

Briefing Report



Human Trafficking in Oregon:

A Report of the
Oregon Advisory Committee to the
U.S. Commission on Civil Rights

February 2018

Letter of Transmittal

State Advisory Committees to the U.S. Commission on Civil Rights

By law, the U.S. Commission on Civil Rights has established an advisory committee in each of the 50 states and the District of Columbia. The committees are composed of state citizens who serve without compensation. The committees advise the Commission on civil rights issues in their states that are within the Commission's jurisdiction. More specifically, they are authorized to advise the Commission in writing on any knowledge or information they have of any alleged deprivation of voting rights and alleged discrimination based on race, color, religion, sex, age, disability, national origin, or in the administration of justice; advise the Commission on matters of their state's concern in the preparation of Commission reports to the President and the Congress; receive reports, suggestions, and recommendations from individuals, public officials, and representatives of public and private organizations to committee inquiries; forward advice and recommendations to the Commission, as requested; and observe any open hearing or conference conducted by the Commission in their states.

Letter of Transmittal

Oregon Advisory Committee to the

U.S. Commission on Civil Rights

The Oregon Advisory Committee to the U.S. Commission on Civil Rights (Committee) submits this report on human trafficking in Oregon and its impact on communities targeted because of their race, color, age, sex, religion, national origin, or disability. The Committee submits this report as part of its responsibility to study and report on civil rights issues in the state of Oregon. The contents of this report are primarily based on testimony heard during four public meetings via webinar on April 3 and April 17, 2018; in Portland, Oregon on May 1, 2018; and in Woodburn, Oregon on May 2, 2018.

In examining sex trafficking and labor trafficking in the agriculture and forestry industries, the Committee identified the following concerns: human trafficking is a form of gender-based discrimination; there is a lack of culturally-specific and gender appropriate services to assist human trafficking victims; government agencies responsible for investigating and prosecuting potential human trafficking cases need effective methods of communication; the H-2A and H-2B visa programs are problematic and characterized by rampant exploitation of foreign-born workers; data collection on human trafficking-related activities is limited; and there is a need for training on how to identify victims and address human trafficking. From these findings, the Committee offers to the Commission recommendations for addressing this problem of national importance.

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EXECUTIVE SUMMARY

Human trafficking, a modern-day form of slavery, is used as an umbrella term for the act of recruiting, harboring, transporting, providing, or obtaining a person for compelled labor or commercial sex acts using force, fraud, or coercion. An issue of national significance, human trafficking affects many jurisdictions, including Oregon. In recent years, Oregon has emerged into the national spotlight as a destination for human trafficking because: 1) the Oregon state constitution has a very broad “free expression” clause, which permits a thriving sex industry in Portland, 2) its geography that includes large swaths of rural agriculture and forestry areas that provide opportunity for labor trafficking of foreign-born workers, and 3) its proximity to shipping waterways and to the Canadian border which provides access for international traffickers.

Congress passed the Trafficking Victims Protection Act in 2000 as the first federal anti-trafficking legislation that established a framework to prosecute traffickers, protect victims and survivors of trafficking, and prevent human trafficking. The Trafficking Victims Protection Act has been reauthorized four times with several additions such as grant programs to assist state and local law enforcement, new systems to gather and report human trafficking data, and programs that work to ensure that U.S. citizens do not purchase products made by victims of human trafficking. Several states, including Oregon, subsequently passed laws to help combat human trafficking on a statewide level and used similar language from the 2003 reauthorization of the Trafficking Victims Protection Act. Oregon also provides a civil claim to victims of trafficking, and has made human trafficking a crime. Since 2007, through bipartisan support, Oregon has enacted roughly 25 bills to address human trafficking.¹

While Oregon has made several efforts to address human trafficking, state and local anecdotes indicate that the trafficking of persons continues. The Committee focused its study of human trafficking on the following industries: sex, agriculture, and forestry. The Committee also examined the effectiveness of state and local agency programs administered to victims of human trafficking.

Findings in this report include:

1. Human trafficking is a form of gender-based discrimination.
2. Commercial sexual exploitation of children disproportionately affects certain demographics.
3. Several foreign-born communities are disproportionately affected by human trafficking. These communities include victims from Mexico, Central America and Southeast Asia.

¹ Joel Shapiro Testimony, *Webhearing Before the Oregon Advisory Committee to the U.S. Commission on Civil Rights*, April 17, 2018, transcript, p. 13 (hereafter cited as *Oregon Webhearing II*), <https://www.facadatabase.gov/FACA/apex/FACAPublicCommitteeDetail?id=a0zt0000000DGeAAG>.

4. There is a lack of culturally-specific and gender appropriate services to assist human trafficking victims.
5. Despite service providers noting emergency shelter as the greatest need, there are few options in Oregon for human trafficking victims.
6. Data collection on human trafficking-related activities is limited.
7. The H-2A and H-2B visa programs are problematic and characterized by rampant exploitation of foreign-born workers.
8. Proactive enforcement of state labor laws is needed to support prosecution of human trafficking cases.
9. Government agencies responsible for investigating and prosecuting potential human trafficking cases need effective methods of communication.
10. There is a need for training on how to identify victims and address human trafficking.
11. Public awareness is critical to ensure the general public is aware of the prevalence of human trafficking.
12. Victims of trafficking should be treated as victims instead of criminals.

The contents of this report are primarily based on testimony heard during four public meetings via webinar on April 3 and April 17, 2018; in Portland, Oregon on May 1, 2018; and in Woodburn, Oregon on May 2, 2018. The report includes a brief background of the issue, summarizes the themes from the testimony, outlines findings based on these public meetings, and makes recommendations for addressing related civil rights concerns.

This report was approved by the majority of the Committee for publication and submitted to the U.S. Commission on Civil Rights on February 7, 2019.

INTRODUCTION

The U.S. Commission on Civil Rights (Commission) is an independent, bipartisan agency established by Congress and directed to study and collect information relating to discrimination or a denial of equal protection of the laws under the Constitution on the basis of race, color, religion, sex, age, disability, national origin, or in the administration of justice.² The Commission has established advisory Committees in each of the 50 states and the District of Columbia. These advisory Committees advise the Commission on civil rights issues in their states/districts that are within the Commission's jurisdiction.

The Oregon Advisory Committee to the U.S. Commission on Civil Rights hosted four public meetings on April 3, April 17, May 1, and May 2, 2018, to examine equal protection violations and discrimination, if any, based upon the race, national origin, religion, sex, disability, and age of victims of human trafficking. The Committee focused on the prevalence of human trafficking

² 42 U.S.C. § 1975a.

in the following industries: sex, agriculture, and forestry. Second, the Committee sought to examine the effectiveness of state and local agency programs administered to victims of human trafficking.

Human trafficking, described as a modern-day form of slavery, is used as an umbrella term for the act of recruiting, harboring, transporting, providing, or obtaining a person for compelled labor (labor trafficking) or commercial sex acts (sex trafficking) using force, fraud, or coercion.

Labor trafficking occurs when a person uses force or physical threats, psychological coercion, abuse of the legal process, deception, or other coercive means to compel someone to work.³ Labor trafficking occurs in both legal and illegal industries and markets. It encompasses recruiting, harboring, transporting, providing, or obtaining persons for forced labor.

Sex trafficking is the exploitation of a person for commercial sexual activity through force, fraud, or coercion and involves both adults and children.⁴ These sexual activities include prostitution, pornography, escort services, massage parlors, and exotic dancing.

Human trafficking is a market-driven criminal industry that is based on supply and demand. In fact, it is the second most profitable criminal activity after drug trafficking worldwide, and the fastest growing.⁵ The most common forms of human trafficking are sexual exploitation followed by forced labor. Because it is more frequently reported, sexual exploitation has become the most documented type of trafficking in aggregate statistics. In comparison, other forms of exploitation are underreported: forced or bonded labor; domestic servitude and forced marriage; organ removal; and the exploitation of children in begging, the sex trade and warfare.⁶ Industries where human trafficking is largely present include agriculture or horticulture, construction, garments and textiles produced under sweatshop conditions, catering and restaurant work, domestic work, entertainment and the sex industry.⁷

There is no single profile for trafficking victims. Victims include both adults and minors in rural, suburban, and urban communities across the country. Victims of human trafficking have diverse socioeconomic backgrounds, varied levels of education, and may be documented or undocumented workers. Traffickers target victims using tailored methods of recruitment and control.

While human trafficking spans all demographics, there are some circumstances or vulnerabilities that lead to a higher susceptibility to victimization and human trafficking. While not inclusive of all vulnerabilities, the following groups are disproportionately at risk of human trafficking:

³ 22 U.S.C. § 7102(9)(B).

⁴ 22 U.S.C. § 7102(9)(A).

⁵ Daniel Sheinis, *The Links Between Human Trafficking, Organized Crime, and Terrorism*, 30 Am. Intell. J. 1, 68-77 (2012).

⁶ United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons 2016*, U.N. Doc. E.16.IV.6 (2016), p. 8, available at http://www.unodc.org/documents/data-and-analysis/glotip/2016_Global_Report_on_Trafficking_in_Persons.pdf (last visited Oct. 10, 2018).

⁷ *Ibid.*, pp. 26-27, 29, 72.

runaway and homeless youth; foreign-born individuals who may or may not be seeking employment in the United States; and individuals who have previously experienced violence and trauma.⁸

Victims of human trafficking are subject to a range of abuses, from physical abuse to extreme forms of psychological abuse. Traffickers often threaten victims with injury or death, or the safety of the victim's family in their home country. Traffickers commonly take away the victim's travel documents and isolate them to make escape more difficult. Traffickers may be family members, intimate partners, acquaintances, or strangers, and they may run the human trafficking operation on their own or be a member of large or small organized criminal networks.

BACKGROUND

Given the illicit and hidden nature of human trafficking, accurate statistics on human trafficking have remained difficult to determine for as long as the issue has existed. This is true for international, national, state, and local statistics. Based on data collected by the International Labor Organization, an estimated 25 million people were victims of forced labor "on any given day" in 2016 worldwide.⁹ Out of them, 16 million people were victims of forced labor exploitation in private sector areas such as domestic work, construction and agriculture.¹⁰ An estimated 4.8 million persons were in forced sexual exploitation, and just over four million persons were in forced labor imposed by state authorities.¹¹ An estimated 3.8 million adults were victims of forced sexual exploitation¹² and one million children were victims of sexual exploitation.¹³ Women and girls are disproportionately affected by forced labor, accounting for 99 percent of victims in the commercial sex industry and 58 percent in other sectors.¹⁴

National Scope of Human Trafficking

The United States is widely regarded as a destination country for trafficking in persons, yet the exact number of human trafficking victims coming into the United States remains largely undetermined. Current data is generated by federal agencies and their grantees as they collect information on investigations and services provided relevant to trafficking. A 2016 Government Accountability Office report examining federal efforts to determine the prevalence of human trafficking in the United States found that several federal agencies have begun assessing the

⁸ National Human Trafficking Hotline, *The Victims*, <https://humantraffickinghotline.org/what-human-trafficking/human-trafficking/victims>.

⁹ International Labour Organization, *Global Estimates of Modern Slavery* (2016), p. 9, at http://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575479.pdf (last visited Oct. 10, 2018).

¹⁰ *Ibid.*, pp. 10, 29.

¹¹ *Ibid.*, p. 10.

¹² *Ibid.*, p. 11.

¹³ *Ibid.*

¹⁴ *Ibid.*, p. 10.

prevalence of human trafficking and developed data standards and definitions to help facilitate prevalence studies.¹⁵ The following agencies are among the federal agencies working to collect data on human trafficking:

- (i) The Secretary of State, the Secretary of Homeland Security, and the Attorney General operate the Human Smuggling and Trafficking Center, an interagency federal effort designed to act as a clearinghouse for human trafficking, smuggling, and terrorism information;¹⁶
- (ii) the Department of Health and Human Services' Office on Trafficking in Persons collects information with a public health approach in mind. Its Human Trafficking Data Collection Project informs the development of an integrated data collection platform regarding human trafficking victimization, establishes baseline knowledge of human trafficking and victim needs, and support effective prevention and intervention responses;¹⁷ and
- (iii) the National Institute of Justice, a part of the Department of Justice, issues grants for the development and testing of methodologies that may be able to test the prevalence of human trafficking.

Estimates of people trafficked in the United States each year have varied widely as federal agencies and non-governmental organizations collect data to account for the prevalence of human trafficking by varying indicators such as prosecutions and investigations. The National Human Trafficking hotline received a total of 24,757 calls nationwide, the highest number from individuals in California, Texas, Florida, and Ohio.¹⁸

A significant obstacle to addressing the issue of human trafficking is identifying victims. While victims may sometimes be kept in close quarters to their traffickers, they are often hidden in plain sight. Victims can work in construction, restaurants, caring for the elderly, nail salons, agricultural fields, tree planting fields, and hotels. Victims originate from almost every region of the world; the top three countries of origin of federally identified victims in fiscal year 2015 were the United

¹⁵ U.S. Gov't Accountability Off., GAO-16-555, *Human Trafficking: Agencies Have Taken Steps to Assess Prevalence, Address Victim Issues, and Avoid Grant Duplication* (June 2016).

¹⁶ 8 U.S.C. § 1777(b)-(c).

¹⁷ U.S. Gov't Accountability Off., GAO-16-555, *Human Trafficking: Agencies Have Taken Steps to Assess Prevalence, Address Victim Issues, and Avoid Grant Duplication* (June 2016).

¹⁸ National Human Trafficking Resource Center, *National Human Trafficking Resource Center Data Breakdown: United States Report* (2015),

https://humantraffickinghotline.org/sites/default/files/NHTRC%202015%20United%20States%20Report%20-%20USA%20-%202001.01.15%20-%202012.31.15_OTIP_Edited_06-09-16.pdf.

States, Mexico, and the Philippines.¹⁹ Particularly vulnerable populations in the United States include: children in the child welfare and juvenile justice systems; runaway and homeless youth; unaccompanied minors; American Indians and Alaska Natives; migrant laborers, including undocumented workers and participants in visa programs for temporary workers; foreign national domestic workers in diplomatic households; persons with limited English proficiency; persons with low literacy; persons with disabilities; and LGBTQI²⁰ individuals.²¹

In an effort to combat trafficking of persons, several federal agencies are responsible for the enforcement of anti-trafficking laws and victim service programs. These agencies include:

- (i) The Department of Justice²² and the Department of Homeland Security²³ lead federal investigations and prosecutions of trafficking crimes;²⁴
- (ii) the Department of Defense, the Department of Labor, the Department of State, and the Equal Employment Opportunity Commission investigate trafficking related offenses under certain circumstances, and take further action, as appropriate;²⁵ and
- (iii) the Department of Justice and the Department of Health and Human Services award grants to fund victim service programs.²⁶

Human Trafficking in Oregon

In recent years, Oregon has been in the national spotlight for human trafficking. While data on human trafficking is difficult to come by, various events and reports over the past decade suggest the problem is significant. In particular, the Portland metropolitan area became known as a hub for sex trafficking, ranking second for the greatest number of children found in forced prostitution among all U.S. cities following Las Vegas, as revealed through a nationwide federal law enforcement sting.²⁷ Also, since its inception in 2007, the National Human Trafficking Hotline received 1,970 calls that led to 450 cases on human trafficking in the state.²⁸

¹⁹ U.S. Dept. of State, Trafficking in Persons Report, 388 (2016), <https://www.state.gov/documents/organization/258876.pdf>.

²⁰ A common abbreviation for lesbian, gay, bisexual, transgender, queer and intersex persons.

²¹ U.S. Dept. of State, Trafficking in Persons Report, 38 (2017), <https://www.state.gov/documents/organization/271345.pdf>.

²² The U.S. Dept. of Justice, *Human Trafficking Prosecution Unit*, <https://www.justice.gov/crt/human-trafficking-prosecution-unit-htpu#cas>.

²³ Dept. of Homeland Security, *Blue Campaign*, <https://www.dhs.gov/blue-campaign>.

²⁴ U.S. Gov't Accountability Off., GAO-16-555, *Human Trafficking: Agencies Have Taken Steps to Assess Prevalence, Address Victim Issues, and Avoid Grant Duplication* (June 2016), p. 9.

²⁵ *Ibid.*, p. 3.

²⁶ *Ibid.*, p. 1.

²⁷ Celia Williamson, Sharvari Karandikar-Chheda, Jeff Barrows, et. al., *Report on the prevalence of human trafficking in Ohio to Attorney General Richard Cordray*, 13 Trends in Organized Crime 192 (2010).

²⁸ National Human Trafficking Hotline, *Statistics Since 2007*, <https://humantraffickinghotline.org/state/oregon>.

According to experts, human trafficking thrives in Oregon for a number of reasons. First, there is an increase in demand due to its legal sex industry. Oregon’s state constitution contains a broad “free expression” clause.²⁹ The Oregon courts have upheld this clause as allowing for nudity in public as a form of expression.³⁰ Portland’s sex industry is the largest per capita in the nation.³¹ There is also reason to believe that Portland’s location encourages demand for human trafficking in metro areas and in rural parts of the state.³² Portland is at the intersection of major interstate freeways, the I-5 and I-84, which make it a major center point for travel and drug trafficking routes between Seattle, Los Angeles, and Las Vegas.³³ In addition, Portland’s proximity to shipping waterways and to the Canadian border provides access to international and domestic traffickers.

Oregon’s rural agriculture and forestry areas also provide opportunity for labor trafficking of immigrant, migrant, and undocumented workers, as discussed below. With limited legal options and geographic isolation, agriculture and forestry workers are at high risk for exploitation and abuse, and are especially vulnerable to labor trafficking.³⁴ For agriculture workers, who commonly apply for H-2A visas to work in the U.S., they are excluded from federal employment law for migrant seasonal agriculture workers in the area of standards for wages, housing safety and health requirements, transportation safety and others.³⁵ Although official estimates are likely under-reported, there were an estimated 3,672 forest workers in Oregon in 2010³⁶ and approximately

²⁹ Oregon Constitution, Art. 1, Sec. 8 (“No law shall be passed restraining the free expression of opinion, write or print freely on any subject whatever.”).

³⁰ See *Oregon v. Tidyman*, 568 P.2d 666 (1977); *Sekne v. City of Portland*, 726 P.2d 959 (1986) (quoting *City of Portland v. Gatewood*, 708 P.2d 615 (1985) (“In this state, any person can write, print, read, say, show or sell anything to a consenting adult even though that expression may be generally or universally considered ‘obscene’ . . . Appearing nude or exposing one’s genitals in public, can constitute symbolic conduct and be a form of expression under Article 1, section 8.”)).

³¹ Melody Finnemore, *Human Tender: Oregon Attorneys, Law Enforcement Forge Collaborative Strategy to Combat Growing Trade in Human Trafficking*, Or. State Bar Bull (Dec. 2009) (explaining the nonimmigrant visas issued to foreign nationals called H-2 visas which allow employers to bring in “guestworkers” for jobs in forestry, seafood processing, landscaping, construction and other non-agricultural industries. The “guestworkers” do not enjoy full protection of the law and are often abused and exploited by the employers that bring them into the U.S. For example, if a guestworker complains of labor conditions, they face deportation or other retaliation).

³² Kathleen Maloney-Dunn and Gwynne Skinner, *Modern Slavery in Our Midst: A Human Rights Report on Ending Human Trafficking in Oregon*, Int’l Human Rights Clinic at Willamette Univ. Coll. of Law, 3-4 (Jun. 2010), <https://willamette.edu/law/pdf/hrc/trafficking-report.pdf>.

³³ *Ibid.*

³⁴ Mary Bauer and Meredith Stewart, *Close to Slavery: Guestworkers Programs in the United States*, Southern Poverty Law Center (2013), https://www.splcenter.org/sites/default/files/d6_legacy_files/downloads/Close_to_Slavery.pdf.

³⁵ 29 CFR Part §§ 500.70; Farmworker Justice, *The H-2A Temporary Agriculture Guestworker Program: An Inherently Flawed Program*, <https://www.farmworkerjustice.org/sites/default/files/The%20H-2A%20Temporary%20Agricultural%20Guestworker%20Program%20An%20%20Inherently%20Flawed%20Program.pdf>, p. 2.

³⁶ Alliance of Forest Workers and Harvesters and the Labor Occupational Health Program, *Healthy Forests, Abused Workers: Safety, Health and Working Conditions among Forest Ecosystem Restoration Workers in Southern Oregon*, UC BERKELEY, 2 (2012), <https://firebasestorage.googleapis.com/v0/b/nwforestworkers-f633c.appspot.com/o/PDF%2Fsurveyreportcolor.pdf?alt=media&token=202e62a4-7751-4f8a-8ead-6f5e799bb8c6>.

123,000 agricultural workers, of which 95,000 are seasonal workers.³⁷

Homeless and runaway youth are significantly at risk for trafficking and abuse. A 2016 study by the Oregon Youth and Development Council found that “[e]stimates of homeless youth through the use of interviews or surveys of homeless populations at the state and local level suggest that between 9 percent and 45 percent of these youth are LGBTQ. Population- based studies also indicate that lesbian, gay, and bisexual youth are more likely to be homeless than their peers.”³⁸

Trafficking Victims Protection Act

The Trafficking Victims Protection Act of 2000, as amended, enhances pre-existing criminal penalties in other related laws for traffickers, affords new protections to trafficking victims and makes available certain benefits and services to victims of severe forms of trafficking.³⁹ Under this law, one possible benefit available to trafficking victims who assist in the prosecution of their traffickers is to apply for a T-Visa, a form of immigration relief issued by the U.S. Citizenship and Immigration Services that allows the victim to remain in the United States.⁴⁰ To be eligible for a T-Visa, the victim must show they were subject to a form of severe trafficking, they are present in the United States or at a port of entry due to being trafficked, they must comply with all reasonable requests from law enforcement in the investigation and/or prosecution of their traffickers (unless the victim is under the age of 18 or unable to because of trauma), and the victim must demonstrate that they would suffer extreme hardship involving unusual and severe harm if they are removed from the United States.⁴¹ Trafficking victims have also applied for the U-Visa, also granted by U.S. Citizenship and Immigration Services and can be certified by various law enforcement agencies such as the Department of Labor,⁴² which is for victims of certain crimes who suffer mental or physical abuse within the U.S. and cooperate with law enforcement officials in the investigation and/or prosecution of such criminal activity committed against them.⁴³ The

³⁷ State of Oregon, *Background Brief on Farmworker Labor to the Legislative Committee Services*, (Sept. 2012), https://www.oregonlegislature.gov/citizen_engagement/Reports/FarmworkerLabor.pdf

³⁸ Andrew Cray, Katie Miller and Laura E. Durso, “Seeking Shelter: The Experiences and Unmet Needs of LGBT Homeless Youth,” *Center for American Progress*, September 26, 2013, <https://www.americanprogress.org/issues/lgbt/reports/2013/09/26/75746/seeking-shelter-the-experiences-and-unmet-needs-of-lgbt-homeless-youth/>.

³⁹ 22 U.S.C. § 7105(b)(1)(E); Administration for Children and Families, Office on Trafficking in Persons, *Certification for Adult Victims of Human Trafficking: Fact Sheet*, U.S. Dept. of Health and Human Services (May 10, 2016), https://www.acf.hhs.gov/sites/default/files/endtrafficking/otip_fact_sheet_certification.pdf.

⁴⁰ 8 U.S.C. § 1101(a)(15)(T).

⁴¹ *Id.*

⁴² In order to apply to USCIS for a U visa, an applicant must obtain a certification of "helpfulness" from a "certifying agency" on Supplement B to Form I-918, also known as "U Nonimmigrant Status Certification." 72 Fed. Reg. 53020; see 8 C.F.R. § 214.14(c)(2)(i). The "U Nonimmigrant Status Certification" confirms that the applicant "has been helpful, is being helpful, or is likely to be helpful in the investigation or prosecution of the qualifying criminal activity of which he or she is a victim." 8 C.F.R. § 214.14(a)(12)

⁴³ 8 U.S.C. §§ 1101(a)(15)(U).

Trafficking Victims Protection Act seeks to combat trafficking by promoting a policy of “3 Ps”: prosecution, protection, and prevention:

- Prosecution involves passing appropriate laws to criminalize trafficking, and jail the abusers who exploit other humans for profit.⁴⁴
- Protection involves identifying victims, providing them with medical care, shelter (witness protection, if necessary), and, when appropriate, repatriating them to their country of origin.⁴⁵
- Prevention involves raising awareness of the trafficking trade and promoting a paradigm shift that seeks to reduce the demand for the “fruits” of human trafficking.⁴⁶

Finally, the Act authorized the establishment of the State Department’s Office to Monitor and Combat Trafficking in Persons and the President’s Interagency Task Force to Monitor and Combat Trafficking in Persons to assist in the coordination of anti-trafficking efforts.⁴⁷

State Laws Addressing Human Trafficking

In 2003, Washington became the first state to criminalize human trafficking.⁴⁸ Since then, every state, including Oregon, has enacted laws establishing criminal penalties for traffickers seeking to profit from forced labor or sexual servitude.⁴⁹ The laws vary in several ways, including defining the crime of “trafficking,” the statutory elements required to successfully prosecute traffickers and obtain a guilty conviction, and the seriousness of the criminal and financial penalties imposed. In 2007, the Oregon Senate enacted Senate Bill 578, which makes human trafficking—whether for the purposes of labor or sex—a criminal offense with sentences of up to 20 years in prison.⁵⁰ Oregon’s law on human trafficking clearly defines a human trafficking victim as an individual used in a commercial sex act without regard to use of force, fraud, or coercion,⁵¹ which mirrors the federal trafficking law.⁵²

On the books, there are several provisions addressing human trafficking in Oregon. For example, section 163.266 of the Oregon state code creates three separate crimes for human trafficking for the purpose of involuntary servitude or commercial sex acts (separating adults and minors).⁵³ In

⁴⁴ 22 U.S.C. § 7103.

⁴⁵ *Id.* § 7105.

⁴⁶ *Id.* § 7106.

⁴⁷ *Id.* § 7103.

⁴⁸ Wash. Rev. Code § 9A.40.100.

⁴⁹ Or. Rev. Stat. § 163.266.

⁵⁰ *Id.* §§ 161.605, 163.266(4), 163.266(5).

⁵¹ *Id.* § 163.266.

⁵² *See* 22 U.S.C. § 7102 (federal definitions of trafficking under the Trafficking Victims Protection Act).

⁵³ Or. Rev. Stat. § 163.266.

addition to criminalizing trafficking in persons, other Oregon state statutes impose criminal sanctions for purchasers.⁵⁴

Oregon recently enacted laws in the 2017 legislative session that attempts to address the impact of trafficking on the victims of this crime. These laws include:

- providing the opportunity to vacate a judgement of conviction for prostitution if person was victim of sex trafficking at or around time of offense;⁵⁵
- creating an affirmative defense to the crime of prostitution if, at the time of the alleged offense, the defendant was a victim of certain trafficking crimes;⁵⁶
- encouraging public awareness of human trafficking by requiring nonprofit entities to distribute trafficking posters containing hotline information and state agency information;⁵⁷
- and a law increasing protections for minors by raising the statutory age from 15 to 18 for the crime of sex trafficking while disregarding the fact that the trafficking victim is under 18.⁵⁸

⁵⁴ *Id.* § 163.413(2)(a)-(b).

⁵⁵ *Id.* § 137.221.

⁵⁶ *Id.* § 167.007.

⁵⁷ *Id.* § 377.841; S.B. 375, 79th Leg. Reg. Sess. (Or. 2017).

⁵⁸ Or. Rev. Stat. § 163.266(1)(c); H.R. 2740, 79th Leg. Reg. Sess. (Or. 2017).

Summary of Oregon State Statutes Governing Human Trafficking

Definitions:

Oregon state law differentiates between labor trafficking and sex trafficking. The definitions of labor trafficking and sex trafficking were expanded to include transactions in which the person benefitting receives a benefit other than money. The crime of “trafficking in persons” is committed when a person “knowingly recruits, entices, harbors, transports, provides or obtains by any means,” or attempts to do so, and:

Labor Trafficking: knows that the other person will be subjected to involuntary servitude and benefits financially or receives something of value from participating in the venture. OR. REV. STAT. § 163.266 (1)(a); OR. REV. STAT. § 163.266 (2).

Sex Trafficking (Generally): knows or recklessly disregards the fact that force, fraud or coercion will be used to cause the other person to engage in a commercial sex act. OR. REV. STAT. § 163.266(1)(b). A commercial sex act is defined as sexual conduct or sexual contact performed in return for a fee or anything of value. OR. REV. STAT. § 163.266 (3).

Sex Trafficking of Minors: knows or recklessly disregards the fact that the person is under 18 and will be used in a commercial sex act. OR. REV. STAT. § 163.266(1)(c).

Labor trafficking is separated into tiers:

First Degree: The person forces another to engage in services by causing or threatening death or serious physical injury to the victim, physically restraining them, or threatening to do so. OR. REV. STAT. § 163.264.

Second Degree: The person forces another to engage in services by abusing or threatening to abuse the law or legal process, taking the victim’s government identification, threatening to report a victim to the government for arrest or deportation, threatening to collect an unlawful debt, or instilling a fear in the victim that they will withhold necessities such as lodging, food and clothing. OR. REV. STAT. § 163.263.

Criminal Penalties:

- Trafficking in persons in the first degree for the purpose of involuntary servitude is a Class B felony, punishable by up to 10 years in prison. OR. REV. STAT. § 163.266(4).
- Trafficking in persons in the second degree for the purpose of involuntary servitude is a Class C felony, punishable by up to 5 years in prison. OR. REV. STAT. § 163.263.

- Sex trafficking is a Class A felony, punishable by up to 20 years in prison. OR. REV. STAT. § 163.266(5).

In addition to the crime of trafficking in persons, a person may be prosecuted for felonies that frequently accompany human trafficking:

- Compelling prostitution. OR. REV. STAT. § 167.017.
- Promoting prostitution. OR. REV. STAT. § 167.012.
- Kidnapping. OR. REV. STAT. §§ 163.225, 163.235.
- Unlawful sexual penetration. OR. REV. STAT. § 163.411.
- Purchasing sex with a minor. OR. REV. STAT. § 163.413.
- Using a child in a display of sexually explicit conduct. OR. REV. STAT. § 163.670.

The Oregon legislature has established laws and programs to protect trafficking victims:

Vacation of Prostitution Conviction: Persons who are convicted of prostitution may vacate their judgment if they file a motion and present evidence that they were a victim of sex trafficking at, or around the time of their conviction. Such evidence presented could be records from court or immigration proceedings, or a sworn statement by a victim service provider. OR. REV. STAT. § 137.221.

Prostitution is defined as engaging in, or offering or agreeing to engage in, sexual contact in return for a fee. OR. REV. STAT. § 167.007. Prostitution is a Class A misdemeanor, punishable by up to 364 days in prison. *Id.* However, it is an affirmative defense to the crime if the person was a victim of trafficking in persons at the time of the alleged offense. *Id.*

Services for Runaway and Homeless Youth and Their Families: The Department of Human Services must provide support services (regarding housing, mental health and addictions, sex trafficking, child welfare, and law enforcement) to runaways and homeless youth and their families. OR. REV. STAT. § 417.799. While the statute only requires the department to provide services to youth until they are 17 years old, the department must recommend policies for youth until the age of 20 who continue to be or become homeless. *Id.*

Address Confidentiality Program: The address confidentiality program is aimed at protecting contact information for victims from being found through public records. OR. REV. STAT. §§ 192.820–192.868. The program, available to both adult and minor victims, establishes an alternative contact address upon application approval. *Id.*

Resources from Non-Profit Organizations: SB 375, enacted in 2017, enhances communication between nonprofit organizations that provide trafficking prevention services and government agencies. OR. REV. STAT. § 377.841; 2017 Oregon Laws Ch. 646 (S.B. 375). The statute provides for the sharing of resources such as informational materials, toll-free hotline phone numbers, hotline text messaging numbers, translated versions of the information in languages other than English, and posters to be posted in roadside rest areas, including each restroom stall. *Id.*

There are specific funds created to support such programs:

- The Department of Transportation Human Trafficking Awareness Fund. 2017 Oregon Laws Ch. 646 (S.B. 375).
- The State Parks and Recreation Department Human Trafficking Awareness Fund. 2017 Oregon Laws Ch. 646 (S.B. 375).
- Fund to End Commercial Sexual Exploitation of Children. OR. REV. STAT. § 147.480.

SUMMARY OF TESTIMONY

The Committee heard from diverse stakeholders who provided background information regarding the extent of human trafficking and efforts to address the issue. The following materials consist of a summary of themes derived from the testimony.

Sex Trafficking

Human trafficking, in most cases, often refers to sex trafficking. In Oregon, victims of sex trafficking are largely female and are forced into sexual exploitation, although there is indication that transgender individuals and males are also affected.⁵⁹ There is also an indication that other protected classes are impacted by sex trafficking such as the Native American community⁶⁰ and foreign-born individuals.⁶¹ Senator Taylor warned that minors are also affected by sex trafficking. She stated that in Oregon, it “is a very hidden, secretive, underbelly” and that the “desire in society to have sex with underage individuals, male or female, is real.”⁶²

Panelists asserted that sex trafficking in the state is underreported, though data for Portland still indicates that there is a sizeable problem. Natalie Weaver, sex trafficking collaboration specialist at the Department of Community Justice for Multnomah County, noted that in Multnomah County there were 327 minors trafficked, 1027 adults trafficked, 901 suspected traffickers, and 231 purchasers placed in custody as of December 2017.⁶³ Roughly 50 percent of the people who are being arrested for purchasing are from Multnomah County.⁶⁴ She said that these figures “give a great picture of how much of a need there is”⁶⁵ and called for the increase in resources to address the demand for sex trafficking.

There is some indication that location promotes trafficking in Oregon. For example, Multnomah County is located along highways that are a likely hub of travel and drug trafficking routes.⁶⁶ Ms. Sinlapasai-Okamura noted that traffickers responsible have used I-5 to traffic people from Mexico, through the United States, and all the way up to Canada.⁶⁷ Mr. Ujifusa alleged Portland’s legal sex industry continues to increase demand. He stated, it “provides grooming opportunities for

⁵⁹ Robin Miller, testimony, *Community Forum Before the Oregon Advisory Committee to the U.S. Commission on Civil Rights, Portland, OR*, May 1, 2018, transcript, p. 31, (hereafter cited as *Portland Community Forum*), <https://www.facadatabase.gov/FACA/apex/FACAPublicCommitteeDetail?id=a0zt0000000DGfVAAW>.

⁶⁰ Hayley Weedn, testimony, *Webhearing Before the Oregon Advisory Committee to the U.S. Commission on Civil Rights*, April 3, 2018, transcript, p. 6 (hereafter cited as *Oregon Webhearing I*), <https://www.facadatabase.gov/FACA/apex/FACAPublicCommitteeDetail?id=a0zt0000000DGerAAG>.

⁶¹ Sinlapasai- Okamura Testimony, *Portland Community Forum*, p. 7.

⁶² Taylor Testimony, *Portland Community Forum*, p. 26.

⁶³ Weaver Testimony, *Portland Community Forum*, p. 12; Weaver Presentation, *Portland Community Forum*, slide 9.

⁶⁴ Weaver Testimony, *Portland Community Forum*, p. 30.

⁶⁵ *Ibid.*, p. 12.

⁶⁶ J.R. Ujifusa Testimony, *Webhearing II*, p. 6.

⁶⁷ Sinlapasai-Okamura Testimony, *Portland Community Forum*, p. 28.

traffickers...even though many of these are legal sex industries, some of them also have a thriving illegal activity in them as well.”⁶⁸

Traffickers range from small-time, solo operators to loose networks of criminals, to highly sophisticated criminal organizations that operate internationally.⁶⁹ Ms. Sinlapasai-Okamura explained that even seemingly trustworthy individuals could be traffickers. She stated how a “pastor would use verses from the Bible as a way of trafficking the kids but also sexually abusing them, which [] for us is sickening.”⁷⁰ Sex traffickers are also alleged to be involved in other criminal activities such as drug trafficking and labor trafficking.⁷¹

Traffickers target individuals who are vulnerable and therefore easier to exploit. The reasons individuals are vulnerable to trafficking are often attributed to conditions including poverty, racial discrimination, political instability, inadequate educational and employment opportunities, commodification of women’s bodies and the commercialization of sex, and addictions. Research indicates that many trafficking survivors have spent some time in the foster care system; both Native American youth⁷² and African American children are overrepresented in the Oregon foster care system.⁷³ Professor Carey testified that from 2009 to 2013, there were 469 commercially sexually exploited children in Multnomah County and these individuals were largely female.⁷⁴ In addition to these impacted communities, homeless youth also have an increased vulnerability for human trafficking.⁷⁵ Senator Taylor stated that homeless individuals are known to have “survival sex” in order to sleep on a couch, but recognized that it may be seen as prostitution and can be tricky to litigate. In recognizing populations vulnerable to trafficking, Senator Taylor empathetically stated that “there’s something happening in that individual’s life. It’s not their fault. It’s certainly not their fault. But, they are being preyed upon and being taken advantage of” and advocated for “the right system in place to identify that they are at risk in order to prevent [sex trafficking] from occurring.”

On the other hand, human trafficking is not always recognizable and first responders are not always able to identify victims. Ms. Weaver admitted”

[I]t’s hard to say fully where people are coming from because there are folks...that are accessing different systems that are raising their hand saying, ‘I was trafficked.

⁶⁸ Ujjifusa Testimony, *Webhearing II*, p. 6.

⁶⁹ Sinlapasai-Okamura Testimony, *Portland Community Forum*, p. 39; Weaver Testimony, *Portland Community Forum*, p. 39; Miller Testimony, *Portland Community Forum*, p. 39.

⁷⁰ Sinlapasai-Okamura Testimony, *Portland Community Forum*, p. 31.

⁷¹ *Ibid.*, p. 39.

⁷² Weedn Testimony, *Webhearing I*, p. 5.

⁷³ Carey Testimony, *Webhearing I*, p. 14.

⁷⁴ *Ibid.*, *Webhearing I*, p. 13.

⁷⁵ Ujjifusa Testimony, *Webhearing II*, p. 18; Weaver Testimony, *Portland Community Forum*, p. 11.

I need housing right now. I need support from the emotional trauma of this person that beat me up or that was verbally abusive.⁷⁶

She also pointed to the media for portraying victims as a homogeneous group: “folks are thinking [human trafficking] doesn’t apply to [certain populations because] they’re not chained up, so it must not be trafficking.” For survivors of sex trafficking, criminal records appeared to be more visible than identifying them as victims. Ms. Miller defended victims by stating, “we are wearing the criminal records of our abusers and our exploiters. It looks a lot different, it’s drug trafficking. It might be burglary, all these different things. It’s because we have to stay alive.”⁷⁷

A common thread between both sex trafficking and labor trafficking victims is the impact of trauma. Ms. Sinlapasai-Okamura stated that for foreign born victims of trafficking, the action of retelling their stories to stakeholders like “the Department of Homeland Security, then to an advocate, then to us, to the courts,” is traumatic and “draining” and victims often feel “defeated.”⁷⁸ The emotional effects of trauma caused by trafficking includes anxiety, post-traumatic stress disorder, and major depression. This was evident when Mr. Ramirez shared a story about a labor trafficking victim who was visibly shaking and very nervous and was hospitalized for severe depression.⁷⁹ In response to the needs of victims experiencing trauma, panelists made statements acknowledging the need for organizations involved in the lives of victims to be trauma-informed. A survivor explained that without trauma-informed training, service providers may be retraumatizing their clients without even knowing it.⁸⁰

Labor Trafficking

Human trafficking is a global problem that affects the lives of millions of people around the world. For many, the best-known form of human trafficking is committed for the purpose of sexual exploitation. However, labor trafficking also affects a significant number of victims across several industries. Colleen Owens, senior research associate with the Urban Institute, testified that while she could not provide Oregon-specific figures, the majority of labor trafficking victims are foreign born and roughly 71 percent entered the U.S. lawfully on either an H-2A or H-2B visa and subsequently trafficked in.⁸¹ The top five industries involving trafficking were domestic work, agriculture, hospitality, restaurants, and construction. Ms. Owens described a typical scenario that illustrates how individuals are trafficked into the U.S.: “a young man or woman learning about a job in the United States through their social network and then meeting with a recruitment agency operating abroad on behalf of U.S. employers. The recruitment agency would then engage in high

⁷⁶ Weaver Testimony, *Portland Community Forum*, p. 29.

⁷⁷ Miller Testimony, *Portland Community Forum*, p. 21.

⁷⁸ Sinlapasai-Okamura, *Portland Community Forum*, p. 28.

⁷⁹ Ramon Ramirez, testimony, *Community Forum Before the Oregon Advisory Committee to the U.S. Commission on Civil Rights*, Woodburn, OR, May 2, 2018, transcript, p. 6 (hereafter cited as *Woodburn Community Forum*), <https://www.facadatabase.gov/FACA/apex/FACAPublicCommitteeDetail?id=a0zt0000000DGFWAAW>.

⁸⁰ Miller Testimony, *Portland Community Forum*, p. 20.

⁸¹ Owens Testimony, *Webhearing I*, p. 3.

levels of fraud and coercion, misrepresent the job and benefits, and demand recruitment fees.”⁸² There is consistency in testimony that this type of recruitment occurred among labor trafficking victims working in Oregon.⁸³

In the Oregon forestry industry, Mr. Wilmsen, executive director for the Northwest Forest Worker Center, noted that forest workers are largely recruited through international labor agencies, the majority are from Mexico, and workers from Southeast Asia are more likely to be war refugees from Vietnam.⁸⁴ As for agriculture workers, Mr. Ramirez, who works closely on labor trafficking cases, noted that he is seeing the recruitment of predominantly male and “non-English speaking immigrants, primarily from Mexico, often from an indigenous community or an isolated rural community in Mexico.”⁸⁵ Ms. Hoefer added that trafficking victims may also come from the same village as the recruiter, which may allow for even more control over the victim.⁸⁶

Panelists who work closely with agriculture and forestry workers asserted having direct contact with a labor trafficking victim or indirect contact with victims through a close friend or relative who alleged that it exists. Mr. Ramirez noted, “I’m here to say that human trafficking is happening in our community and that we need to do something about it.”⁸⁷ Labor trafficking victims in the agriculture and forestry industries experience issues like being guarded by supervisors as they work. They are deprived of basic needs such as water or meals. At times they have their identification documents seized by their employer. They also experience wage theft and retaliation.⁸⁸ Victims may also face intimidation and verbal and/or physical abuse by their employer. In one example, a worker “was called to work by the shooting of a gun” and in another instance a derogatory comment was made about national origin: “All of you from this country are like this.”⁸⁹ Also, a problem that persists among farmworker women is their vulnerability to sexual assault and rape in the fields.⁹⁰

Forestry workers experience a unique vulnerability in that “forest workers have a job related injury and illness rate that is two to three times that of average workers in Oregon and the fatality rate is 25 percent the average.”⁹¹ This may be especially important to understand since the number of H-2B visa workers admitted each year to do forestry works in Oregon is roughly 6,000 workers.⁹² Although workers face health and safety vulnerabilities on the job, testimony indicated that H-2B

⁸² Ibid.

⁸³ Ramirez Testimony, *Woodburn Community Forum*, p. 3; Hoefer Testimony, *Woodburn Community Forum*, p. 12; Wilmsen Testimony, *Woodburn Community Forum*, p. 7.

⁸⁴ Wilmsen Testimony, *Woodburn Community Forum*, p. 7.

⁸⁵ Hoefer Testimony, *Woodburn Community Forum*, p. 14.

⁸⁶ Ibid.

⁸⁷ Ramirez Testimony, *Woodburn Community Forum*, pp. 2-3; Hoefer Testimony, *Woodburn Community Forum*, p. 12.

⁸⁸ Hoefer Testimony, *Woodburn Community Forum*, p. 13.

⁸⁹ Ibid.

⁹⁰ Ramirez Testimony, *Woodburn Community Forum*, p. 26.

⁹¹ Ibid., p. 8.

⁹² Wilmsen Testimony, *Woodburn Community Forum*, p. 7.

visa employers discourage workers from receiving medical treatment due to work-related injury and commit egregious retaliation. Mr. Wilmsen shared a story of a forestry worker who sought medical help and was discouraged by his employer to tell his doctor the truth about a work-related injury. Instead he was instructed to tell the doctor that “he was cutting firewood at home.” When the worker filled out a form to initiate worker’s compensation and the employer received word, he was immediately fired for doing so. Mr. Wilmsen noted, “there’s a great deal of fear...if you do anything, if you report an injury or if you do anything that rocks the boat [] you will be retaliated against in some way.”⁹³

More pointedly, panelists indicated that immigration law, namely the H-2A visa for temporary or seasonal agricultural workers and the H-2B visa for temporary non-agricultural workers, facilitates labor trafficking.⁹⁴ Mr. Wilmsen stated the guest worker program creates “a power imbalance”⁹⁵ between employee and employer and that he “doesn’t like to use that term because they’re not treated like guests...in the United States[.]” In order to prevent labor trafficking in these industries, he advocated to eliminate the program because workers are tied to their employer:

If they are unsatisfied with work for any reason, they don’t like the pay or they don’t like the working conditions or they just don’t like their boss, for any of those reasons that any[one] might want to quit a job, they can’t do it. If they quit, they have to leave the United States within 72 hours and go home. If they don’t leave within 72 hours, their visa becomes invalid and then they’re undocumented. That whole situation creates a huge power imbalance and again gives a lot of leverage to the employers over the workers.⁹⁶

Also, panelists noted that because workers are dependent on their employers for housing, transportation, wages to support extended family, and even basic needs such as food and water, they are reluctant to report issues.⁹⁷

In addition to proposing the elimination of the guest worker program, panelists proposed the following solutions that may address labor trafficking occurring in Oregon: holding employers accountable by “identify[ing] foreign temporary labor programs as areas where the risk of labor trafficking is high and to inform law enforcement agencies;”⁹⁸ utilizing the Bureau of Labor and Industries to enforce labor laws, especially in cases of wage theft; utilizing the Occupational Safety and Health Administration to enforce health and safety inspections; and educating individuals and

⁹³ Ibid., p. 8.

⁹⁴ Ibid., p. 7; Hoefler Testimony, *Woodburn Community Forum*, p. 14.

⁹⁵ Ibid., p. 7.

⁹⁶ Ibid., p. 7.

⁹⁷ Hoefler Testimony, *Woodburn Community Forum*, p. 12.

⁹⁸ Wilmsen Testimony, *Woodburn Community Forum*, p. 11.

government agencies who may be in contact with potential victims on how to identify labor trafficking and where to report it.⁹⁹

State Anti-Trafficking Efforts

The Committee sought testimony from Joel Shapiro, attorney and victims' advocate, to understand the history behind current anti-trafficking laws. In addition, Senator Kathleen Taylor provided testimony regarding proposed anti-trafficking bills.

Legislative History

Oregon has been working to address sex trafficking for roughly a decade in response to the federal Trafficking Victim Protection Act. The 2003 Trafficking Victims Protection Act reauthorization required the Department of Justice to develop model legislation for states to help address human trafficking. Oregon adopted two laws based on that model: i) a criminal trafficking in persons statute¹⁰⁰ and ii) a statute creating a civil claim for trafficking in persons.¹⁰¹ Mr. Shapiro noted that since the 2007 legislature session, lawmakers have been dealing with sex trafficking. As a result, roughly 25 bills have been enacted.¹⁰²

More recently, in 2018, two federal laws targeting online sex trafficking, the Fight Online Sex Trafficking Act and Stop Enabling Sex Traffickers Act, allowed states to criminally prosecute traffickers who can be held civilly liable for exploiting victims of trafficking through online advertising. Shortly after its passage, swift action was taken to prosecute traffickers in Oregon on behalf of a trafficking victim who was sold on Backpage.com, an online advertising website where sex trafficking is rampant. Mr. Shapiro asserted that “[there] is a significant problem that the community in Oregon has faced in terms of dealing with online exploitation”¹⁰³ and praised its passage. He said:

I think that [] was a really powerful example of the role that the legislative policy makers can play in helping to address this issue. It certainly [is] not going to solve the problem, but it’s an important step forward and we need to continue to be on the forefront to find out what can be done policy-wise to combat sex trafficking.¹⁰⁴

The “motion to vacate” bill, sponsored by Senator Taylor, also adds to the list of bills that have been enacted to combat sex trafficking. Also known as Senate Bill 249,¹⁰⁵ the bill allows a person

⁹⁹ Iboa Testimony, *Woodburn Community Forum*, p. 17.

¹⁰⁰ Or. Rev. Stat. § 163.266.

¹⁰¹ *Id.* § 30.867.

¹⁰² Shapiro Testimony, *Webhearing II*, p. 13.

¹⁰³ *Ibid.*, p. 15.

¹⁰⁴ *Ibid.*

¹⁰⁵ Or. Rev. Stat. § 137.221.

to file a motion to vacate a judgment of conviction for prostitution if the person was a victim of sex trafficking at the time.

Mr. Shapiro discussed the importance of the 2013 legislative session when several significant hearings on sex trafficking took place resulting in the formation of a workgroup, led by Representative Caroline Tomei, who focused on anti-trafficking efforts such as (i) examining potential changes in criminal and civil law and (ii) identifying funding streams to ensure staff can help investigate human trafficking. At the same time, the workgroup identified the most immediate need as funding to support an emergency shelter for trafficking victims. Mr. Shapiro stated:

[W]ithout a shelter you cannot sustain relationships with victims that allow them both to recover personally in their lives, but also to work with law enforcement to go after the perpetrators that are perpetuating this crime whether you're talking about the traffickers, or whether you're talking about the buyers.¹⁰⁶

This workgroup also was instrumental in securing funding to create the position of a trafficking intervention coordinator to lead the Attorney General's Trafficking Intervention Advisory Committee in the Department of Justice.

Mr. Shapiro noted that while efforts to combat human trafficking on the legislative level have been successful, impending turnover within the legislature puts these efforts at risk. He stated, "you're constantly having to reeducate and create awareness among policy makers both in terms of just the rank and file members, but also in terms of leadership on key committee."¹⁰⁷ These circumstances have significant implications for maintaining funding for key services.¹⁰⁸

Proposed Anti-Trafficking Effort

As Mr. Shapiro noted, lawmakers in Oregon have been actively passing laws since 2003 to address human trafficking, whether it is through strengthening criminal statutes by holding traffickers accountable or by identifying funding streams to support state agencies who work with trafficking victims.

As the State looks to continue passing legislation that addresses human trafficking, Senator Taylor presented to the Committee that she is proposing legislation related to classifying workers in the adult entertainment industry. This proposed legislation uses state labor laws to hold offenders accountable, because "[Oregon has a] loose interpretation of the First Amendment and with the way that [Oregon] has the authority, the freedom that are given with strip clubs, dancers are considered independent contractors."¹⁰⁹ She will introduce a law that requires strip clubs to register dancers as employees. This could formalize the relationship between employer and employee,

¹⁰⁶ Shapiro Testimony, *Webhearing II*, p. 13.

¹⁰⁷ *Ibid.*, p. 14.

¹⁰⁸ *Ibid.*

¹⁰⁹ Taylor Testimony, *Portland Community Forum*, p. 25.

thereby creating a paper trail that might allow for enforcement agencies to hold employers accountable for human trafficking activity.¹¹⁰

Senator Taylor noted the Oregon legislature is bipartisan on the issue of passing anti-trafficking legislation, but often the disagreement is based on how to treat and punish the offenders given their right to due process.¹¹¹ Senator Taylor told the Committee that she has always been an advocate for laws that treat trafficked persons as victims and wants to move the dialogue away from the criminalizing of victims to discussing meaningful remedies and support services. In fact, panelists and survivors agree that this is the correct approach.

Government Response to Human Trafficking

Collaborative Efforts

The Committee heard testimony concerning collaborative efforts across the state to address human trafficking. Presently, Oregon has an Attorney General's Trafficking Intervention Advisory Committee led by the trafficking intervention coordinator, Amanda Swanson, whose job was created in response to state legislation.¹¹² The goal of the Attorney General's Trafficking Intervention Advisory Committee is to:

provide guidance, support and resources to these communities, as well as the State's Trafficking Intervention Coordinator, as we work together to build a strong response to child and youth sex trafficking and to provide meaningful access to services for all survivors of trafficking in Oregon.¹¹³

This collaborative is composed of diverse stakeholders. Members include the Multnomah County District Attorney's Office, Tribal Nations, survivor leaders, mental health professionals, law enforcement, Oregon Health Authority, and others.¹¹⁴

Among the Trafficking Intervention Advisory Committee's responsibilities is to certify anti-trafficking task forces operating on a county-wide level. County task forces must: (i) be multidisciplinary, (ii) survivor-centered, and (iii) trauma informed. Ms. Swanson noted:

We...[wanted] to make sure that we get people in high enough position[s] that they could actually make change...whether that's with legislative change, or funding, or

¹¹⁰ Ibid.

¹¹¹ Ibid., p. 27.

¹¹² Or. Rev. Stat. § 181A.480 (2017); Shapiro Testimony, *Webhearing II*, p. 14.

¹¹³ See Appendix B.

¹¹⁴ See complete list of members here: <https://www.doj.state.or.us/crime-victims/advisory-committees-task-forces/trafficking-intervention-advisory-committee/>.

policies that we could start working on the different systems in place to start identifying victims and starting to put resources in place.¹¹⁵

These county taskforces are structured to be led by a steering committee who oversee three subcommittees composed of victim services, law enforcement, and individuals who are responsible for training and education. Ms. Swanson, the trafficking intervention coordinator, reported that there are nine county taskforces operating across the state. She concluded that the goal is to have a sustainable taskforce in each county in Oregon who can successfully identify human trafficking and develop a rapid county response to the needs of victims.

Natalie Weaver, who manages Oregon's largest county taskforce, oversees Multnomah County, and has similar responsibilities to Ms. Swanson, the trafficking intervention coordinator, in ensuring coordination among government agencies and service providers to meet the needs of sex trafficking victims. For the Multnomah County taskforce, the goal is to develop a comprehensive response to trafficking through survivor support, promoting legislation, and civic engagement. Through this approach, she noted that Multnomah County has been nationally recognized for its efforts.

Ms. Weaver explained a notable benefit of working through a diverse collaborative is the value of collective thinking to address gaps in services that affect victims. For example, members of the taskforce raised an issue with human trafficking victims who were almost aging out of the system would consequently be excluded from receiving important support services. In response, service providers within the taskforce changed their requirements to allow victims to receive services until they reached the age of 25.¹¹⁶

While the structure and strategic selection of collaborative members appear to have some impact on addressing human trafficking, specifically on sex trafficking victims, panelists note that funding is the most important factor to sustain collaboratives at any level. Funding to support taskforces stem from federal and state funding sources but are often subject to appropriations each legislative session. Political buy-in and support appear to be instrumental in keeping these positions and maintaining support of the collaboratives.¹¹⁷

To address labor trafficking through a similar collaborative framework, the Committee also heard from the Chair of the Governor's Taskforce on Environmental Justice, Joel Iboa. Mr. Iboa leads a taskforce composed of certain mandated state natural resource agencies¹¹⁸ who are responsible for communicating with the Governor's Office on environmental justice issues that affect minority, low income, and Native American communities. He stated, "when state agencies make decisions that affect our environment it is critical that [these] populations are not disproportionately

¹¹⁵ Swanson Testimony, *Webhearing II*, p. 4.

¹¹⁶ Weaver Testimony, *Portland Community Forum*, p. 10.

¹¹⁷ Shapiro Testimony, *Webhearing II*, p. 14; Weaver Testimony, *Portland Community Forum*, p. 12.

¹¹⁸ Or. Rev. Stat. § 182.538.

affected.”¹¹⁹ The Governor’s Taskforce on Environmental Justice addresses labor trafficking, the effect of pesticides, need for housing, wage theft, and employer retaliation against workers by regularly meeting and inviting other agencies such as Oregon’s Occupational Safety and Health Agency to “figure out how can we best interject and not only bring these issues to the Governor’s Office but also hold Agriculture, Forestry, and these other agencies accountable for the people they are supposed to be protecting, and the environment they’re supposed to be protecting.” At the same time, the Governor’s Taskforce on Environmental Justice has been unsuccessful in addressing certain issues related to labor trafficking because the issues are rooted in the structure of federal programs such as the H-2A visa program.¹²⁰

Addressing Trafficking of Children in Foster Care

As part of the federal Preventing Sex Trafficking and Strengthening Families Act,¹²¹ child welfare staff across the U.S. must be trained to identify sex trafficking and screen children who go missing and who display indicators of trafficking. In Oregon, this responsibility falls on the Commercial Sexual Exploitation of Children Coordinator at the Department of Human Services, Elizabeth Alston, who must provide a three-and-one-half-hour training to any individual responsible for working with foster children and youth. As of this writing, Oregon is one of three states to implement mandatory training and has trained over 2000 child welfare staff. There are 11 planned trainings for 2018. Staff are trained on how to identify types of trafficking, victims, and the dynamics between traffickers and victims. They are also given sample questions to ask children and youth; helpful contacts; instructions on how to report trafficking to the appropriate enforcement agencies; and information on the impact of trauma on victims. Ms. Alston noted that her responsibility includes tracking children in the welfare system because they have increased vulnerability to trafficking. She stated:

If you have a kid in substitute care who is also frequently running away, also has a history of abuse, and neglect, and trauma and sex abuse, and who may identify as LGBTQI¹²², you have a child who has a lot of risk factors for potentially being trafficked. We know that just by what we’re seeing in our system, these kids are potentially more vulnerable to trafficking than their peers.¹²³

Ms. Alston’s office also offers specialized trainings to organizations serving LGBTQI youth and foster parents as they may be in contact with potential Commercial Sexual Exploitation of Children victims. In addition to these groups, her office works closely with the nine Native American tribes to receive training. She testified that this population would benefit from training to help identify potential victims because of the following statistics: 32.4 percent of Native American children live

¹¹⁹ Iboa Testimony, *Woodburn Community Forum*, pp. 15-16.

¹²⁰ *Ibid.*, p. 17.

¹²¹ 42 U.S.C. §671(a)(9)(C); 42 U.S.C. §671(a)(35)(A)-(B).

¹²² A common abbreviation for lesbian, gay, bisexual, transgender, queer and intersex persons.

¹²³ Alston Testimony, *Webhearing II*, p. 11.

in poverty, Native American children experience a disproportionate rate of placement and substitute care, and Native American females experience violent victimization at a higher rate than any other U.S. population group.¹²⁴

Finally, she acknowledged that these trainings must be survivor-informed in order to understand the challenges with identifying a victim. She stated:

We commend resilience and strength by these kids who have endured a lot of trauma, we start from a place that recognizes and can then survive, we know that [a] child has already overcome a great deal to end up in our care and we want to recognize that strength, and it's very important to us to teach case workers ... [a child's] situation and to build rapport.¹²⁵

Enforcement

There are several entities on the federal, state, and local level involved in enforcing anti-human trafficking laws. On the federal level, these entities include member agencies of the President's Interagency Taskforce to Monitor and Combat Trafficking in Persons¹²⁶ mandated by the Trafficking Victims Protection Act. Entities on a statewide and local level include but are not limited to: Oregon Department of Justice, Bureau of Labor and Industries, local police departments, sheriff's offices, and tribal law enforcement.

The Committee sought testimony from J.R. Ujifusa, senior deputy district attorney at the Multnomah County District Attorney's Office, and Cristin Casey, chief prosecutor for the Bureau of Labor Industries, to learn about their role in enforcing state laws to hold traffickers accountable. In addition to these two law enforcement agencies, the Committee invited the Federal Bureau of Investigations and the U.S. Attorney's Office to explain additional federal enforcement efforts but they were unavailable to provide testimony.

Mr. Ujifusa, who is also a Special Assistant U.S. Attorney for the District of Oregon, prosecutes both state and federal cases. He supervises the human trafficking unit. He noted that since 2009 Oregon changed dozens of laws to "remove loopholes in both investigations and prosecutions so that his office could do a better job of holding individuals accountable for trafficking and buying."¹²⁷

Mr. Ujifusa outlined several proactive efforts to assist with prosecuting human trafficking cases. For instance, his office was responsible for the creation of a nationally recognized human trafficking jail intelligence division to identify traffickers, buyers, and victims; working with a

¹²⁴ Alston Presentation, *Portland Community Forum*, slide 26.

¹²⁵ Alston Testimony, *Webhearing II*, p. 12.

¹²⁶ See U.S. Department of State, *President's Interagency Task Force to Monitor and Combat Trafficking* <https://www.state.gov/j/tip/response/usg/>.

¹²⁷ Ujifusa Testimony, *Webhearing II*, p. 7.

dedicated human trafficking law enforcement team within the Portland Police Bureau whose goal is to “focus on identifying victims and treating them as such,”¹²⁸ and working closely with federal partners to train local police officers to be cross-designated as a prosecutor for both state and federal cases. He stated that his office must “have the tools at our disposal to use however we need to do the best for these victims and prosecute these traffickers and buyers.”¹²⁹

Mr. Ujifusa asserted that being victim-centered and offender-focused is needed to investigate crimes and protect victims of human trafficking. He explained that his office does this by working with “detective investigators to meet victims right at the time in which they are identified so that they could have a better relationship with our office...so that [his office] can make better cases and serve them better.”¹³⁰ Mr. Ujifusa also noted that being offender-focused means:

Whether or not we can’t prove a human trafficking case, does not mean that we give up or we do not investigate a human trafficker. We may have...to go after that trafficker or that buyer for other charges. But ultimately, we are victim-centered, and we are trying to go after those offenders in whichever way we can, and that is through aggressively investigating and prosecuting trafficking and buying cases.¹³¹

Mr. Ujifusa indicated his enforcement approach is to “look for innovative means to investigate and identify buyers, victims, and traffickers.” This approach led his office to collaborate with other law enforcement units to identify trafficking cases, namely in the domestic violence unit because “many domestic violence victims are actually victims of human trafficking as well.” He explained that, “we have been able to do a good job of screening those cases and making sure we provide the support necessary.” In terms of victim identification, Mr. Ujifusa suggested that other entities such as businesses, especially adult businesses, hotels, and motels could be involved in the reporting of human trafficking to his office, and in helping victims of human trafficking.

Testimony indicated that the Bureau of Labor Industries’ Civil Rights and Wage and Hour Divisions is also a valuable enforcement agency. Ms. Casey, chief prosecutor for the Bureau of Labor and Industries, stated that an administrative case against a conglomerate of four strip clubs called Freehoo, Inc. d/b/a Stars Cabaret & Steak House, used a statute that made it an unlawful employment practice to discriminate based on sex. The Bureau of Labor and Industries was able to charge the conglomerate under an aiding and abetting statute that makes it an unlawful practice for any person to aid, abet, incite, compel or coerce the unlawful practice, giving the Bureau of Labor and Industries the authority to seek individual liability for these actions from club owners and the managers that facilitated the trafficking.¹³²

¹²⁸ Ibid, p. 6.

¹²⁹ Ibid.

¹³⁰ Ibid., p. 7.

¹³¹ Ibid.

¹³² *State Labor Commissioner Files Complaint Against Strip Club*, The Oregonian, Aug. 12, 2105, https://www.oregonlive.com/beaverton/index.ssf/2015/08/state_labor_commissioner_files.html. *Stars Cabaret to*

Although Ms. Casey admitted that:

“[investigators at the Bureau of Labor and Industries] are not human trafficking experts,” they were able to “[take] a statute that hasn’t really been used in a human trafficking, sex trafficking way, an employment law statute, to actually find some recourse for the victims of these acts through extensive litigation which they both willingly participated in; and got some money.”¹³³

The case required “a lot of work for our agency” and while they “don’t have a whole lot of resources... it was exciting for us to be able to do it.”¹³⁴

Filing complaints may also be a significant function to enforcing existing labor laws that may be helpful to victims of human trafficking. Panelists noted that the Bureau of Labor and Industries relies on complaints through community-based organizations in order to pursue investigations related to alleged human trafficking. A recurring issue among legal aid organizations who serve agriculture and forestry workers is encouraging them to come forward regarding issues that intersect with labor trafficking such as wage theft, poor housing and working conditions, and other labor abuses.

While testimony may have demonstrated proactive efforts to investigate alleged human trafficking cases, specifically sex trafficking cases, a panelist asserted that labor trafficking investigations were not prioritized by local or federal law enforcement generally. In addition, these agencies had difficulty in defining labor trafficking and separating it from other forms of labor exploitation and workplace violations.¹³⁵

Enforcement Challenges

Funding

For nearly all organizations serving the public, funding availability determines an organization’s ability to adequately meet the needs of their clients. On the enforcement level, maintaining adequate staff to investigate sex trafficking cases has been a challenge over the years. Mr. Ujifusa noted that due to a shortage in funding, his office lost nearly half of their investigators and officers. He noted that this is of concern because “the amount of detectives, investigators, and offices directly correlates with how many cases they can move forward at a time.”¹³⁶ Multnomah County also faces a similar challenge with keeping other essential positions to help identify trafficking victims, buyers, and traffickers in the jails. According to testimony, the Human Trafficking Jail

Pay \$1.25 Million to Teen Sex Trafficking Victim, The Oregonian, Jun. 20, 2017, https://www.oregonlive.com/beaverton/index.ssf/2017/06/stars_cabaret_owners_agree_to.html.

¹³³ Casey Testimony, *Portland Community Forum*, p. 24.

¹³⁴ Ibid.

¹³⁵ Owens Testimony, *Webhearing I*, p. 4.

¹³⁶ Ujifusa Testimony, *Webhearing II*, p. 7.

Intelligence Sergeant position is at risk of being defunded unless the Oregon legislature appropriates funding to keep the position in 2018.¹³⁷ The availability of funding impacts the Bureau of Labor and Industries ability to meet the demands of trafficking cases. When the Bureau of Labor and Industries successfully investigated Frehoo, Inc., the agency underwent extensive litigation.

A panelist also alluded to the unequal distribution of funding across counties to conduct enforcement activities. Ms. Weedn stated, “it's widely known that some rural countries in Oregon really severely lack the funding necessary to sufficiently patrol and enforce crime within their jurisdictions; [it] can lead to slow response times, ineffective investigation and high declamation rates.”¹³⁸ The lack of funding to enforce the law can also impact the public’s perception and trust in law enforcement and their willingness to report human trafficking. Among the Native American community, some view the failure of law enforcement to address crime as discrimination thereby contributing to their mistrust of law enforcement.¹³⁹

There is also indication that funding is severely needed for community-based organizations who assist law enforcement in identifying human trafficking cases. Ms. Hoefler asserted, “insufficient resources for the different agencies, both government and non-government make it more difficult to identify workers and support these workers.”¹⁴⁰ This funding is key for her organization since they “actively go to labor camps across the state of Oregon, visit hotels, motels, [any]where they may be staying. We try to go out to as many of the different isolated rural communities to let people know about our services. But, we can’t reach everyone.”¹⁴¹

With more funding dedicated to community-based organizations, Mr. Ramirez believes it can bring greater awareness to the severity of labor trafficking:

We need...dedicate[d] resources so that if the government is not going to it, that community organizations that are willing to do the cases but lack funding and resources to do it. To bring it to their attention of the officials, I think there's enough of us in the community that are willing to do this.¹⁴²

¹³⁷ Weaver Testimony, *Portland Community Forum*, p. 11.

¹³⁸ Weedn Testimony, *Webhearing I*, p. 9.

¹³⁹ Ibid.

¹⁴⁰ Hoefler Testimony, *Woodburn Community Forum*, p. 15.

¹⁴¹ Ibid., p. 12.

¹⁴² Ramirez Testimony, *Woodburn Community Forum*, p. 5.

Jurisdiction

Jurisdiction plays an important role in enforcement especially in the case of prosecuting human trafficking cases on Native American reservations. Ms. Weedn suggested that the race of the victim and the offender, the location of the crime and which crimes are committed, are important factors that “cause major confusion and complications determining jurisdiction” and enforcement. She also explained that jurisdiction plays a significant role especially because law enforcement has a record of “slow response times [and] errors in investigation, [that] sometimes lead[s] to declamation from prosecution.”¹⁴³ She also emphasized that Native American tribes have no jurisdiction over non-Indians for crimes committed on reservations and for crimes committed against Indians. This implies that Native Americans who are victims of human trafficking must rely on state and federal enforcement of crimes committed on a reservation. Based on her study, she noted that federal enforcement officers or entities did not prosecute offenders, which result in ultimately letting offenders go free.¹⁴⁴

Another unique challenge is that Native American tribes, due to their jurisdiction, are severely limited in terms of sentencing authority. Ms. Weedn stated, “most tribes can’t sentence to any more than one-year imprisonment or fines up to \$5,000 unless they meet special requirements that would allow them to sentence up to three years and \$15,000.”¹⁴⁵ Because sentencing authority is limited to only a few years and a few thousand dollars in fines, she noted that tribal law enforcement may see it “really isn’t sufficient to prosecute for crimes such as human trafficking.”¹⁴⁶

Complications with jurisdiction issues and the notion of generational trauma can also have implications for Native American victims seeking support services. Ms. Coyote explained that for Native American communities:

If there was already a bad taste in the mouth from accessing services, be it law enforcement courts, child protection services, or behavioral health, going back to those services is going to be very, very hard. If it hasn’t changed from the generation before, it’s not going to happen and be positive in this generation.¹⁴⁷

Panelists noted that law enforcement agencies and service providers must overcome jurisdictional challenges by first building trust among Native American communities.¹⁴⁸

¹⁴³ Weedn Testimony, *Webhearing I*, p. 10.

¹⁴⁴ *Ibid.*, p. 10.

¹⁴⁵ *Ibid.*

¹⁴⁶ *Ibid.*

¹⁴⁷ Coyote Testimony, *Portland Community Forum*, p. 17.

¹⁴⁸ Weedn Testimony, *Webhearing I*, p. 10.

Gaps in Services

Anyone can be a victim of human trafficking, including men, women, children, adults, foreign-born, domestic, and persons of all sexual orientations. It is therefore critical to provide services that encompass the diversity of the victims in order to help them heal and rebuild their lives. Ms. Miller, survivor and leader, stated that in order for “victims to be survivors, and then a thriver,”¹⁴⁹ culturally specific support services must be available because the needs of cisgender, white females are different from others. She noted, “[t]he needs of [transgender and homosexual] victims look different than the needs that I have.” In a similar statement, Ms. Weedn noted that for Native American victims, culturally appropriate methods of healing like attending a sweat or doing smudges would assist with physical and emotional healing, but because medical insurance typically does not cover these services and most grant funding is not dedicated to these services, culturally specific services are essentially unavailable. In response to the absence of these services, victims will end up going without or receiving more mainstream services that are more accessible.

Panelists also indicated that there is a high demand for emergency housing for trafficking victims because space is often limited and are only offered to specific populations. For example, Ms. Miller testified that victims “run from shelter to shelter [because] in Vancouver there are only 10 beds for women in crisis and not many more in Portland.” In Oregon, there are approximately three shelters that were focused on women in the Portland metro area, and in rural areas, panelists could not identify if there were any shelters specifically for women. As for shelters on Native American reservations, Ms. Coyote, who works primarily with communities on the Confederated Tribes of the Umatilla Indian Reservation, noted that there is no emergency shelter available on the reservation when she dealt with a sex trafficking victim.

While panelists explained there are gaps in support services necessary for victims to rebuild their lives, government agencies noted that they are working to fill gaps through strategic collaboration at the policy level that ultimately influences the local level. Mr. Shapiro noted:

[T]he symbiotic relationship...through the [Attorney General’s Trafficking Advisory Committee], they have the opportunity to hear from different parts of the state, different audiences such as the tribes, directors of local youth authority where we’re getting the opportunity to have more input in terms of where the gaps are, what those loopholes are that need to be filled, and the direction that that policy needs to go in the future.

He added that the Attorney General’s Trafficking Advisory Committee has been helpful in securing funding for a shelter for trafficking victims.

¹⁴⁹ Miller Testimony, *Portland Community Forum*, p. 17.

Security Concerns

Victims who break free from their traffickers often find themselves in a situation of great insecurity and vulnerability. They may be physically injured as well as physically and/or emotionally traumatized. Unfortunately, the harm that victims experience does not necessarily end when they report these crimes to authorities. For Mr. Ujifusa in the Multnomah County District Attorney's office, he expressed the need to protect victims' identities through legislation in order to successfully investigate and prosecute trafficking cases. He stated,

“one of our biggest concerns in trafficking and biggest concerns of our victims is their name being on public records and their being known as snitches and being tampered with, if we can protect that so they feel more comfortable being involved in the criminal justice system, I think that will help us with prosecutions.”¹⁵⁰

The right to privacy is an important aspect of protecting victims from further harm. Failure to protect privacy can increase the danger of intimidation and retaliation. This is evident in the story shared by Ms. Coyote who worked with a Native American woman seeking assistance with housing and support services who fled her trafficker multiple times. After her first attempt to flee, she was located by her trafficker because her name was on public housing records. She also left a footprint by accessing various support services. Through her research, she learned that there were few organizations that could guarantee that her records would be confidential.

For foreign born trafficking victims who have security and immigration concerns, their immediate concern related to security is immigration relief. Under immigration law, there are two types of immigration relief: the T-Visa provides immigration protection to victims of trafficking and the U-Visa provides immigration protection to crime victims who have suffered substantial mental or physical abuse as a result of the crime.¹⁵¹ Mr. Ramirez, political director for Pineros y Campesinos Unidos del Noroeste, has worked on farm labor and farm worker issues for 47 years in the Willamette Valley. He described a story where he was able to assist a worker by applying for a T-Visa. He provided legal assistance to a group of agricultural workers who sought help from his organization alleging wage theft against their employer.¹⁵² Through careful investigation with federal authorities and keeping immigration status in mind, Mr. Ramirez was able to successfully apply for a T-visa for Eduardo, one of the employees, and was able to recoup some lost wages through the State's Wage Security Fund, a fund set up to protect workers from wage loss.

¹⁵⁰ Ujifusa Testimony, *Webhearing II*, p. 7.

¹⁵¹ 8 U.S.C. §§ 1101(a)(15)(T)-(U)(the T nonimmigrant status (T visa) is a temporary benefit available to certain victims of a severe form of trafficking to remain in the U.S. for up to 4 years if they assist law enforcement officials in an investigation and/or prosecution of human trafficking. Whereas the U nonimmigrant status (U visa) is for victims of certain crimes who suffer mental or physical abuse within the U.S. and cooperate with law enforcement officials in the investigation and/or prosecution of such criminal activity committed against them).

¹⁵² Ramirez Testimony, *Woodburn Community Forum*, p. 4.

FINDINGS AND RECOMMENDATIONS

Among their duties, advisory committees of the U.S. Commission on Civil Rights are authorized to advise the Commission (1) concerning matters related to discrimination or a denial of equal protection of the laws under the Constitution and the effect of the laws and policies of the Federal Government with respect to equal protection of the laws and (2) upon matters of mutual concern in the preparation of reports of the Commission to the President and the Congress.¹⁵³

Below, the Committee offers to the Commission a summary of concerns identified throughout the Committee's inquiry. Following these findings, the Committee offers several recommendations that apply to federal agencies and state actors for the Commission to consider.

Findings

The following findings result directly from the testimony received and reflect the views of the cited panelists. While each assertion has not been independently verified by the Committee, panelists were chosen to testify due to their professional experience, academic credentials, subject expertise, and firsthand knowledge of the topics.

1. **Human trafficking is a form of gender-based discrimination.**

Testimony demonstrated that sex trafficking is gender-based discrimination for its disproportionate effects on women and girls in the commercial sex industry. Similarly, labor trafficking is also gender-based discrimination in the forestry and agricultural industries as it disproportionately affects Latino men.

2. **Commercial sexual exploitation of children disproportionately affects certain demographics.**

According to research analyzing trends among the commercial sexual exploitation of children in the Portland metropolitan area, 27 percent of these commercially sexually exploited victims were African American, a percentage nearly five times greater than the African American population in Multnomah County. Additionally, 40 percent of victims were white, and five percent were Hispanic.¹⁵⁴

¹⁵³ 45 C.F.R. § 703.2.

¹⁵⁴ Letter from Christopher Carey and Lena Teplitsky to U.S. Attorney for the District of Oregon Amanda Marshall, Department of Human Services Oregon Child Welfare Program Miriam Green, and Sexual Assault Resource Center Executive Director Erin Ellis (Aug. 5, 2013)(on file with Portland State University)

https://www.justice.gov/sites/default/files/usao-or/legacy/2013/10/29/the_csec_report.pdf;

Carey Testimony, *Oregon Webhearing I*, p. 14.

3. Several foreign-born communities are disproportionately affected by human trafficking. These communities include victims from Mexico, Central America and Southeast Asia.¹⁵⁵

This demonstrates that human trafficking is discrimination based on national origin and victims deserve protection from this civil rights violation.

4. There is a lack of culturally specific and gender appropriate services to assist human trafficking victims.

Survivor testimony noted that a one-size-fits-all approach to address the effects of human trafficking is not conducive to the healing process of victims.¹⁵⁶ Even with coordinated statewide and local efforts that include some culturally specific and gender appropriate services, finding such services can be challenging, particularly in rural communities in Oregon.¹⁵⁷ Additionally, service providers stress the importance of providing culturally appropriate services to communities who prefer them over widely available services. For example, in Native American communities, victims prefer attending a “sweat” or “smudge.”¹⁵⁸

Testimony also revealed that there is a need for certified interpreters to assist in legal proceedings involving victims of human trafficking who are able to interpret less commonly spoken languages, such as Hmong.¹⁵⁹ Since language is the principal medium of communication in all legal proceedings, these individuals may be instrumental to a victim’s right to due process.

Gender nonconforming people are particularly vulnerable to violence and human trafficking. Gender appropriate services are also needed for victims of human trafficking. These services may be especially helpful for victims who may be transitioning from one gender to another as these services can help victims feel safe and supported.

5. Despite service providers noting emergency shelter as the greatest need, there are few options in Oregon for human trafficking victims.

Many shelters in Oregon provide direct services and assistance to victims of domestic violence. These shelters may exclude victims of trafficking if they cannot also claim to be

¹⁵⁵ Sinlapasai Testimony, *Portland Community Forum*, pp. 8, 39.

¹⁵⁶ Miller Testimony, *Portland Community Forum*, p. 17.

¹⁵⁷ Weaver Testimony, *Portland Community Forum*, p. 11.

¹⁵⁸ Weedn Testimony, *Oregon Webhearing I*, p. 8.

¹⁵⁹ Sinlapasai-Okamura Testimony, *Portland Community Forum*, p. 28.

victims of domestic violence.¹⁶⁰ In terms of serving Native American communities, there are no shelters on the Umatilla Reservation.¹⁶¹ Finally, with regard to foreign-born trafficking victims, there are cultural and language barriers that create added challenges for advocates to find appropriate shelters to meet their needs in the already limited market of emergency shelters.¹⁶² Finally, shelters are gender segregated, so that gender non-conforming victims may face harassment, violence or be turned away when seeking shelter.

6. Data collection on human trafficking-related activities is limited.

With no centralized database containing information about victims that would measure the prevalence of human trafficking at the state and local level, it is difficult to evaluate the effectiveness of practices to counteract human trafficking. Testimony indicated that few government agencies track victims of human trafficking, either confirmed or potential. In the case of foreign-born workers who are victims of labor trafficking, the U.S. Department of Labor tracks the number of H-2A¹⁶³ and H-2B¹⁶⁴ visas that have been issued and by which companies. However, the Dept. of Labor does not document which employers have a history of labor trafficking, and thus, tracking victims becomes more difficult.¹⁶⁵

Demographic data on trafficking survivors and offenders is limited.¹⁶⁶ For vulnerable populations such as Native Americans, communities of color, and foster children, data collection could be instrumental in determining the appropriate prevention methods, intervention methods, and culturally-specific social services.

Testimony also revealed that collecting data on identifying sex trafficking and labor trafficking victims is challenging because they are often suffering from threats of violence, domestic violence, prostitution, are facing insecurity due to their immigration status, or have been involved in unlawful activity.¹⁶⁷ In addition, victims may not be identified because they are not prosecuted under human trafficking laws.¹⁶⁸

¹⁶⁰ Maloney-Dunn and Skinner, p. 75.

¹⁶¹ Coyote Testimony, *Portland Community Forum*, p. 15.

¹⁶² Maloney-Dunn and Skinner, p. 75.

¹⁶³ 8 U.S.C. § 1188 (the H-2A program allows U.S. employers or U.S. agents who meet specific regulatory requirements to bring foreign nationals to the United States to fill temporary agricultural jobs); 8 U.S.C. § 1101(a)(15)(H)(ii)(a)(defines the term “H-2A worker”).

¹⁶⁴ 29 C.F.R. 503.16 (the H-2B program allows U.S. employers or U.S. agents who meet specific regulatory requirements to bring foreign nationals to the United States to fill temporary nonagricultural jobs).

¹⁶⁵ Owens Testimony, *Oregon Webhearing I*, p. 17.

¹⁶⁶ Sinlapasai-Okamura Testimony, *Portland Community Forum*, p. 37; Weedn Testimony, *Oregon Webhearing I*, p. 9.

¹⁶⁷ *Ibid.*, pp. 9-10, p. 37; Wakkila Testimony, *Portland Community Forum*, p. 35.

¹⁶⁸ Carey Testimony, *Oregon Webhearing I*, p. 12.

7. The H-2A and H-2B visa programs are problematic and characterized by rampant exploitation of foreign workers.

Testimony indicated that even before an individual applies for an H-2A visa, in many cases, they may have been a target of labor trafficking through international recruiting agencies.¹⁶⁹ Foreign born workers must pay recruiters for H-2A jobs and enter the United States. They are, already indebted to their H-2A employer, leaving many feeling desperate to work and fearful that the loss of their job will lead to financial ruin and may even risk the safety of their family in the United States and/or abroad. Because the H-2A and H-2B visa programs require workers to be tied to a specific employer, immigration status has often been cited as the reason why workers do not report abuse even in situations where their health is at stake.¹⁷⁰ Panelists noted that both H-2A and H-2B workers note their key concerns as experiencing unsafe housing conditions, wage theft, and lack of occupational safety.

8. Proactive enforcement of state labor laws is needed to support prosecution of human trafficking cases.

Oregon has several statutes and regulations that directly or indirectly impact trafficking victims or traffickers.¹⁷¹ Testimony indicated that re-examining worker classification was instrumental in uncovering human trafficking cases where victims may be wrongly classified as independent contractors in order to deter suspicion.¹⁷² In terms of addressing enforcement efforts around labor trafficking cases affecting forestry workers and agriculture workers, law enforcement may benefit from paying close attention to wage theft allegations against labor contractors as it could deter labor contractors from perpetrating crimes against workers.¹⁷³

The Bureau of Labor and Industries' current system creates a unique dynamic where filing a complaint rests solely on the victims or non-governmental organizations, like pro-bono legal aid organizations, to file on their behalf.¹⁷⁴ This is seen in the case of a labor trafficking victim who nervously sought help from Pineros y Campesinos Unidos del

¹⁶⁹ Laurie Hoefler testimony, *Community Forum Before the Oregon Advisory Committee to the U.S. Commission on Civil Rights*, Woodburn, OR, May 2, 2018, transcript, p. 12 (hereafter cited as *Woodburn Community Forum*), <https://www.facadatabase.gov/FACA/a0zt0000000DGfW>.

¹⁷⁰ *Ibid.*, pp. 3-4; Hoefler Testimony, *Woodburn Community Forum*, pp. 13-14; Wilmsen Testimony, *Woodburn Community Forum*, p. 8.

¹⁷¹ Maloney-Dunn and Skinner, p. 39.

¹⁷² Casey Testimony, *Portland Community Forum*, p. 24.

¹⁷³ Ramirez Testimony, *Woodburn Community Forum*, p. 3.

¹⁷⁴ Kathleen Maloney-Dunn and Gwynne Skinner, *Modern Slavery in Our Midst: A Human Rights Report on Ending Human Trafficking in Oregon*, Int'l Human Rights Clinic at Willamette Univ. Coll. of Law, 43 (Jun. 2010), <https://willamette.edu/law/pdf/hrc/trafficking-report.pdf>.

Noroeste.¹⁷⁵ While his case was handled successfully because of legal aid organization assistance and proactive enforcement efforts at the federal and state level, very few cases make it through the formal complaint process.¹⁷⁶ This is partly because reporting these crimes involves an enormous risk to the victim including the threat of deportation, financial loss, and risk to personal safety. Legal aid organizations proactively meet workers in their communities to educate them on their rights as workers and the remedies available to them.¹⁷⁷

9. Government agencies responsible for investigating and prosecuting potential human trafficking cases need better methods of communication.

Testimony indicated that while there are efforts at the state and county level to streamline communication efforts to serve victims of human trafficking, communication among law enforcement across federal, state, and local jurisdictions remains a challenge especially in dealing with human trafficking victims who interact with various government services and legal systems in federal, state, and local jurisdictions. For example, there is no memorandum of understanding,¹⁷⁸ among certain local agencies and law enforcement allowing for the release of information regarding a potential human trafficking victim that may be instrumental in prosecuting offenders and/or determining necessary support services.¹⁷⁹ Seamless information sharing would potentially avoid re-traumatizing victims who often have to speak with multiple government officials before their cases are prosecuted. Furthermore, there is no statewide database that allows for agencies to identify potential victims based on their interaction with multiple agencies.

10. There is a need for training on how to identify victims and address human trafficking.

Advocates, law enforcement, academics, and survivors on the panel repeatedly expressed the need for mandatory training and expanding training to other stakeholders on how to identify victims of human trafficking.¹⁸⁰ There is a need for training across occupations for individuals who may interact with potential victims, such as emergency shelter staff, medical professionals, law enforcement, business owners, hospitality staff, and foster care parents. Important stakeholders interacting with possible victims, such as child welfare

¹⁷⁵ Ramirez Testimony, *Woodburn Community Forum*, p. 4.

¹⁷⁶ *Ibid.*, pp. 4-5.

¹⁷⁷ Hoefler Testimony, *Woodburn Community Forum*, p. 12.

¹⁷⁸ A memorandum of understanding is a nonbinding agreement between two or more organizations outlining terms and details of each parties' requirements and responsibilities.

¹⁷⁹ Sinlapasai-Okamura Testimony, *Portland Community Forum*, p. 9.

¹⁸⁰ Ujifusa Testimony, *Oregon Webhearing II*, pp. 6-8, 19; Alston Testimony, *Oregon Webhearing II*, p. 12; Weedn Testimony, *Oregon Webhearing I*, p. 10; Weaver Testimony, *Portland Community Forum*, p. 11; Taylor Testimony, *Portland Community Forum*, p. 25.

staff, receive roughly three and a half hours of training.¹⁸¹ Individuals going through the police academy have a nonmandatory course on human trafficking.¹⁸² There is also a great need for culturally specific, trauma informed training to identify vulnerable populations at risk of being trafficked.¹⁸³ Besides training to identify potential victims, training should also encompass dissemination of a list of resources and service providers who can respond to the unique needs of victims of human trafficking.

The screening process to identify victims of human trafficking is essential for stakeholders as they may need to refer victims to multiple organizations based on their unique needs and how best to investigate potential cases. Oregon does not have a uniform standardized screening tool for people who may interact with victims of human trafficking. Agencies like the Oregon Department of Human Services have their own screening process for identifying and assisting potential victims of human trafficking.¹⁸⁴ Not only is it important to have a uniform screening mechanism for identifying victims, but it is equally important to have one in place to identify offenders. For example, in Multnomah County, there is a designated human trafficking jail intelligence sergeant, who is responsible for identifying potential victims, buyers, and traffickers.

11. Public Awareness

Public awareness is critical to ensure the general public is aware of the prevalence of human trafficking. Panelists expressed the need to dispel stereotypes of human trafficking victims as being chained up, when in fact, victims exist in plain sight.

12. There is consensus among panelists that victims of trafficking should be treated as victims instead of criminals.

Survivors and victims of human trafficking may have criminal records or have committed crimes that are the result of their victimization. They may need support services to deal with the trauma associated with being trafficked.¹⁸⁵ Panelists explained that human trafficking often leads to illicit drug use, theft, homelessness, and recruitment of other persons resulting in arrest and a criminal history.¹⁸⁶

¹⁸¹ Alston Testimony, *Oregon Webhearing II*, p. 11.

¹⁸² Wakkila Testimony, *Portland Community Forum*, p. 35.

¹⁸³ Sinlapasai-Okamura, *Portland Community Forum*, p. 28; Miller Testimony, *Portland Community Forum*, p. 20.

¹⁸⁴ Alston Testimony, *Oregon Webhearing II*, p. 9.

¹⁸⁵ Miller Testimony, *Portland Community Forum*, p. 29.

¹⁸⁶ Sinlapasai-Okamura Testimony, *Portland Community Forum*, p. 39; Miller Testimony, *Portland Community Forum*, p. 18.

Recommendations

Among their duties, advisory committees of the Commission are authorized to advise the Agency (1) concerning matters related to discrimination or a denial of equal protection of the laws under the Constitution and the effect of the laws and policies of the Federal Government with respect to equal protection of the laws; and (2) upon matters of mutual concern in the preparation of reports of the Commission to the President and the Congress.¹⁸⁷ In keeping with these responsibilities, and in consideration of the testimony heard on this topic, the Oregon Advisory Committee submits the following recommendations to the Commission:

1. The U.S. Commission on Civil Rights should send this report and issue a formal request to the Federal Bureau of Investigations to:
 - a. Vigorously enforce the Trafficking Victims Protection Act.
 - b. Endorse Continued Presence,¹⁸⁸ a form of immigration relief available to victims of human trafficking.
2. The U.S. Commission on Civil Rights should send this report and issue a formal request to the U.S. Department of Justice to:
 - a. Endorse Continued Presence¹⁸⁹ for victims of human trafficking.
3. The U.S. Commission on Civil Rights should send this report and issue a formal request to the U.S. Department of Justice, Department of Homeland Security, and Department of Labor to:
 - a. Vigorously coordinate and conduct high-impact federal investigations and prosecutions involving labor trafficking and sex trafficking.
 - b. Coordinate with Oregon state and local law enforcement officials, and especially the Bureau of Indian Affairs, on alleged cases of labor trafficking and sex trafficking.

¹⁸⁷ 45 C.F.R. § 703.2 (a)-(c).

¹⁸⁸ 22 U.S.C. § 7105(c)(3) (noting that Continued Presence (CP) is a temporary immigration status provided to individuals identified by law enforcement as victims of human trafficking. This status allows victims of human trafficking to remain in the U.S. temporarily during the ongoing investigation into the human trafficking-related crimes committed against them); *See also* U.S. Dept. of Homeland Sec. *Information for Law Enforcement Officials: Immigration Relief for Victims of Human Trafficking and Other Crimes* <https://www.dhs.gov/xlibrary/assets/blue-campaign/ht-information-for-law-enforcement-officials-immigration-relief-for-victims-of-human-trafficking.pdf>

¹⁸⁹ *Id.*

- c. Develop a Memorandum of Understanding among each other and Oregon state and local enforcement officials to encourage streamlined communication regarding presumptive victims of labor trafficking and sex trafficking.
4. The U.S. Commission on Civil Rights should send this report and issue a formal request to the Bureau of Indian Affairs, Office of Justice Services to:
 - a. Coordinate with Oregon state and local law enforcement officials on cases of labor trafficking and sex trafficking.
 - b. Coordinate with state and local task forces to support victims of human trafficking.
5. The U.S. Commission on Civil Rights should send this report and issue a formal request to the U.S. Citizenship and Immigration Services to:
 - a. Proactively utilize the U and T visa program¹⁹⁰ to provide victims of human trafficking immigration relief in order to assist law enforcement authorities in the investigation or prosecution of human trafficking cases and other criminal activity.
 - b. Train officers administering U and T visa program on human trafficking through a holistic lens, which may allow officers to understand the broader experience of human trafficking victims instead of only focusing on their alleged crimes.¹⁹¹
6. The U.S. Commission on Civil Rights should send this report and issue a formal request to the Department of Homeland Security, Homeland Security Investigations to:
 - a. Endorse continued presence¹⁹² for victims of human trafficking.
7. The U.S. Commission on Civil Rights should send this report and issue a formal request to the U.S. Department of Labor to:

¹⁹⁰ 8 U.S.C. §§ 1101(a)(15)(T)-(U)(the T nonimmigrant status (T visa) is a temporary benefit available to certain victims of a severe form of trafficking to remain in the U.S. for up to 4 years if they assist law enforcement officials in an investigation and/or prosecution of human trafficking. Whereas the U nonimmigrant status (U visa) is for victims of certain crimes who suffer mental or physical abuse within the U.S. and cooperate with law enforcement officials in the investigation and/or prosecution of such criminal activity committed against them).

¹⁹¹ An approach characterized by understanding the experiences of human trafficking victims as interconnected and explicable only by reference to the whole.

¹⁹² 22 U.S.C. § 7105(c)(3)(A)(iii).

- a. Increase oversight and enforcement of worker protections in the guest worker visa programs, including possible past violations of H-2A and H-2B employers. This action may deter future violations perpetrated by H-2A and H-2b employers.
 - b. Closely monitor the actions of recruiting agencies and hold both employers and recruiters liable for labor trafficking to deter future exploitation.
 - c. Strongly consider adding H-2A temporary agricultural workers to the laws applicable to other farmworkers in the U.S.¹⁹³
 - d. Proactively utilize the U and T visa program to provide victims of human trafficking immigration relief in order to assist law enforcement authorities in the investigation or prosecution of human trafficking cases and other criminal activities.
8. The U.S. Commission on Civil Rights should send this report and issue a formal request to the U.S. Department of Health and Human Services to:
- a. Consider expanding the Trafficking Victims Assistance Program.¹⁹⁴
9. The U.S. Commission on Civil Rights should recommend that the U.S. Congress and appropriate federal agencies increase funding for combating human trafficking appropriately.
10. The U.S. Commission on Civil Rights should send this report and issue a formal request to the U.S. State Department to:
- a. Communicate with consulates of foreign governments, especially Mexico and the Philippines, to raise awareness about labor trafficking and sex trafficking.
 - b. Train consulate officers in foreign consulates abroad to screen for human trafficking when interviewing individuals entering into the United States.
11. The U.S. Commission on Civil Rights should send this report and issue a formal request to the U.S. Attorney's Office in the District of Oregon to:

¹⁹³ 29 U.S.C. § 1802 (8)(A)(B) (noting that, H-2A workers are excluded from the Migrant and Seasonal Agricultural Worker Protection Act).

¹⁹⁴ The Trafficking Victims Assistance Program was established under the Trafficking Victims Protection Act of 2000 and authorized the U.S. Secretary of Health and Human Services to determine whether victims of severe trafficking may be eligible for certain benefits and services in the U.S.

- a. Strengthen relationships with each of the nine tribes in Oregon to build trust in order to address human trafficking cases.
 - b. Enforce the Trafficking Victims Protection Act, especially in Indian Country, the Willamette Valley, and the Portland Metro Area and where victims of trafficking are likely found.
12. The U.S. Commission on Civil Rights should send this report and issue a formal request to the Oregon Legislature to:
- a. Continue passing legislation that combats human trafficking.
 - b. Consider passing legislation that requires state agencies to collect data on suspected sex trafficking and labor trafficking victims and perpetrators.
 - c. Consider providing appropriations dedicated to developing data tracking systems for sex trafficking and labor trafficking cases and improving coordination with other state agency systems.
 - d. Provide appropriations dedicated to short-term housing and transitional long-term housing for specific populations in crisis.
 - e. Provided appropriations to the Oregon Bureau of Labor and Industries to vigorously enforce labor laws.
 - f. Consider increasing the administrative fines the Bureau of Labor and Industries can charge employers who violate labor laws, specifically including a large, mandatory fine if human trafficking is uncovered.
 - g. Require mandatory sex trafficking and labor trafficking training for law enforcement that includes identification of victims, suggested questioning of victims that is culturally appropriate, collecting evidence needed for investigating and prosecuting at both state and federal levels, and an up to date list of service providers or points of contact for local task force coordinators.
13. The U.S. Commission on Civil Rights should send this report and issue a formal request to the Oregon Governor to:

- a. Commission a new study to examine the extent of human trafficking on the state and county level, and on Tribal lands, that includes demographic information of the victims of trafficking and perpetrators of the abuse.
14. The U.S. Commission on Civil Rights should send this report and issue a formal request to the Oregon Bureau of Labor and Industries to:
- a. Continue enforcing labor laws that may apply to human trafficking cases, such as Oregon Revised Statutes § 659A.030 and § 652.150.
 - b. Consider investigating the possible misclassification of workers in the adult entertainment industry which may uncover human trafficking violations.
 - c. Hold frequent trainings for farm and forest labor contractors so that they understand and comply with Oregon’s Farm Labor Contractor, Farmworker Camp Operator, and Wage and Hour regulations.
 - d. Consider emphasizing criminal penalties for anyone involved in human trafficking and labor trafficking.
15. The U.S. Commission on Civil Rights should send this report and issue a formal request to the Oregon Employment Department to:
- a. Recommend discontinuation of services¹⁹⁵ to employers who abuse¹⁹⁶ and continue to abuse H-2A workers.
 - b. Develop a system of data collection to receive complaints regarding H-2A and H-2B workers.

¹⁹⁵ A notification in which the Oregon Employment Department may initiate to an employer who refuses to alter or withdraw job listings containing specifications that are contrary to employment-related law, refuses to provide assurances that the job offered are in compliance with employment-related laws, misrepresents the terms or conditions of employment, or fails to comply fully with assurances made on job listings; etc. *See* Oregon Employment Department, Chapter 471, Division 20, 471-020-0040, <https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=2336>.

¹⁹⁶ *See* 1a-6 of Discontinuation and Reinstatement of Services to an Employer, Oregon Employment Department, Chapter 471, Division 20, 471-020-0040, <https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=2336>.

APPENDIX

- A. April 3, 2018 Webinar Agenda & Minutes**
- B. April 3, 2018 Webinar Presentation Slides**
- C. April 3, 2018 Webinar Transcript**
- D. April 17, 2018 Webinar Agenda & Minutes**
- E. April 17, 2018 Webinar Presentation**
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- G. May 1, 2018 Community Forum Agenda & Minutes**
- H. May 1, 2018 Community Forum Presentation Slides**
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Appendix A

[April 3, 2018 Webinar Agenda & Minutes](#)

Appendix B

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Appendix C

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Appendix H

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Appendix K

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Appendix L

[May 2, 2018 Community Forum Transcript](#)

**Oregon Advisory Committee to the
U.S. Commission on Civil Rights**



U.S. Commission on Civil Rights

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