

Hospitality's fight against human trafficking

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The \$32-billion human trafficking industry is on the rise, and the hospitality industry must take steps to fight it.

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HNN columnist

The hospitality businesses, especially hotels and restaurants, have become a harbor for human trafficking in the United States. Human trafficking comes in two forms: commercial sex trafficking and forced labor trafficking. Victims can be domestic or international. Whether it is commercial sex trafficking victims being moved through motels, or subcontracted foreign labor utilized in restaurants or hotels, traffickers have identified the hospitality industry as a vehicle for modern-day slavery.

Human trafficking is no longer a coastal or border-state problem in the United States. The problem 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, according to the International Labour Organization. The victims are some of the most vulnerable: children and adults who have fallen through the cracks of our communities.

As an assistant U.S. attorney for the United States Department of Justice, I prosecuted these disturbing, complex and highly litigated cases. With little exception, every one of my prosecutions involved an entity within the hospitality industry.

As a federal prosecutor, I saw traffickers target businesses as unknowing or willfully blind participants in the crimes. These businesses often had an array of legal ramifications subsequent to our prosecutions. The culpability of businesses in trafficking offenses varies widely. Some businesses have no way of knowing about the criminal activity. Others take a "head in the sand" approach, and still others actively aid and facilitate the offenses.

Response against businesses participating in human trafficking has taken two approaches:

- Victims are beginning to seek civil remedy against businesses subsequent to their rescue and prosecution of the traffickers.
- The federal government is taking steps to hold businesses accountable.

In recognition of the role corporations have in the growing problem, the U.S. 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.

Before the mandates were proposed, one hospitality company was ahead of the curve. Carlson, a global hospitality and travel company, has more than 1,300 hotels across the world. Former CEO and Chairman Marilyn Carlson Nelson spearheaded the effort to implement training and policies for employees to prevent human trafficking at their business locations. In 2013, she received the Presidential Award for Extraordinary Efforts to Combat Trafficking in Persons.

Nelson raised the bar, doing the right thing in response to the prevailing problem in the hospitality industry. The White House, Congress and the Department of Defense have now raised the bar on what the hospitality industry is required to do under the law.

While the \$32-billion human trafficking industry is on the rise, now the hospitality industry must take steps. With leaders like Nelson, the hospitality industry is just starting to push back, which means traffickers are going to hit obstacles never seen before. We cannot just rely on the strength of victims and the federal government to fight alone. All of us have a responsibility to stop the epidemic in our country.

As a former federal prosecutor for the U.S. Department of Justice, Cynthia Cordes launched the Human Trafficking Rescue Project task force and led human trafficking prosecutions on behalf of the U.S. Attorney's Office, Western District of Missouri. During her nine years of service, Cordes prosecuted more human trafficking cases than any other Assistant U.S. Attorney in the country. Cordes, now a Partner with Husch Blackwell, continues to serve as a national icon in the battle against human trafficking and leads the firm's pro bono Human Trafficking Legal Clinic and 501(c)(3) Human Trafficking Assistance Fund. For more information, visit <http://www.huschblackwell.com/content/human-trafficking-legal-clinic>

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