against human trafficking in America has lacked an accurate and reliable system of quantification. For years, numbers of victims—both foreign born and domestic—have been put forth by both government and NGOs, only to be withdrawn, recalculated, and resubmitted. One major reason for this less-than-scientific approach is the hidden nature of the crime itself. By its very definition, modern-day slavery lives in the shadows, often making it impossible to locate, let alone count, the victims and their traffickers. Further, there is a temporal restriction built into the crime of modern-day slavery. Whereas other crimes, such as theft, assault, rape and murder can be viewed as events—incidents that occur within a brief, fixed time frame—slavery, by its very definition, can extend over a period of years, and in some cases decades.

In 2010, a research team led by Northeastern University's Institute on Race and Justice—the same people who performed the extraordinary study on law enforcement responses to human trafficking (see chapter 7)—published an attempt to quantify human trafficking in the United States through “meta-analysis.” A meta-analysis is a study of existing studies, pulling together all previous estimates and seeking to build them into an overarching database; it is a technique commonly used in medical research. To attain accuracy, it must by its very nature rely on the completeness and reliability of these earlier studies. The soup, as it were, is only as good as the ingredients put into the pot. The Northeastern researchers found that many of the ingredients were lacking. The deficiencies in the previous research, they stated, were considerable, “making it problematic to derive a single estimate of the number of trafficking victims in the U.S.”⁴ Given these problems, the researchers were able to estimate an annualized minimum of somewhere between the 5,166 victims reported by national data collection programs and survey studies and the 60,467 victims reported by economic modeling studies. This analysis represents the most scientific attempt to determine the scope of the trafficking problem to date. The Northeastern study is significant, inasmuch as it lays the groundwork for more precise and accurate studies to follow.

Coalition of Immokalee Workers: On the Victory Trail

In chapter 3, we gave extensive coverage to the heroic actions of the Coalition of Immokalee Workers (CIW). Since that time the CIW has scored a number of major victories. They recently brought the East Coast Growers and Packers—a member of the Florida Tomato Growers Exchange (FTGE) and one of Florida's largest tomato growers—to the table, as well as the two organic growers Alderman and Ladymoon Farms, and all of them have agreed to pay the additional penny per pound of tomatoes to monitor against worker abuse, and refuse to purchase produce picked by slave labor. Meanwhile, the monolithic FTGE—about whom we also wrote, in less than flattering terms—is still holding out and refusing to recognize human rights violations in the fields. It is not alone; thus far, the list of holdouts includes Publix, Kroger, Sodexo, Aramark, Wendy's, Quizno's, Costco, and Wal-Mart.⁵

Then, on September 25, 2009, came the news that all but dwarfed everything that went before. A

agreement was announced, and recognized by Secretary of Labor Hilda L. Solis, between the CIW and Compass Group, the world's largest food service and support services company. With 2008 revenue of nine billion dollars, Charlotte-based Compass manages over ten thousand accounts, including schools, corporations, hospitals, and cultural centers. The Code of Conduct stipulates, among other concessions, the penny-per-pound raise, payment for each hour worked, a reliable system monitoring work hours, a forum for voicing worker concerns and reporting violations, third-party auditing, and a program of worker education, carried out onsite by the CIW. Compass Group's signature is binding to all its operating companies. Said their vice president of corporate communications Cheryl Queen, "We expect this code of conduct will improve the working conditions and create change within the industry." The CIW's Lucas Benitez took it a step further: "The future of Florida agriculture is contained within this agreement."⁵ The road is long, but we believe that the CIW will ultimately bring every grower and purchaser in America to the realization that slavery and worker abuse will not be tolerated—not here, not now, not ever.

The American Civil Liberties Union Sues the U.S. Conference of Catholic Bishops: That Pesky Line between Church and State

In chapter 9, we presented our concerns regarding the blurring of the line between church and state, exemplified by the policies of the U.S. Conference of Catholic Bishops (USCCB)—the organization given the government contract for allocating funds to survivors of human trafficking. It was—and is—of serious concern that such vital issues as sex education, contraception (many trafficking victims contract STDs as a result of the sexual assaults they suffer while enslaved), and funding for victims who have become pregnant through rape are not being addressed, and that the appropriate services are being withheld, on strictly religious grounds. Apparently, the American Civil Liberties Union agrees. In January 2009, it filed suit against the Department of Health and Human Services, the agency responsible for awarding USCCB's contract. The government, the suit alleges, "has allowed USCCB to impose its religious beliefs on trafficking victims by prohibiting sub grantees from ensuring access to services like emergency contraception, condoms, and abortion care." The case, *ACLU Massachusetts v. Leavitt* (Civ. No. 09–10038), asks the court to "stop this misuse of taxpayer dollars and to protect the health and safety of trafficking victims. Trafficking victims need comprehensive and compassionate care to gain their freedom and lead safe and healthy lives."²

Case Updates

Within the past year, there have been some significant developments regarding some of the cases cited in *The Slave Next Door*.

TRAFFICKING SURVIVOR GIVEN KACHEPA: SOON TO BE A DENTIST NEAR YOU

You will remember the eleven-year-old Given Kachepa, who was brought to the United States in the late 1990s as part of a boys' choir and was enslaved by a Texas minister in a trafficking and charity scam. In May 2009, Given graduated from a university and is now training to become a dentist. He still takes time to speak out against human trafficking.⁸

In chapter 2, we expressed outrage that Jefferson and Elnora Calimlim and their son, after being convicted of holding a woman in slavery for nineteen years in Wisconsin, had received sentences of only four years' imprisonment. In late 2009 lawyers Martina Vandenberg and Jerold Solovyov convinced that the district court had "undersentenced" the Calimlins, filed a civil suit against the couple and their son. The lawyers achieved a legal breakthrough when they demonstrated that the case met all the requirements to be treated as a violation of the Racketeer Influenced and Corrupt Organizations Act (RICO). Upheld by the federal court, this is a powerful new weapon to use against human traffickers.⁹

RETURN TO ASHLEY'S SALON

At the beginning of chapter 5, we got to know the young Togolese women who had been enslaved at Ashley's Hair Braiding Salon in East Orange, New Jersey. When the book went to press, the case had not yet been resolved, and one defendant was arguing that he couldn't understand the problem, since working at the salon was "better than in Africa." Testimony in court in August 2009 belied his assertion, demonstrating enslavement and sexual abuse. The case was so strong that all defendants ultimately pled guilty and are currently facing sentences of up to twelve years.¹⁰

LATEST ON THE CHINESE ACROBATS

The case involving a troupe of Chinese acrobats who had allegedly been trafficked into slavery in Las Vegas (see chapter 5) has been dismissed. According to the New York Times, "Steven W. Myhre, the acting United States attorney for Nevada, said a magistrate judge had initially approved the complaint. 'Upon further investigation, however, the United States has determined that it has been unable to develop evidence sufficient to prove those charges beyond a reasonable doubt,' Mr. Myhre told the Las Vegas Review-Journal." Our apologies to Mr. You Zhi Li if, in fact, he is blameless; thankfully this is why we have updates like this Prologue.¹¹

And now for the not-so-good news . . .

AREAS OF CONTINUING CONCERN

First You're Enslaved, Then You're Taxed on Your Slavery

In a number of recent cases, compensation for freed slaves has been ordered by the courts. This is right: their lives and labor were stolen, and the criminal slaveholders should pay them back. Yet, incredibly, these slavery survivors then become liable for large tax bills on the compensation, no matter that they are destitute and struggling to rebuild their lives. We don't believe any lawmaker meant for this to happen, and the good news is that it can be fixed easily. All that is needed is an amendment to the TVPA that reads: "Crime victim restitution for human trafficking victims should be excluded from gross income under IRC §104(a)(2)." Okay, Congress, do the right thing.

One More Case Update: The Daewoosa Victims

In chapter 5, we also explored the largest case of human trafficking in America—the enslavement of hundreds of Chinese and Vietnamese workers on the island of American Samoa. By placing factories there, manufacturers were permitted to put “Made in America” labels in clothing supplied to major U.S. companies but were not required to obey the laws that protect other workers in America. One defendant, Kil Soo Lee, enslaved more than 250 workers, mostly young women. Ultimately he and others were convicted of federal charges and sent to prison. Some two hundred of the workers who survived enslavement were granted T visas and settled in twenty different states around the United States. Sadly, as reported by Monica Rohr in the *Houston Chronicle*, “Daewoosa survivors have put down roots in Vietnamese enclaves like Houston, Seattle and Orange County. . . . But they’re stuck in a legal limbo, still waiting for their long-promised green cards and often mistakenly denied public assistance, college financial aid and other benefits.” In this regard the Daewoosa workers are suffering the same unexplained delays that many trafficking victims face in receiving the green cards and survivor benefits to which they are entitled by law.¹²

State Laws

One by one, the states have been introducing and passing laws against human trafficking, presumably in response to the increasing presence the issue has had in the media over the past year. To date, nearly every state has its own version of antislavery laws; however, they all have similar problems. The laws are overwhelmingly—and in some instances, exclusively—concerned with the issue of sexual coercion, with either token attention or none at all paid to labor trafficking. Furthermore, many of the laws focus on the punishment of the traffickers, while ignoring the challenge of providing a raft of vital services to the survivors: legal resident status, counseling, financial aid, health care both physical and mental, even concerns as basic as translation. The point we made when *The Slave Next Door* was first published still applies: it’s not enough just to pass an antitrafficking law; unless it is centered on supporting victims and survivors, and unless it encompasses the broad spectrum of slavery in this country, it will accomplish little.

Nor is this deficit exclusive to the states. The area reflecting the most gaping lack at all levels of government is that of survivor services. There is simply not enough—of everything. In this regard, sadly, little has changed.

Child Sex Tourism

When we wrote about the case of convicted sex tourist Kent Frank, we were aware that sex tourism—the practice of Americans traveling to foreign, often developing, countries and buying or coercing sex with children—exists, and that it is egregious in the extreme. This we knew. However, we have come to a new understanding of the scope of the problem: it has become epidemic globally, and Americans are among the biggest offenders.

The nature of the crime defies credulity. In mid-September 2009, the U.S. Department of Justice announced the indictment of a thirty-nine-year-old former Connecticut man on charges of sexual abusing children in Haiti. According to the indictment, Douglas Perlitz allegedly obtained funding from a “religious organization”—the Order of Malta, under Jesuit leadership—to found an intake program for Haiti’s street children, some as young as six. As head of the program, over a ten-year period Perlitz allegedly coerced the children to have sex with him. “In order to entice and persuade the children to comply with the sex acts,” the indictment alleges, “Perlitz provided the promise of food and shelter and also provided monetary and other benefits, including cash, cell phones, electronic

shoes, clothes, and other items. If minors refused to engage in sex acts, it is alleged that Perlitz would . . . withhold benefits or threaten to expel them from the program.”

It gets worse. For years, he maintained such strict control over the management of the program and its staff that no one dared blow the whistle; finally, however, word got out in 2007, at which point “Perlitz used his relationship with a religious leader and influential Board Members to continue attempt to conceal his illegal sexual conduct.” That he victimized children, unquestionably scarring them for the rest of their lives, is bad enough; the fact that high-ranking members of the church knew about it and collaborated in keeping it hidden makes it doubly horrific. The case is being prosecuted in Connecticut by Assistant U.S. Attorney Krishna Patel.¹³

Another case involving prosecutor Patel is that of Edgardo Sensi, a burly American in his fifties. Sensi, a maker of pornographic films—“kiddie-porn”—both here and abroad, was indicted in Connecticut in 2009. Among other charges, he allegedly filmed himself having sadomasochistic sex with a six-year-old girl. The indictment alleges that he then traveled to Nicaragua, where he used gifts of money, perfume, and a cell phone to persuade a twenty-three-year-old working mother to allow his sexual access to her four-year-old daughter. There are ten pages to the Sensi indictment, each page documenting in gut-wrenching detail the horrific acts this man forced children to perform.¹⁴

Acts such as these are as stunningly depraved as any crime can possibly be, yet these two men are not exceptions in the realm of child sex tourism, they are the rule. Ironically, the very nature of the crime makes them hard to catch. Often, the countries these men choose to visit lack sufficient police training or staff to pursue them; or worse, the authorities are corrupt. It is vital that our government begin to work with the governments of these countries in order to establish a level of cooperation that will lead to justice and care for the victims and, ultimately, to prevention. The very scope of the problem demands a massive commitment to action if this horror is to be addressed and eliminated.

NOTES

1. White House, Office of the Press Secretary, “President Obama Announces Another Key State Department Post,” March 24, 2009.
2. Robert Moossy, director, and Hilary Axam, special litigation counsel, Human Trafficking Prosecution Unit, Civil Rights Division, Criminal Section, U.S. Department of Justice, internal memo, posted as “Congress Amends Federal Trafficking Laws; DOJ Summary of Changes,” January 12, 2009, http://catfht.org/news/DOJLetter_2008Reauthorization.pdf.
3. In the interests of full disclosure, the organization Free the Slaves, of which coauthor Kevin Bales is president, helped to start the coalition and receives funding from Humanity United.
4. Northeastern University Institute on Race and Justice, with the Urban Institute, Justice Policy Center, and Michael Shively, Ryan Kling, and Kristin Wheeler, *Review of Existing Estimates of Victims of Human Trafficking in the United States and Recommendations for Improving Research and Measurement of Human Trafficking*, report to Humanity United, March 2010.
5. Amanda Kloer, “Victory: Chipotle, Tomato Growers Commit to End Slavery,” September 11, 2009, www.humantrafficking.change.org.
6. Corporate Social Responsibility Newswire, “Compass Group and the Coalition of Immokalee Workers (CIW) Announce Sweeping Changes to Benefit Tomato Harvesters,” press release, September 26, 2009, www.csrwire.com/press/press_release/27757-Compass-Group-and-the-Coalition-of-Immokalee-Workers-CIW-Announce-Sweeping-Changes-to-Benefit-Tomato-Harvesters.
7. American Civil Liberties Union, “ACLU Asks Court to Stop Misuse of Taxpayer Dollars In Trafficking Victims’ Program,” press release, January 12, 2009, www.aclu.org/reproductive-freedom/aclu-asks-court-stop-misuse-taxpayer-dollars-trafficking-victims-program. See also Jessica Stites, “Strings Attached,” *Ms. Magazine*, spring 2009, www.ms magazine.com/spring2009/StringsAttached.

- [8.](#) Conversation with Given Kachepa and Sandy Shepherd, August 2009.
- [9.](#) Andrew Longstreth, “Wisconsin Judge Okays RICO Suit in Human Trafficking Case” *AM Law Litigation Daily*, August 31, 2009, www.law.com/jsp/tal/digestTAL.jsp?id=1202433472112&Wisconsin_Judge_Okays_RICO_Suit_in_Human_Trafficking_Case, August 31, 2009.
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- [12.](#) Monica Rohr, “Trafficking Victims Try to Remake Lives,” *Houston Chronicle*, April 12, 2009.
- [13.](#) Reuters, “Former Connecticut Resident Charged with Sexually Abusing Children in Haiti,” September 17, 2009, www.reuters.com/article/idUS169636+17-Sep-2009+PRN20090917.
- [14.](#) *United States of America v. Edgardo Sensi, District of Connecticut*, Criminal No. 3:08cr253(WWE).

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All errors and omissions are, of course, our own.

PART I

SLAVES IN THE LAND OF THE FREE

THE OLD SLAVERY AND THE NEW

The great thought of captains, owners, consignees,
and others, was to make the most money they could
in the shortest possible time. Human nature is the
same now as then.

Frederick Douglass, *The New National Era*, August 17, 1871,
recalling the Atlantic slave trade

Certain things we know to be true. We know that slavery is a bad thing, perpetrated by bad people. We also know that slavery not only exists throughout the world today but flourishes. With approximately twenty-seven million people in bondage, it is thought to be the third most profitable criminal enterprise of our time, following only drugs and guns. In fact, more than twice as many people are in bondage in the world today than were taken from Africa during the entire 350 years of the Atlantic slave trade. And we know that slavery is alive and more than well in the United States, thriving in the dark, and practiced in many forms in places where you'd least expect it.

Meet Sandra Bearden. Sandra was a twenty-seven-year-old homemaker in a comfortable suburb in Laredo, Texas—a neighborhood of solid brick homes and manicured lawns. Married, the mother of a four-year-old son, she lived a perfectly normal middle-class existence. By all accounts, Sandra was a pleasant woman, the sort you'd chat with at the mall or the supermarket . . . the sort who might live next door. Yet she is currently serving a life sentence, convicted of multiple offenses, including human trafficking and slavery.

It started innocently enough. At first, all Sandra wanted was a maid—someone to do the housework and help with her small son—but she didn't want to pay a lot. So she drove across the border to a small, dirt-poor village near Vera Cruz, Mexico, where she was introduced to Maria and her parents. Maria was only twelve when she met Sandra Bearden. She had very little schooling and dreamed of getting an education—a dream that her parents encouraged but could do nothing to achieve. Over coffee in their small kitchen, Bearden offered Maria a job, as well as the chance to attend school, learn English, and taste the rich life of “el Norte.” The work, as Bearden described it, was much like what Maria was already doing at home, and, with the promise of education and opportunity, Sandra's offer made a very enticing package. The fact that Sandra herself was Mexican born helped Maria's parents feel they could trust her, and they gave their permission. Sandra smuggled Maria across the border in her expensive car and drove her to her home in Laredo.

On arrival, Maria was dragged into hell. Sandra Bearden used violence and terror to squeeze work and obedience from the child. From early morning till midafternoon, Maria cooked, cleaned,

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