



Definition of Human Trafficking

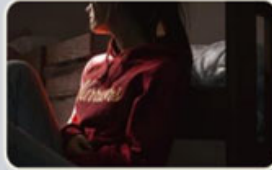
Human trafficking is defined as using **force, fraud, or coercion** to manipulate someone into performing **labor or sex acts for profit**.

Any commercial sex act with minors is legally considered trafficking.

Types of Human Trafficking



Minors involved
in commercial
sexual activity



Adults induced
into commercial
sexual activity
through
FORCE, FRAUD,
OR COERCION



**Minors and
adults** induced to
perform labor or
services through
FORCE, FRAUD,
OR COERCION



Organ
trafficking

<https://www.youtube.com/watch?v=1UVO73Kggg>

Words
Matter:
Means of
Control

Force

- Violence; physical harm; sexual assault
- Restricted access
- Locks preventing exit
- Postings/no trespassing signs
- Monitoring

Fraud

- Recruitment fees
- Bait and switch tactics
- Wage and hour violations
- False promises
- Worsening work conditions

Coercion

- Psychological manipulation
- Document confiscation
- Threats to family
- Reputational harm
- Shame and fear-inducing threats
- Threats to report to LE

Traffickers often use multiple means of control, including physical force, deception, and manipulation

Traffickers target vulnerabilities

And exploit power differentials

- The elderly and disabled are vulnerable for many reasons:
- Physical reliance on a caregiver for basic needs
- May rely on another person to mediate most of their activities (dependency)
- Fixed income/low income
- Loss of social networks and social support
- Chronic illness and/or chronic pain
- Limited or no privacy
- Memory impairment
 - Limited ability to convey experiences (provide testimony or corroborate evidence)
 - Non linear narratives

Vulnerabilities

- “I was born disabled and that is what led me to be vulnerable to being trafficked...[My trafficker] played on that fear that my parents [instilled in me] that I couldn’t hold down a real job or support myself. Like this is the only thing I’ll ever amount to.”
- — Sex trafficking survivor Polaris Survivor Focus Group

[Individuals with disabilities may face increased risk of human trafficking](#)

Origins of the Trafficking Victims Protection Act (TVPA) 2000

One of the very first cases recognized in the United States as human trafficking involved a peddling and begging ring in New York City in the 1990s.

Traffickers brought 55 Mexican nationals who were deaf to the United States to beg and sell trinkets on the subway.

The Trafficking Victims Protection Act (TVPA) of 2000 created new tools to hold traffickers accountable, including those who trafficked people with disabilities. **Congress created a new crime: forced labor.**

Henry's Turkey Farm

For 20 years, 32 men with intellectual disabilities eviscerated turkeys in an Iowa-based turkey processing plant for 41 cents an hour.

The men had been transferred from a Texas residential care facility to the work site in Iowa.

Lived in squalor, the men faced physical and verbal abuse, as well as harsh discipline.

Their employers deducted money for room and board from their earnings. Take home monthly earnings: \$65.00.

<https://www.eeoc.gov/eeoc/newsroom/release/5-1-13b.cfm>

<https://www.nytimes.com/interactive/2014/03/09/us/the-boys-in-the-bunkhouse.html>

Fair Labor Standards Act Exemption

FLSA (Fair labor standards act) allows

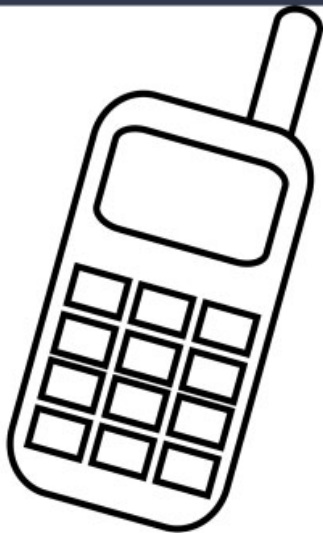
Employers to pay as little as \$1 per hour, or less, to workers with disabilities

If they can't perform a job as well as a person who is not disabled (the current federal minimum wage is \$7.25)

Employment at less than the minimum wage is designed to prevent the loss of employment opportunities for these individuals.

<https://www.dol.gov/general/topic/wages/subminimumwage>

Call. Text. 24/7 200 languages



National Human Trafficking Hotline

888-37-37-888

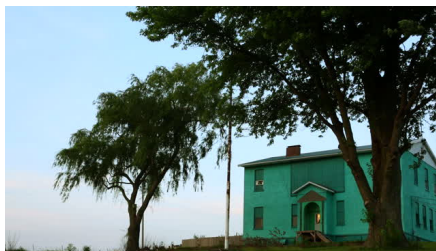
Text: befree (233733)

Spanish: ayuda

Email: humantraffickinghotline.org

Henry's Turkey Farm- "The Boys in the Bunkhouse"

- [The 'Boys' in the Bunkhouse - The New York Times \(nytimes.com\)](https://www.nytimes.com/2018/04/13/us/politics/turkey-farm-bunkhouse.html)
- "The turkey plant case has really haunted all of us," says Curt Decker, the executive director of the [National Disability Rights Network](https://www.ndrn.org/). "This is what happens when we don't pay attention."



H.R. 4547 the Strengthening Protections for Social Security Beneficiaries Act of 2018

- On April 13, 2018, the President signed the [Strengthening Protections for Social Security Act](https://www.congress.gov/bills/115/4547/text/senate/1). This law directs state protection and advocacy system organizations, such as DRNC, to conduct periodic onsite reviews along with additional discretionary reviews. In addition, the P&As conduct educational visits and reviews based on allegations they receive of payee misconduct.
- The goal of this program is to protect people with disabilities from financial exploitation, abuse and neglect.

About Representative Payees

- Approximately **5.7 million** payees managing **\$70 billion** in annual benefits for **8 million** beneficiaries (across the country).
- During the first three years of this program, North Carolina's PABRP team conducted over **1,300 interviews**.
- These reviews found more than **940 deficiencies** and over **270 referrals** for services and assistance to the beneficiaries and payees.
- We had **11 instances** where our team alerted SSA and appropriate authorities to concerns that beneficiaries' health and safety were at risk.



Types of Payees/Reviews

Payee Type	Initiation
Individual	Periodic
Organization	Predictive
Fee For Service	P&A Initiated
Government Agency (such as a DSS)	Educational Visit
State Mental Institution (SMI)	Quick Response Check

Phases of Review

A review includes:

- An interview with the individual or organizational representative payee
- A review of the representative payee's financial records for the requested beneficiary or sample of beneficiaries served
- A home visit and interview for each beneficiary included in the review; and an interview with legal guardians and third parties when applicable.

If a Rep Payee is found to be mishandling benefits, we work with the payee on a corrective action plan with SSA's advance approval of the plan.

SSA does their own follow up in more significant instances, whether that might be removing the payee and/or referring for prosecution

Recent Case Work

- DRNC conducted a review of a payee who owns and operates several facilities in NC, some of which are unlicensed.
- One beneficiary with a TBI was living in an unlicensed "boarding home" with little to no supports.
- The beneficiary's bedroom had countless holes in the walls, the home was strewn with clothes, dirt and dust, and there were no sheets, blankets or comforters on the beds. The beneficiary's mattress was also on the floor.
- The reviewer also uncovered substantial financial mismanagement.
 - Findings included:
 - failure to accurately account for and maintain a record of residents' personal funds transactions, including credit transactions; debits for pharmacy payments; and conserved fund balances.
 - The payee also had deficiencies of background checks not performed on facility employees, failure to administer medications as ordered by a prescribing practitioner, and intimidation of residents.
 - When the beneficiary was discharged from the licensed facility and moved to the unlicensed boarding home, the payee did not inform SSA of the beneficiary's change in residence and continued to receive their SSA monthly disability benefit. The payee would then forward some or all of it each month to the unlicensed provider after depositing the funds into the payee's operating account.

If you uncover a representative payee that is misusing beneficiary funds, please report it to DRNC.



NC's protection and advocacy system, dedicated to advancing and defending the rights of people with disabilities

Gabriella Bush
Supervising Investigator- Rep Payee Team
She/Her(s)

919-856-2195

919-971-0236 (cell)

877-235-4210

TTY callers, dial 711

919-856-2244 (fax)

gabriella.bush@disabilityrightsncc.org

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www.disabilityrightsncc.org | [Support Our Work](#)

Features of Benefits Trafficking



The Act

- Recruitment/referral via hospitals, shelters, churches, on-line, licensed facilities



The Means

- Promises of benefits and services that are never delivered, false representation
- Use of coercion, deception, duress, "brain washing"



The Purpose

- Exploitation of the benefits attached to the at-risk adult
- Food stamps, social security, Veteran's benefits, Medicaid





Across the Country

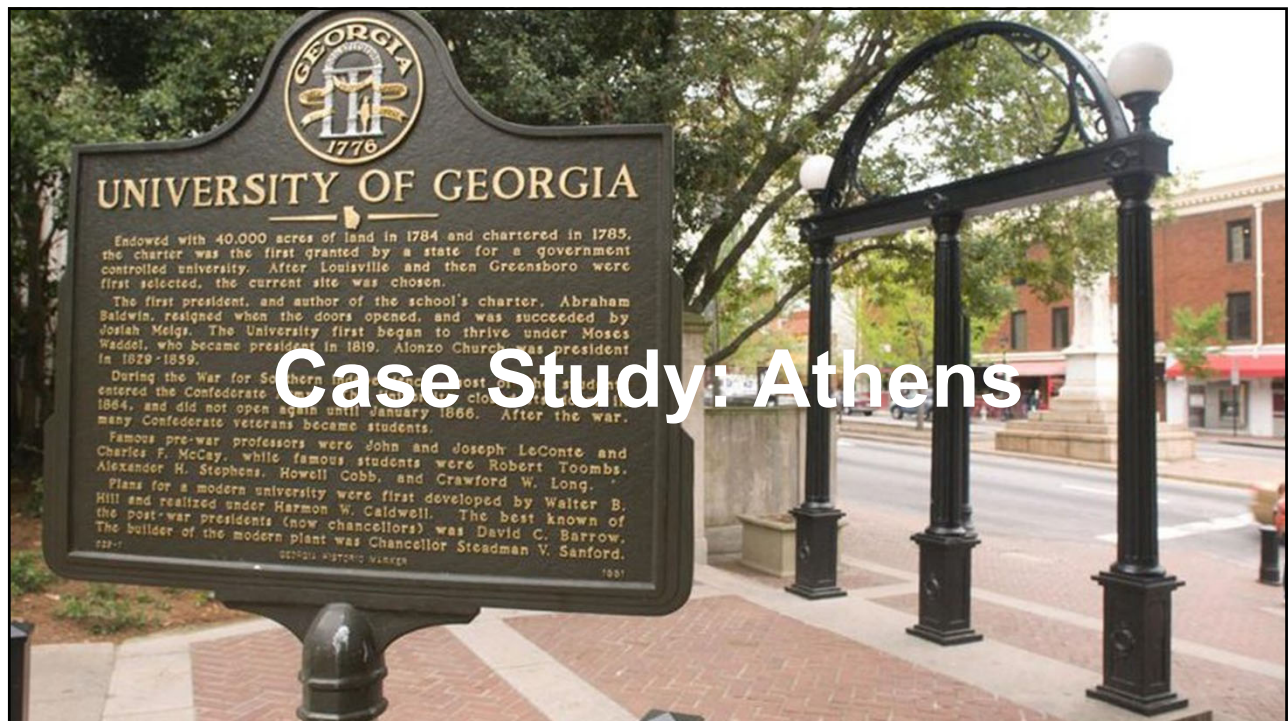
- 30+ states have identified this type of trafficking but aren't sure what to call it
- Alabama, California, Colorado, Connecticut, Iowa, New York, Texas, Nevada, to name a few
- FSIU & GBI raising awareness to DOJ about this type of trafficking



O.C.G.A. §16-5-102.1 GA Benefits Trafficking Law



- July 1, 2018
- b) ...through deception, coercion, exploitation, or isolation...knowingly recruits, harbors, transports, provides, or obtains by any means a disabled adult, elder person, or resident
-for the purpose of appropriating the resources of such disabled adult, elder person, or resident for one's own or another person's benefit
- Penalty up to 20 years and \$100,000 fine



Case Study: Athens

Unlicensed Personal Care Home (UnlicPCH)

- Residents:
 - Males, ages 52-71
 - Held against their will
 - Charged \$300-\$400/month
 - Required to sign over SSA and EBT



Department of Human Services

GBI Crimes Against Disabled Adults and Elderly (CADE) Task Force



Georgia Bureau of Investigation

UnlicPHC, cont.

- Clients of Department of Behavioral Health
- Drugged and locked in basement (crawl space)
- Locked in backyard surrounded by 8' privacy fence (padlocked)
- Given 5-gallon buckets for toilets

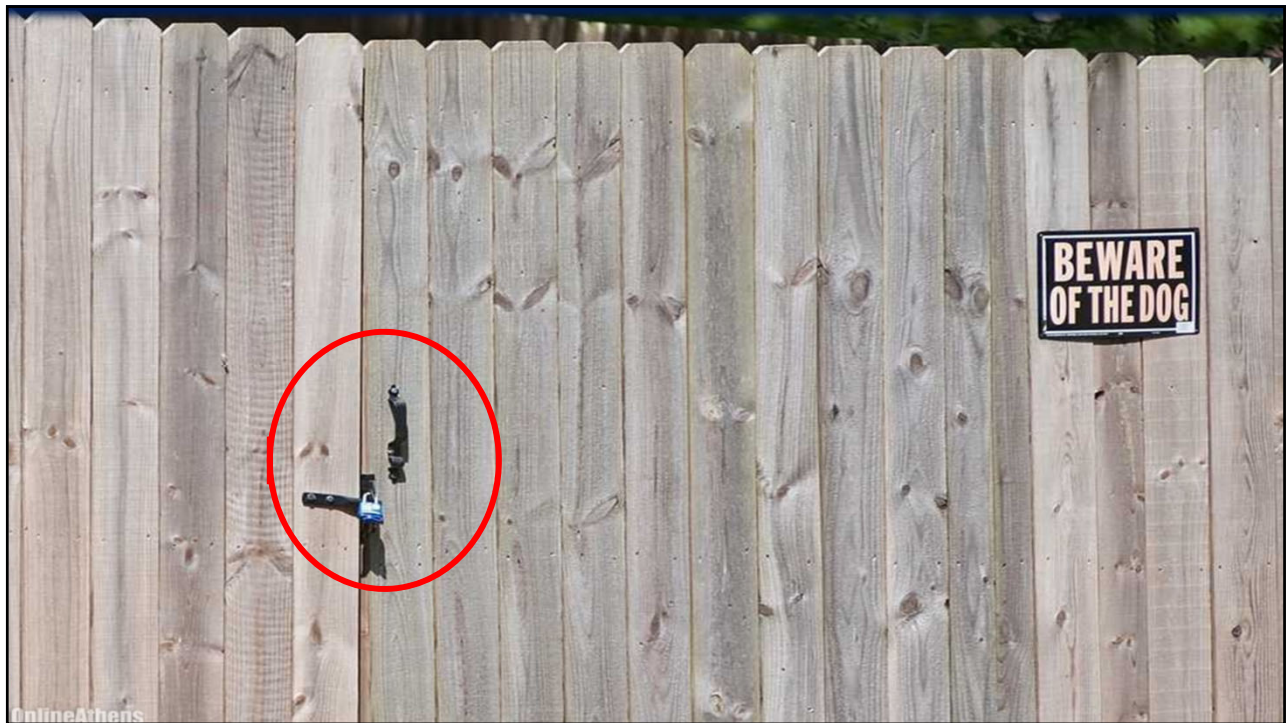


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Owner/Operator

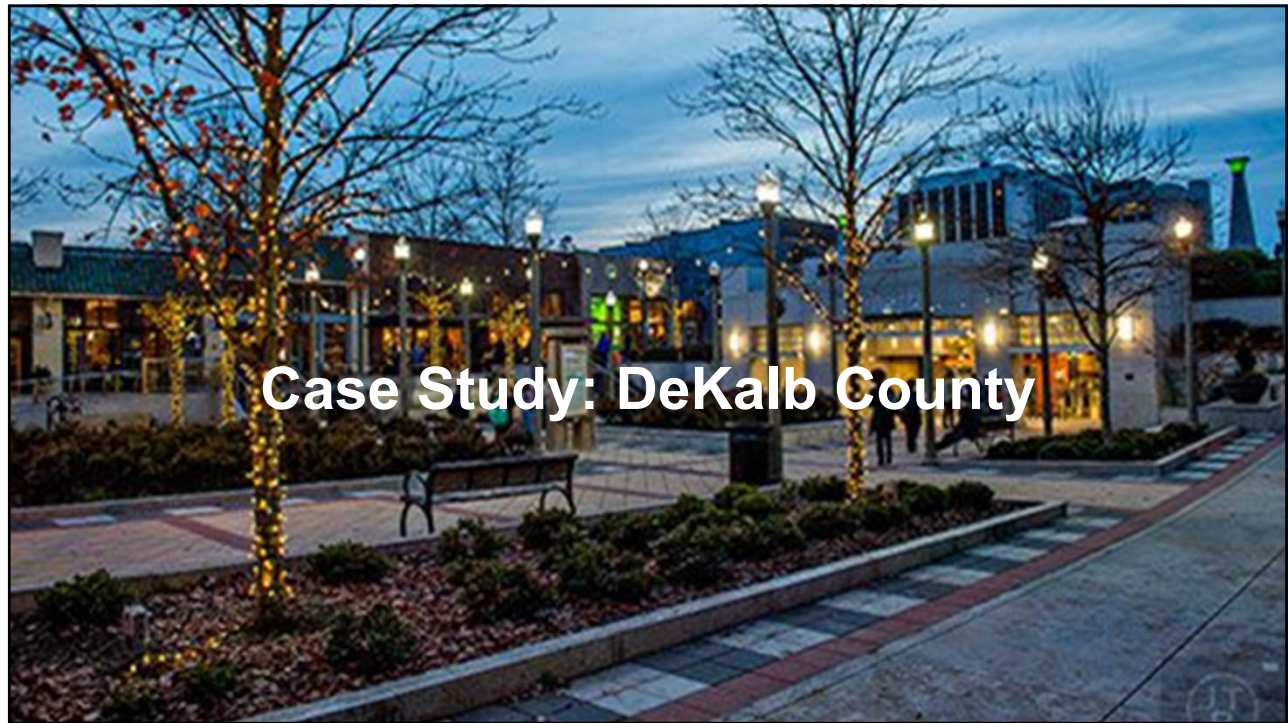
- Drove one resident to Atlanta to have sex
- Was paid in drugs for pimping out the residents
- Filmed sexual acts of residents living in the home
- Used the videos as a threat, coercion

Emma Louise Heard (2017)



19 charges in all:

- Exploitation and Intimidation of Disabled Adults
- Neglect of Disabled Adults
- False Imprisonment
- Unlicensed Personal Care Home
- Sentenced to 40 years with 20 years to serve

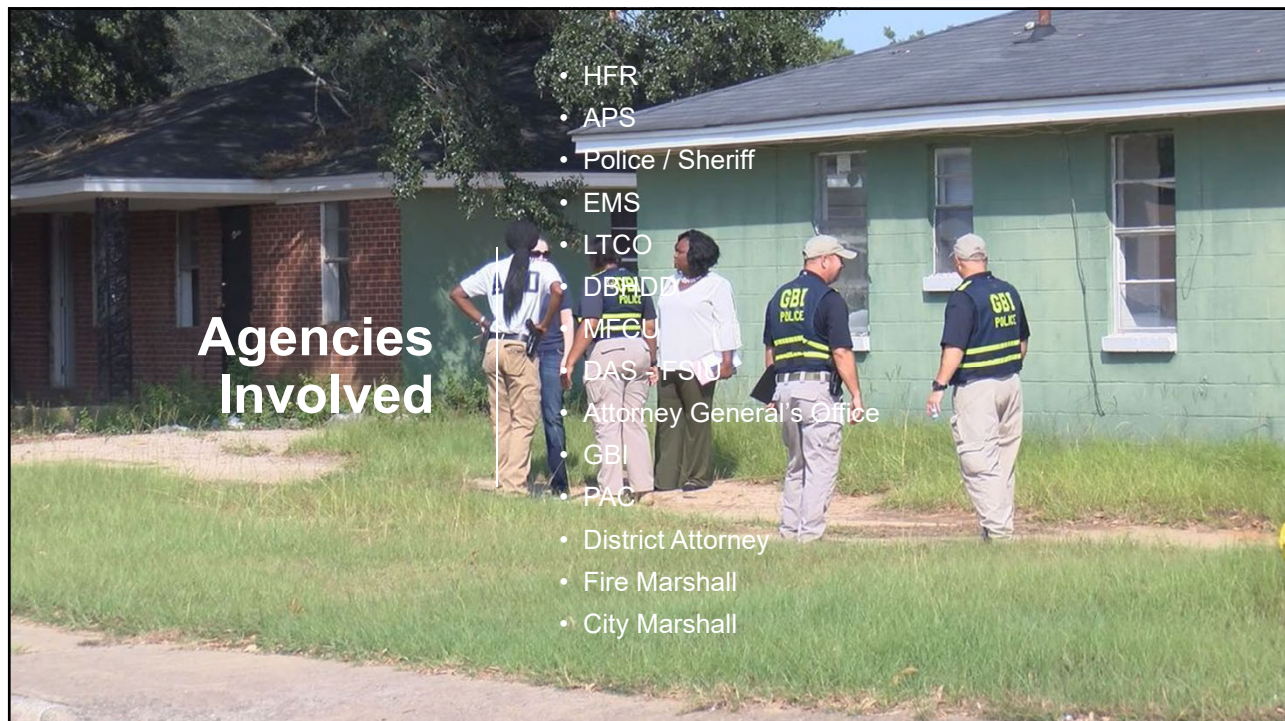




Chaundra Faust (2011)



- Pled guilty to keeping disabled Bobby Ray Hill captive in her basement for 5 months and taking his monthly disability checks
- For breakfast he had ramen noodles & for dinner a bologna sandwich.
- Sentenced to serve 10 years in prison & pay \$3,000 in restitution



Agencies Involved

- HFR
- APS
- Police / Sheriff
- EMS
- LTCC
- DEPD
- MFCU
- DAS / FSN
- Attorney General's Office
- GBI
- PAC
- District Attorney
- Fire Marshall
- City Marshall



Indicators of Benefits Trafficking



How Cases Generally Unfold

Complaints to Law Enforcement:

- High number of 911 calls
- Unusual noise complaints
- Trespassing
- Courtesy checks
- Begging for food
- Missing person
- Not always LE who discovers it

Common Themes

- Each resident is paying a high amount per month for ½ bedroom
- Refrigerator is padlocked, residents fed only 1 time per day
- Residents don't have access to their own money
- Residents have behavioral health conditions
- 1 licensed home, several unlicensed homes







Make-Shift Rooms





Locks/False Imprisonment

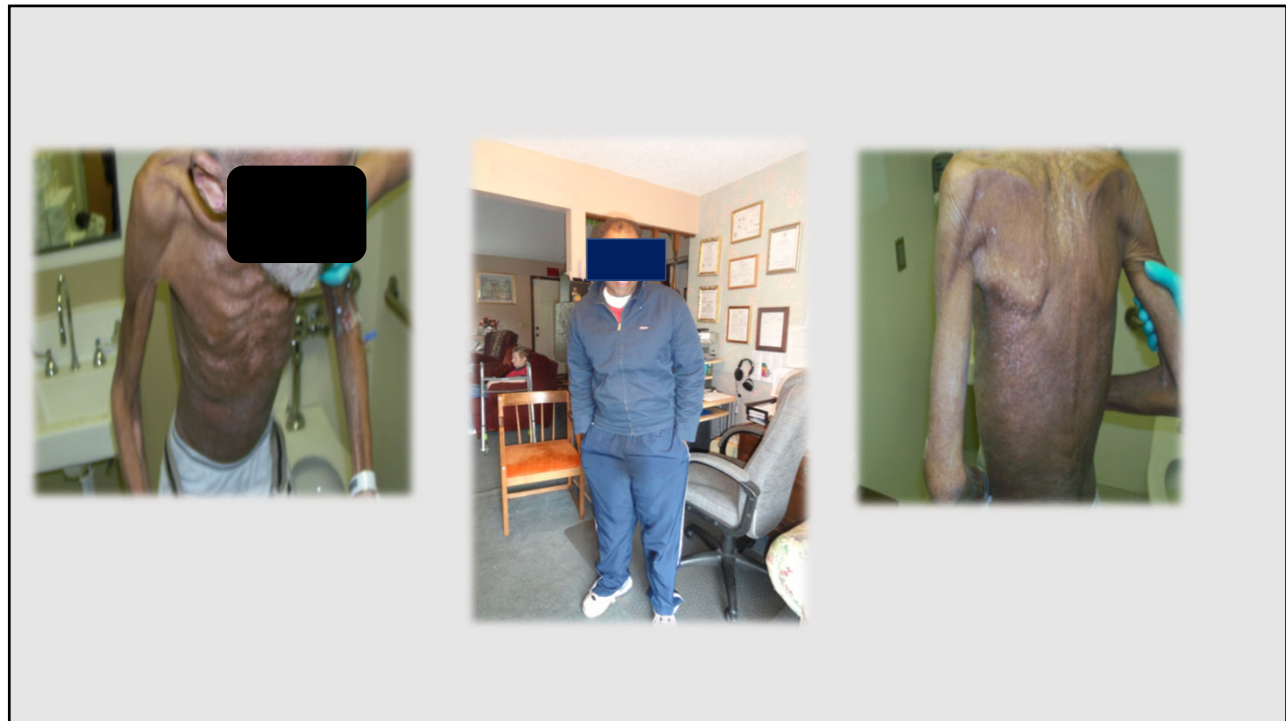


**Check the
Entire
Property**



Resident Neglect/Lack of Food

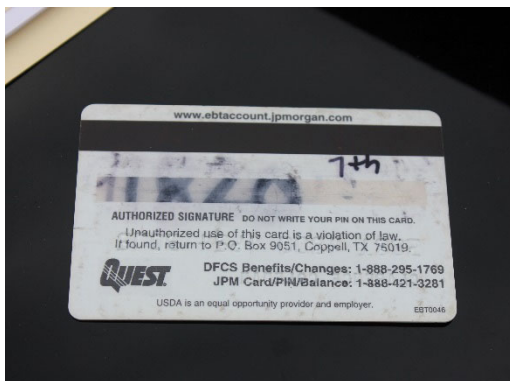




Key Concepts

- Residents may be “brain washed”/groomed
- You may need to build trust
- You may be viewed as “the bad guys”
- They may not want to talk to you
- Residents may want to protect the owner/operator





Evidence of Financial Exploitation

Multiple EBT Cards



Financial Questions to Ask

- Are the benefits used for the good of the resident or for the owner/operator?
- Does the resident know who controls the Social Security income?
- Is the resident aware of their own income? Other sources?
- Are there any financial documents in the house?
- Is the resident charged for food but also gives up an EBT card?



Owners and Operators

Living the Life!

- Luxury Vehicles
- Lavish trips
- Clubs
- Clothes/Shoes
- Lottery Tickets

Interview the Owner/Operator

- They will want to talk
- May lead to other homes and victims
- Establish their role
- Detail their room(s)



**Working
Together**

- Know what authority you have
- Make new friends
- Know your state and local contacts
- Respect the victim by building a strong case
- Stay connected with law enforcement
- Stay connected with social services
- Keep your eyes open

Contact Info:



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