

ATTORNEY GENERAL'S LABOR TRAFFICKING TASK FORCE ROSTER

Oregon Department of Justice

- Attorney General Ellen F. Rosenblum
- Kimberly McCullough, Legislative Director
- Kate Denison, Deputy Legislative Director
- Amanda Swanson, Trafficking Intervention Coordinator, Crime Victim & Survivor Services Division
- Rich Austria, Special Agent-in-Charge, Criminal Justice Division

Oregon Legislature

- Senator Kathleen Taylor, Senate District 21
- Representative Lily Morgan, House District 3
- Representative Anna Williams, House District 52
- Representative Pam Marsh, House District 5
- Amanda Kraus, Oregon Senate Democrat Caucus Office

Consulate Offices

- Honduras Consulate
 - Manuel Roberto Núñez, Consul General
- Guatemala Consulate
 - Claudia Noemí Gatica, Consul General
 - Marta Guembes, Honorary Consul in Portland
 - Elba Ochoa-Nugent
- Mexican Consulate of Portland
 - Carlos Quesnel Melendez, Consul
 - Claudia Cabrera, Deputy Consul
 - Lorenzo Preciado, Legal Affairs
- El Salvador Consulate
 - Clary Monzon, Consul
 - Maria Arguello

Advocates and Service Providers

- Renee Cummings, Oregon Immigration Group, PC
- Sarah Purce, Catholic Charities Legal Services
- Ernesto Hernandez, Advocate
- Jonathan Castro Monroy, Castro Monroy Group
- Martin Campos-Davis, Oregon Human Development Corporation
- Virginia Camberos, Unite Oregon, Director, Rogue Valley Chapter
- Marandas Sinlapasai Garcia, LLC
 - John Marandas
 - Luis Garcia
- NW Carpenters Union
 - Matt Swanson
 - Jeanette Aranda
- Bonnie Allen-Sailer, Northwest Worker's Justice Project

US Attorney's Office

- Hannah Horsley
- Ashley Cadotte

Oregon Local Law Enforcement

- John Haroldson, Benton County District Attorney
- Aaron Knott, Multnomah County District Attorney's Office
- Portland Police Department
 - Natasha Haunsperger, Police Officer
 - Jami Resch, Assistant Chief of Investigations

Oregon State Agencies

- Oregon Bureau of Labor and Industries (BOLI)
 - Sonia Ramirez, Wage and Hour Division
- Oregon Department of Agriculture
 - Jonathan Sandau
 - Sunny Summers
- Oregon Occupational Safety and Health (OSHA)
 - Michael Wood
 - Renee Stapleton
- Oregon Department of Human Services (DHS)
 - Dan Haun, Director of our Self Sufficiency Programs
- Oregon Liquor and Cannabis Commission (OLCC)
 - Jason Hanson

Task Force Goals and Priorities

1. Build a foundation
 - a. Collective definition of labor trafficking
 - b. Understand what labor trafficking looks like in Oregon
 - c. Develop a mission statement for the task force
 - d. Identify and engage key stakeholders
 - i. Host listening session in the Spring
 - e. Learn from model policies, practices, and laws
 - i. California laws
 - ii. PPB policies and protocols
 - iii. Sex trafficking work in Oregon
 - f. Collect available data and identify gaps
2. Improve communication and collaboration
 - a. Interagency – between Oregon State agencies
 - b. Between Oregon state agencies and:
 - i. Local government agencies
 - ii. Federal agencies
 - iii. Community partners (multi-lingual)
3. Facilitate enforcement (investigation and prosecution)
4. Facilitate prevention
5. Develop awareness (multi-lingual)
6. Assist victims
 - a. Wrap-around services (housing, behavioral health, etc.)
 - b. Immigration
 - c. Legal rights and protections

Potential Task Force Deliverables

Non-legislative resource and response improvements

- Create a unified set of policies and protocols to help agencies and system partners identify and respond to trafficking
 - This could include a resource packet, action plan, toolkit
 - Include information about roles and responsibilities of those receiving information, investigating, and enforcing
- Improve coordination related to enforcement actions to ensure that enforcement and service provision go hand-in-hand
- Develop MOU with federal partners about how we are going to be responsible for people taken into custody, including a memorialization of legal and human rights
- Develop a resource guide to assist in connecting victims with services

Report to the legislature and public with recommendations for legislative action

Statutory updates – 2023 legislation

- Criminal law
 - Update existing trafficking crimes
 - Build on existing laws providing affirmative defense against charge of crime person was forced to commit as a direct result of being a human trafficking victim; and motion to vacate prior convictions
- Civil liability
 - Creation of civil cause of action – or improvement to existing law?
 - Liability for property owners
 - Vicarious liability for labor contractors/broker violations
- Mandatory reporting requirements
- Creation of a hotline
 - Note that there is a national human trafficking hotline, so this may not be needed
- Notice requirements for certain businesses and establishments
- Victim rights (privacy, etc.)
- Immigration support (similar to U-Visa legislation, but for T- and S-Visas)

Investment in resources – 2023 budget request

- Statewide data collection and tracking platform
 - Measurable metrics and accompanying analysis to track progress

- State-level resource staff
 - Resource prosecutor and investigator at Oregon DOJ
 - Response coordinator at Oregon DOJ
 - Modeled after and coordinated with existing sex trafficking response coordination and infrastructure built out by Oregon DOJ to respond to sex trafficking (including regional task forces, training development, maintaining mailing lists, etc.)
 - BOLI staff to identify, screen, track, refer cases
 - Liaisons/staff at various state agencies
 - Law enforcement support for visa applications
- Training
 - Trauma-informed and culturally-specific
 - Law enforcement (police and prosecutors)
 - Agency staff with direct contact with potential victims
 - BOLI, OSHA, OLCC, Dept of Ag, DHS
 - Additional individuals with potential contact with victims
 - School district employees, hospital employees, defense attorneys, consulate staff
- Resources for investigation (law enforcement, agencies)
- Funding for community partners assisting victims
- Multi-lingual public awareness campaign
- Victim support:
 - Compensation for unpaid labor
 - Flexible funding for short-term housing
 - Assistance accessing existing services
- Draw down federal funding and grants to supplement state funding

Defining and Identifying Labor Trafficking

Definition, Characteristics, Contexts

- Definition from US DOJ:
 - Labor trafficking involves the recruitment, harboring, or transportation of a person for labor services, through the use of force, fraud, or coercion.
- Characteristics:
 - Poor (unsanitary, overcrowded) working and living conditions
 - Nominal or no pay, debt bondage
 - Document servitude (documentation taken/threatened)
 - Note that most trafficking victims arrive with proper documentation
 - Threats, force, coercion, fraud
 - Trafficked people may be “deputized” to be recruit and be an enforcer to other trafficked people
 - In some cases, victims are related to their traffickers
- Contexts:
 - Domestic work/servitude (nursing, house cleaning, child care)
 - Restaurant work
 - Janitorial work
 - Factory work
 - Agricultural/farm work
 - Fishing
 - Landscaping
 - Construction
 - Health & beauty services
 - Traveling sales crews

Stories from Oregon:

****WARNING includes sensitive material****

- Illegal marijuana grows
 - Workers told crop is legal hemp, suspicion it is marijuana, concern that workers will be arrested because of nature of the crop or face immigration consequences
 - Unsanitary living conditions including lack of access to utilities, trash disposal sites, and human waste
 - Guards with guns patrolling at all hours, instructions to hide in the woods if the police show up

- Rural programs see lots of DV cases that are actually trafficking situations (where partner is their trafficker)
- Children who are brought to the US to go to school and live with relative, but forced to work by the relative
- Workers housed in a condemned building
- Live in nanny who was not paid and was told that funds were being set aside in an account she didn't have access to
- Live in nursing aid brought from another country and then kept in the trafficker's home
- Abused spouse who was forced to work for trafficker's sister cleaning houses without pay
- Growers openly acknowledging that they have hired coyotes to obtain laborers
- Small family-owned businesses where the owner underpays friends and family members
- Workers arriving at work site and having papers taken
- Little boy brought over by uncle and forced to sell drugs and also sex trafficked
- Man goes to foreign country, buys a young bride and forces her to care for family members – if she doesn't she is beaten, assaulted, documentation stolen
- Recruiters go get foreign labors through legal/H2 programs and force them to work at Christmas tree farms, wineries, etc.; told they will be deported, not fed properly, not allowed to leave, not paid their wages
- Religious visa workers forced to preach, housed in a facility, forced to work without pay
- Workers controlled by rival gangs
- Workers having self-sufficiency benefits stolen by their traffickers

Relevant Oregon Laws and Programs

- Involuntary Servitude
 - Definitions: [ORS 163.261](#)
 - Involuntary Servitude in the Second Degree: [ORS 163.263](#)
 - Involuntary Servitude in the First Degree: [ORS 163.264](#)
- Trafficking in Persons: [ORS 163.266](#)
- Victim assertion of defense of duress: [ORS 163.269](#)
- Action for violation of criminal laws relating to involuntary servitude or trafficking in persons: [ORS 30.867](#)
- Coercion: [ORS 163.275](#)
- [SB 578 \(2007\)](#)
 - Created the involuntary servitude and trafficking crimes
 - Also created a private right of action
- [ORS Chapter 658](#) - Employment Agencies; Farm Labor Contractors and Construction Labor Contractors; Farmworker Camps
- Oregon DOJ's Human Trafficking webpage: <https://www.doj.state.or.us/crime-victims/victims-resources/other-resources/exploitation-and-sex-trafficking/>
- Oregon DOJ's Immigrant Crime Victims / U & T-Visa webpage: <https://www.doj.state.or.us/crime-victims/victims-resources/other-resources/immigrant-crime-victims-u-t-visa/>

Relevant Federal Laws and Programs

- U-Visas:
 - 8 U.S.C. § 1101(a)(15)(U)
 - Department of Homeland Security, U Visa Law Enforcement Resource Guide: https://www.dhs.gov/sites/default/files/publications/20_1228_uscis_u-visa-law-enforcement-resource-guide.pdf
 - Department of Homeland Security, U Visa Immigration Relief for Victims of Certain Crimes: <https://www.dhs.gov/sites/default/files/publications/U-Visa-Immigration-Relief-for-Victims-of-Certain-Crimes.pdf>
 - United States Citizenship and Immigration Services, Victims of Criminal Activity: U Nonimmigrant Status: <https://www.uscis.gov/humanitarian/victims-of-human-trafficking-and-other-crimes/victims-of-criminal-activity-u-nonimmigrant-status>
- US Department of Justice, Office for Victims of Crime [Human Trafficking resource and information page](#)

Helpful Reports and Resources

- California’s work on labor trafficking
 - Overview: <https://www.oag.ca.gov/human-trafficking>
 - Recent legislation: <https://www.oag.ca.gov/human-trafficking/legislation>
 - Civil action allowing victims to bring claims against traffickers: [Civil Code 52.5](#)
 - Notice requirements for businesses: [Civil Code 52.6](#)
 - Criminal law – False Imprisonment and Human Trafficking: [Penal Code Chapter 8](#)
 - Affirmative defense to criminal charges for victims: [Assembly Bill 1761](#)
 - Kamala Harris AG report, 2012: [The State of Human Trafficking in California](#)
- Portland Police Bureau
 - Foreign Born Labor Trafficking “Red Means Help” [informational page](#)
 - Educational videos
 - Reclaiming Their Lives: <https://youtu.be/OiyeyQm63d0>
 - Windows of Opportunity: <https://youtu.be/cgDHcXpQDJQ>
- [National Human Trafficking Hotline](#)
 - Hotline: 1-888-373-7888
 - Online [referral directory](#)
- [Polaris Project](#)
 - Note that Polaris runs the National Human Trafficking Hotline (above)
- [Coalition to Abolish Slavery & Trafficking](#) (Cast)
 - Hotline: 888-KEY-2-FREE | 888-539-2373
 - [Policy recommendations and agenda](#)
- Reports and research:
 - Economic Policy Institute Report, May 17, 2021: [How district attorneys and state attorneys general are fighting workplace abuses](#)
 - Officer Natasha Haunsperger Thesis, December 2020: [Foreign-Born Human Trafficking—A Dark Spectre Haunting](#)
 - Little Hoover Commission, September 2020: [Labor Trafficking: Strategies to Uncover this Hidden Crime](#)
 - San Diego State University, November 2012: [Looking for a Hidden Population](#)

Relevant News and Media

10/27/21 NBC/KOBITV: [More than just a drug problem, how illegal grows are becoming more of a humanitarian crisis](#)

10/11/21 Oregon Capital Chronicle: [Oregon joins 18 other states in deploying task force to combat labor trafficking](#)

9/24/21 Oregonian: [Oregon farmworkers who say they were denied water sue farm, labor contractor after state fails to step in](#)

9/4/21 KOIN: [Woodburn migrant teen trafficking reports are 'incredulous, horrible': Lawmakers seek answers in migrant teen trafficking probe](#)

9/3/21 Medford Mail Tribune: [Illegal cannabis grows a humanitarian nightmare](#)

9/2/21 Medford Mail Tribune: [Illegal pot fuels 'narco-slavery' in Rogue Valley](#)

8/27/21 KTVL: [Southern Oregon officials call on Brown to send reinforcements to police illegal grows](#)

8/19/21 Oregonian: [Feds reportedly investigating labor trafficking of migrant teenagers in Woodburn](#)

8/6/21 Oregonian: [Farmworkers say Oregon's limited oversight, lenient fines leave them vulnerable](#)

1/10/20 DOJ press release: [Attorney General Rosenblum Announces Labor Trafficking Task Force](#)

[Murder Mountain](#) TV series (caveat that it would be good to know if this is accurate reporting)