

Human Trafficking Indicators:

- The victim does not have possession of identification and travel documents or someone else has control of the documents.
- The victim is coached on what to say to law enforcement or immigration officials.
- The victim was recruited for one purpose and forced to engage in some other job.
- The victim's salary is being garnished to pay off a smuggling fee.
- The victim is forced to perform commercial sexual acts. The victim is a minor engaged in commercial sex acts.
- The victim does not have freedom of movement and does not believe she can leave the situation.
- The victim or family has been threatened with harm if the victim attempts to escape or report crimes.
- The victim has been threatened with deportation or law enforcement action.
- The victim has been harmed or deprived of food, water, sleep, medical care or other life necessities.
- The victim cannot freely contact friends and family
- The victim is not allowed to socialize or attend religious services.

Who do I contact if I think that human trafficking has occurred?

Call the **Oregon Foreign-Born Human Trafficking Task Force** at 503-823-0690 and ask for the on-call Human Trafficking Sgt. In an emergency call 911.

You may email non-emergency tips related to Human Trafficking to stopslavery@portlandoregon.gov

RESOURCES

American Immigration Lawyers Association

www.aila.org

Catholic Charities

General information – 503-231-4866

Immigration Legal Services - 503-542-2855

www.catholiccharitiesoregon.org

District Attorney's Victims' Assistance Program

For County List

www.doj.state.or.us/victims/pages/assistance.aspx

Immigration Counseling Service (ICS)

503-221-1689

www.immigrationcounseling.org

National Crime Victim Law Institute

503-768-6819

www.ncvli.org

National Human Trafficking Hotline

1888-373-7888

Text Info or BeFree to 233733

www.Polarisproject.org

Oregon Crime Victims Law Center

503-208-8160

www.ocvlc.org

Sponsors Organized to Assist Refugees (SOAR)

503-221-1054

www.emoregon.org/soar.php

Statewide Legal Aid information

www.oregonlawhelp.org

T Visa

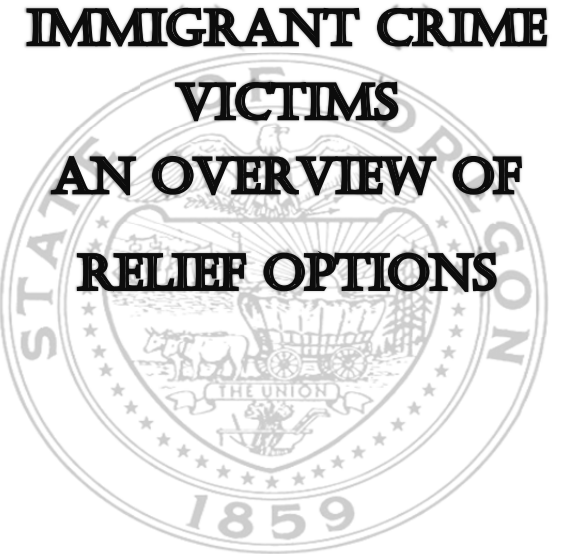
Sources of Law: 8 USC 1101 (a)(15)(T); 8 CFR 214.11 et seq

U Visa

Sources of law: See 8 USC 1101(a)(15)(U); 8 CFR 214; USDHS U Visa Law Enforcement Certification Resource Guide - http://www.dhs.gov/xlibrary/assets/dhs_u_visacertification_guide.pdf

VAWA Self-Petition

Sources of law: 8 USC 1154(a)(1)(A) et seq.; 8 CFR 204.2; various USCIS memos



Department of Justice
State of Oregon

Crime Victims' Services Division
1162 Court St. NE
Salem, OR 97301
(503) 378-5348
(800)503-7983
www.doj.state.or.us/victims

U VISA

Allows applicants to stay in the U.S. if they have been a victim of certain crimes and were helpful in the investigation or prosecution of the crimes committed against them

In order for U Visa relief to be granted, the applicant must show the following:

He or she has been a **victim of a “qualifying crime”**¹
A partial list includes: Domestic Violence, Rape, Sexual Assault, Sex Abuse/Abusive sexual contact, Stalking, Incest, Kidnapping, Serious assault, Human trafficking, Extortion/Blackmail, Witness tampering, or attempt to commit any of the listed qualifying crimes

The criminal activity must have violated U.S. law or occurred within the U.S. (including territories or possessions)

He or she suffered “**substantial physical or mental abuse**” as a result of having been a victim of crime. The immigration agency (USCIS) will consider “any credible evidence” in determining whether substantial abuse has occurred.

He or she has been or is likely to be helpful to authorities in the investigation and prosecution of the crime committed against him or her (unless the victim was under 16 years old his or her parent or guardian was helpful) AND He or she has obtained a signed certification of helpfulness form a law enforcement agency (LEA).

“Helpfulness” requires at the very least that the victim have information concerning the criminal activity and that he or she have contact with a law enforcement authority

Family members of the victim may also qualify.

T VISA

The T Visa allows applicant to stay in the U.S. if he or she has been a victim of “human trafficking.”

The trafficking of humans is exploitation-based, does not require transportation of persons

In order to obtain the T Visa, the applicant must also comply with reasonable request for assistance in the investigation or prosecution of trafficking-related crime (limited exception for minors), be “admissible” to the U.S. (waiver available), must show that they are present in the U.S. on account of trafficking and that their removal would result in extreme hardship to self.

Human trafficking is:

<u>Sex trafficking</u>	<u>Labor trafficking</u>
Situation where a commercial sex act is induced by force, fraud or coercion* (e.g. harm or threats of harm or false promises) *this requirement does not need to be met where applicant is under 18 years old	Situation involving the recruitment, harboring, transportation, provision or obtaining of a person for labor or services through the use of force, fraud or coercion (e.g. harm or threats of harm or false promises) for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery

VAWA

SELF-PETITION

Allows applicant to stay in the U.S. if he or she is or has been an abused spouse, parent or child of a U.S. citizen or lawful permanent resident (green card holder)

In order for VAWA relief to be granted, the applicant must show the following:

He or she is **married** to a U.S. citizen or lawful permanent resident (LPR)(or divorced within past two years or abuser deceased or deported within past two years)

OR

He or she is a **child** (under 21 or in some circumstances, under 25) or **parent** of a U.S. citizen or lawful permanent resident

OR

He or she is a **spouse** of a U.S. citizen or lawful permanent resident **whose child has been abused** by the U.S. citizen or lawful permanent resident spouse

If based on marriage, the marriage was entered into in “good faith” (not solely for immigration reasons)

He or she resided with the abusive U.S. citizen or lawful permanent resident family member at some point

He or she was **subject to battery or extreme cruelty** by the abusive U.S. citizen or lawful permanent resident spouse, parent or child.

He or she is a person possession “good moral character”

VAWA applicants can base their petition for relief on any “credible evidence.” Objective documentary

evidence of abuse such as police reports or conviction records may not be necessary.

What is “extreme cruelty”?

Extreme cruelty can include psychological, emotional, sexual or other non-physical types of abuse. Engaging in a pattern of behavior that would not appear abusive if considered individually (controlling, emotional coercion, isolation) can count as extreme cruelty as well as threats of harm, deportation, calling the police to have applicant arrested, threats to family members