

# Human trafficking: Corporate responsibility for modern day slavery

Eight years ago, a human trafficking case had never been prosecuted in Missouri. Today the state has the highest number of federal prosecutions nationwide. This statistic is not a reflection of the Midwest being more prone to human



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trafficking, but rather a demonstration that the issue is no longer a coastal or border state problem: the epidemic has spread across the country.

Human trafficking is the fastest growing and second largest criminal industry in

the world today. An estimated 20.9 million men, women and children are trafficked for commercial sex or forced labor. The victims are some of the most vulnerable: children and adults who have fallen through the cracks of our communities. Human trafficking is modern day slavery.

As an Assistant U.S. Attorney for the U.S. Department of Justice, I prosecuted these disturbing, complex and highly litigated cases. I never met a human trafficking victim that did not have his or her own minefield of legal problems after their rescue. Whether it is an immigration issue, a criminal prostitution charge, a custody dispute, or identity theft, for victims of human trafficking, being rescued is often just the start of a long and daunting process of unchaining themselves from the actions of the traffickers. Sadly, most of these legal issues arose due to the trafficking and serve as a second form of victimization.

As a federal prosecutor, while I sought justice for victims during the criminal prosecution against the traffickers, I represented the United States, not the victims personally. The extent to which I could help the victims with their own legal troubles was limited.

## Human Trafficking Legal Clinic

When I joined Husch Blackwell, I

dedicated part of my private practice to *pro bono* legal services for victims of human trafficking. This initial commitment grew quickly. More than 40 Husch Blackwell partners and associates have now volunteered their time – for free – to serve victims of human trafficking. Within a few months, Husch Blackwell launched a human trafficking legal clinic. In an unprecedented dedication of services, the firm has committed to represent *all* victims referred by federal or state law enforcement nationwide. As a large full-service firm, Husch Blackwell has the resources and expertise to meet every legal need of a victim.

By representing victims for their personal legal needs, we enable law enforcement to maximize their resources and focus on the criminal prosecution of traffickers. They no longer have to pause in the middle of their investigation or prosecution to locate legal resources for the victims. We are honored to support the ongoing efforts to take down the traffickers victimizing the most vulnerable in our community.

While the firm fully funds the clinic, an outpouring of public support prompted our formation of the Human Trafficking Rescue Assistance Fund, a 501(c)(3) nonprofit organization, to accept tax-deductible donations from those who wish to provide support to victims of human trafficking. One hundred percent of donations contributed to this fund will go directly to the victims that we represent for their additional non-legal needs: shelter, food, cell phones to speak with family and law enforcement, clothes for court, educational costs, and many more transitional expenses.

## Corporate Compliance for Human Trafficking

Beyond the plight of the victims, private sector companies are at risk of inadvertently supporting the actions of traffickers. As a federal prosecutor, I saw traffickers target businesses as unknowing

participants in the crimes; these businesses often had an array of legal ramifications subsequent to our prosecutions as a result. This was especially true of businesses within the hospitality, food, agricultural and manufacturing industries.

In recognition of the role corporations have in the growing problem, the Trafficking Victims Protection Act (reauthorized) now provides ways to prosecute entities and individuals who indirectly support the actions of traffickers. In 2014, additional approved federal regulations are expected to go into effect, which will create *mandates* for certain companies to have corporate human trafficking compliance programs. Failure to comply with such mandates will result in fines, and additional criminal and civil liability exposure.

Husch Blackwell is the only firm nationwide to provide human trafficking training, audits, and tailored corporate compliance policies for companies. Whether a company is mandated by Congress, desires a proactive approach, or their own clients now require them to have a compliance program in place, human trafficking compliance programs are becoming the norm. While the \$32 billion criminal industry of human trafficking is on the rise, companies are starting to push back hard, which means a new battle against human trafficking is just beginning. ■