

T Nonimmigrant Status - Protection for Survivors of Human Trafficking



Has your employer...

- ...threatened you or your family members?
- ...refused to let you leave the workplace?
- ...sexually exploited you?
- ...owed you money for previous work done?
- ...deducted money from your check for money you "owe"?

If you have experienced any of the above, you may be a survivor of human trafficking.



What is Human Trafficking?

Human trafficking occurs when someone receives the benefit of **your work** through **force, fraud, or coercion**. → The work can be legal or illegal, formal or informal

- **SEX TRAFFICKING:** Any *commercial sex act* compelled through *force, fraud or coercion*, OR any child being sexually exploited for commercial purposes
(**Examples**-prostitution, exotic dancing, pornography, sexual favors in the home or at work)
- **LABOR TRAFFICKING:** work performed because of the force, fraud, or coercion of someone benefiting from your work (**Examples**-child care, construction, farm work, sheep herding, cleaning services, restaurant work, auto garages)

Smuggling vs. Trafficking

- **Smuggling:** This is a crime against the government for assisting someone to illegally cross a border. It is usually an agreement between the person wanting to cross and the person assisting them to cross. Crimes can still be committed against the person wanting to cross.
- **Trafficking:** This is a crime against an individual. Force, fraud, and coercion are used by a human trafficker to compel another's work for their own benefit.

➔ You **DO NOT** need to be physically moved to be considered a victim of human trafficking

Human Trafficking	vs.	Human Smuggling
Force, fraud or coercion used to recruit and manipulate victims Victim's initial consent does NOT negate crime.		Individuals agree to be smuggled
Crime committed against an individual		Crime committed against a country
Victim does NOT have to be moved or transported.		Requires being transported across an international border

Force, Fraud and Coercion

- Force: threatening with a weapon, pushing, punching, kicking, being locked in a room, rape, injuring animals or others in front of you
- Fraud: false offers of jobs; offering you one wage to induce you to work, then paying less; conditions are different than those promised
- Coercion: threats of harm or confinement, manipulation, indebtedness

How do you know if you qualify?

- Are you a survivor of human trafficking as described above?
- Are you willing to assist in the investigation of the abuse OR have you assisted in the investigation? (This does not apply if you are under 18)
- Would you suffer hardship if you had to return to your native country?



What are the benefits of T-nonimmigrant status?

- Access to public benefits to the same extent as a refugee or asylee
- Four years of temporary legal status in the U.S. and work authorization
- Pathway to apply for Lawful Permanent Residency and later citizenship

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