Securing the Rights of Human Trafficking Survivors by Promoting the Use of T Visas

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Thesis
The Michigan legislature should require law enforcement in Michigan to make survivors of human trafficking aware of their right to apply for a T visa to stay in the United States.

Background Analysis
The state of Michigan has the second-most sex trafficking cases in the country, after Nevada.¹ Reports of human trafficking in Michigan have increased every year since 2012.² In 2000, Congress created “T visas,” which are visas for survivors of human trafficking who were trafficked into the U.S., would “suffer extreme hardship” if removed from the U.S., and are willing to comply with law enforcement efforts to investigate trafficking. T visas allow survivors and their qualifying family members to live and work in the United States for three or more years, and provide a path to permanent citizenship.³ Though 5,000 T visas are available per year, very few survivors apply.⁴ Individuals who are trafficked often already have little or no social safety net, and they may have been intentionally misinformed about their rights by their traffickers.⁵ While about 17,500 people are trafficked into the country each year, the government routinely awards fewer than half the 5,000 possible visas.⁶ It is inhumane to deport a person immediately after they are removed from a trafficking situation. If an effort is made to make survivors of human trafficking aware of their options to stay in the country, T visa applications will increase, increasing quality of life for survivors and making investigations of trafficking rings easier for law enforcement.

Talking Points
- Existing human trafficking policy is failing because the people who need these resources the most don’t know that they have the ability to access them.
- T visas allow survivors of human trafficking to live and work in the United States, but also assist law enforcement efforts in preventing future trafficking.
- Requiring Michigan law enforcement to make survivors aware of their right to apply for a T visa would help bridge the gap between the roughly 2,000 T visas granted each year and the 5,000 T visa cap set by Congress.

Policy Idea
T visas allow survivors of human trafficking to live and work in the United States, but many individuals don’t know they have the right to apply. In order to bridge the gap between applications for T visas and the number of T visas that can be granted, law enforcement in Michigan should be required to explain T visas and the rights they entail to survivors of human trafficking with whom they come into contact.

KEY FACTS
- Reports of human trafficking in the state of Michigan have increased every year since 2012.¹
- Only Nevada reports more sex trafficking cases each year than Michigan.¹
- About 17,500 people are trafficked into the U.S. each year.¹
- Implementing a policy requiring law enforcement to tell survivors of human trafficking about their right to apply for a T visa would cost taxpayers virtually nothing.
Policy Analysis

T visas not only allow individuals to live and work in the country and apply for permanent residence, but also allow law enforcement agencies more access to individuals who have information about human trafficking. Thus, they have the power to both help survivors of trafficking and assist in the dismantling of trafficking rings to prevent further trafficking. Informing individuals of their rights will cost virtually nothing once law enforcement has been trained to identify and inform eligible applicants, but it has the potential to help thousands of people every year. This would make existing policy regarding T visas more effective.

Policy often imagines all human trafficking as the sex trafficking of white women, though other groups of people are at an even higher risk of being trafficked in the U.S. due to language barriers, distrust of law enforcement, and, in some cases, the lack of a social safety net. T visas cover both sex and labor trafficking, and they have the power to impact a variety of diverse communities. Requiring law enforcement to inform all survivors of their right to apply for a T visa would help bring existing resources to individuals who are less likely to be able to take advantage of them.

Next Steps

The support of the Michigan legislature will be necessary to implement this policy. Michigan has a number of organizations, including the Michigan Human Trafficking Task Force, dedicated to ending trafficking and improving the lives of survivors of human trafficking, and these organizations would be instrumental in advocating for the implementation of a policy that would require state law enforcement to make survivors aware of their right to apply for a T visa. Michigan State Senator Vincent Gregory has introduced numerous anti-trafficking bills and would likely be a key ally. The support of Michigan Attorney General Bill Schuette would also be instrumental.

End Notes

10 "Fact Sheet." Attorney General Bill Schuette. [http://www.michigan.gov/ag/0,4534,7-164-60857_60858---,00.html](http://www.michigan.gov/ag/0,4534,7-164-60857_60858---,00.html).