INDICATORS OF HUMAN TRAFFICKING WITHIN MIGRANT FARMWORKER COMMUNITIES IN WESTERN MICHIGAN

By

Jeremy S. Norwood

A DISSERTATION

Submitted to
Michigan State University
in partial fulfillment of the requirements
for the degree of

Sociology—Doctor of Philosophy

2015

ABSTRACT

INDICATORS OF HUMAN TRAFFICKING WITHIN MIGRANT FARMWORKER COMMUNITIES IN WESTERN MICHIGAN

By

Jeremy S. Norwood

This exploratory study was designed to research indicators of human trafficking within migrant farmworker communities in Western Michigan. Much of the research on human trafficking has focused exclusively on sex trafficking and very few studies have been done on labor trafficking. Furthermore, the majority of the research conducted on human trafficking has used the nation-state as a focal point instead of a particular region or locality. For example, there has been a wealth of research done on the United States, but very few studies have been conducted within individual states themselves. This study was formulated in order to fill the gaps within the research and focuses exclusively on indicators of human (labor) trafficking in Western Michigan.

In completing this research, I spent several months interviewing fifteen (15) different professionals from various occupations who worked regularly with migrant farmworkers in Western Michigan and another fifteen (15) migrant farmworkers who worked in Oceana County, one of the counties in Western Michigan which hosts the largest number of migrant farmworkers every growing season. The pool of professionals who were interviewed were diverse and the counties or other localities they worked in showed the diversity of approaches to migrant farmworkers in Western Michigan. The migrant farmworkers was working in Oceana County when I interviewed them but had a great deal of other experiences to draw from when responding.

Research subjects in each of the two different groups were interviewed and agreed to answer a list of open-ended questions about their lives as professionals or migrant farmworkers. I recorded and later transcribed their responses to these questions. These responses shed light on their journeys to the United States, their lifestyles in following the crop cycles from farm to farm every

year, and their resilience to carve out better lives for themselves and their children. Their responses also revealed areas of vulnerability where traffickers had an opportunity to take advantage of them. These areas would later serve as potential indicators of human trafficking amongst these dignified, yet vulnerable populations. The indicators of human trafficking can be summarized based on a number of factors. Firstly, the beginning of the migratory process often encompasses three separate indicators of human trafficking: the presence of economic, political, and family violence, the lack of economic and social networks, and the lack of secure employment. Secondly, the road to employment phase encompasses three additional indicators of human trafficking: the road to employment from the sending country to the place of employment, the access to familiar and reliable transportation on the workplace, and the nature of the contractual arrangement in a particular case. Thirdly, the living and working conditions of the farms in Western Michigan encompass an additional four indicators of human trafficking: the presence of force, fraud, or coercion, the existence of "gaps" in employment, the pay, hours, and working conditions of the migrant farmworkers, and the extent to which breaks, bonuses, and housing are available. Fourthly, the extent to which migrant farmworkers have control over their circumstances dictates an additional four indicators of human trafficking: restrictions on mobility, the role of employers, the extent to which there is dependency on crew leaders, the reluctance of marginalized populations, and the lack of mobility in the H(2)(A) Visa program. Finally, the chapter on the experience with human trafficking yields an additional four indicators of human trafficking within the context of the lives of migrant farmworkers in Western Michigan: the presence of force, fraud, or coercion, and the suspicions surrounding human trafficking. These are the indicators of human trafficking identified by this study.

This work is dedicated to:
Randy and Carol Norwood
May I Always Pass Along What You Have Taught Me
AND
Amber Norwood
Without Your Support This Would Not Have Been Possible
AND
Gavin, Isaiah, Elijah, and Liam Norwood
May You Leave the World a Better Place Than You Found It

ACKNOWLEDGMENTS

The first group I would like to thank in this section is my family. Amber, thank you for partnering with me in this endeavor and understanding the sacrifices involved in order to make this happen. Your support in helping me gain perspective on this project has been crucial. Without you this project would not have been completed. Gavin, Isaiah, Elijah, and Liam, thank you for understanding that even though Daddy misses you so much when he has to go to work, he will never forget the time he is able to spend with you, especially during the breaks and summers we have together. I would also like to thank my late Mom and Dad, without the upbringing I had and the work ethic you modeled for me, I would have never undertaken such a project nor accomplished all that I have. You were my greatest champions and I miss you dearly. May I honor your memory with the rest of my time on Earth. Finally, I would also like to thank God. The hope you have given me that things can change and a new world is possible continues to inspire and guide me. Without your guidance and foundation, none of this has any meaning or purpose.

I would also like to thank my colleagues at Spring Arbor University for their support during the time I have spent writing my dissertation. It has been a difficult journey juggling a full-time course load, working through a doctoral program, and helping to raise a young family, and the support I have received from friends and colleagues at Spring Arbor has helped to sustain me through the good times and the bad. I would like to specifically thank those who have invested so much into my life over the last nine years at Spring Arbor. Paul Nemecek, Terry Darling, John Hawthorne, Roger Varland, Jan Yeaman, Randy Baxter, and Allen Knight have all provided wise counsel when I needed it the most, allowing me to gain a greater perspective on life based on their wisdom and experience. Tom Holsinger-Friesen, Mark Correll, J.D. Garn, Brent Cline, and Mark Edwards helped me walk through this process both professionally and personally. Lloyd Chia, Matt

Hill, Jack Baker, and Brian Kono encouraged me throughout by offering their support and advice from their doctoral programs. Thank you to Damon Seacott, who always believed in me and supported me throughout many of my decisions, both good and bad. I do not know where I would be without your support and guidance, my friend! I would also like to offer up a special thanks to Diane Kurtz who has provided many an opportunity for me to engage in cross-cultural learning opportunities in both Cambodia and Uganda with students. These courses always serve as a way to refocus on what is important in life and press on to do what I have been called to do. I would also like to give a final thank you to the students of Spring Arbor University. The opportunity to continue to invest in your lives energizes me each and every year. I look forward to the rest of our journey together.

I would also like to take some time to thank my dissertation chair, Dr. Ruben Martinez. I have learned a great deal from my graduate program that has helped to make me a better professor, administrator, researcher, advisor, and all-around better person. Dr. Martinez has provided me with strong guidance, support in my research endeavors, and sound feedback on the direction of my graduate program. I am also indebted to the other members of my dissertation committee for helping me through this process; Dr. Wiley for your guidance for me through the early years of my dissertation program, Dr. Taylor for your willingness to play an active role in my Committee, Dr. Ten Eyck for your approachability and ability to help me understand the various dynamics of the graduate program, your dedication to students is inspiring, and to Dr. Kutnjak, whose relentless research and dedication to her field is inspiring. Thank you for the time you have invested in my professional development. Your feedback and support throughout this process is much appreciated.

Finally, I owe a great debt of gratitude to Penny Burillo, who spent many hours during this project introducing me to migrant farmworkers in Oceana County and providing much-needed context to this study as it pertained to migrant farmworkers. Her dedication to this work, her heart

to serve, and her knowledge and understanding of her community and the farmworkers was unparalleled. Without her guidance and support, this study would not have been possible. I also would like to thank the research subjects who agreed to be a part of this study. Both the professionals and the migrant farmworkers were eager to be a part of this study and answer my questions. In the case of the migrant farmworkers, I often was welcomed as a family member into their temporary homes, offered food, and several times I left with bags of fresh fruit for my family. I am excited to continue to do research with this population in the future as time and other responsibilities permit. This study could not have been completed without these populations and their generous participation.

TABLE OF CONTENTS

CHAPTER 1. INTRODUCTION

"A social movement that is running only on moral indignation will lose its steam and produce limited systemic change." Dr. Sheldon Zhang, San Diego State University

Statement of the Problem

The Director of Free the Slaves, a nationally-recognized expert on modern-day slavery, Dr. Kevin Bales, estimates that there are approximately 27 million slaves across the world today, a number which eclipses the total amount of slaves bought and sold during the Trans-Atlantic Slave Trade (2000). Bales attributes the growth of modern-day slavery to two major factors: (1) the dramatic increase in world population, particularly in poor countries, which intensifies competition for work and cheapens human labor; and (2) rapid social and economic change in developing countries, both of which disrupt traditional ways of subsistence and social support systems (2000). Whereas in the past slaves were more expensive to acquire and had adequate social support structures in their countries of origin, today the proliferation of the individual as commodity – exchanging labor for capital to purchase necessary goods and services – is being caused by an oversupply of labor without a concurrent spike in demand. These circumstances, coupled with widespread privatization and a global economic downturn, have led to a boon for markets in illicit market flows such as human trafficking. In fact, Bales' organization, Free the Slaves, has identified modern-day slavery as most prevalent in U.S. economic sectors such as prostitution and sex services, domestic servitude, agriculture, sweatshop/factory, and restaurant and hotel work; and victimization which is concentrated most in states with large immigrant populations such as California, Florida, New York, and Texas (2000).

The International Labor Organization (ILO), another organization which attempts to measure and categorize victims of modern-day slavery, estimated that in 2012 there were at least 20.9 million forced laborers globally, compared to 12.3 million in 2005. Of those involved in forced labor situations, 90% are exploited by individual employers or private enterprises – 22% for

commercial sexual exploitation and 68% for commercial labor exploitation in areas such as agriculture, construction, domestic work, and manufacturing (ILO, 2012). In addition, in 2005 the ILO estimated that about 2.5 million were forced to work by the state, the army, or rebel military groups. The remaining 9.8 million were exploited by private agents and enterprises. Of these, only about 1.4 million (or 14%) are involved in commercial sexual exploitation while nearly five times as many (7.8 million) were in forced labor exploitation. In fact, an average of $13,000 per year is generated by each trafficked laborer (ILO, 2005). Economic problems, conflicts, and globalized commerce have contributed to large-scale irregular migration around the world in recent decades, subjecting millions to unscrupulous employers bent on extracting profits from the abundant and cheap human labor (Zhang, 2007).

The United States itself has played a significant role in human trafficking as it is the world's second-largest destination country (Germany) for women and children trafficked into the sex industry (Mizus, Moody, Privado, & Douglas, 2003 and Zhang, 2007). According to a CIA report, an estimated 45,000 to 50,000 women and children were trafficked annually into the United States by small crime rings and loosely connected criminal networks in 1999-2000 (O'Neill-Richard, 1999). These victims have been brought primarily from Latin America and Southeast Asia, but there is evidence of increased numbers of women and children arriving from the Newly Independent States (NIS) and Eastern Europe (TIP, 2011). While estimates placed the number of women and children trafficked into the United States at 45,000 to 50,000, there were only thirty-eight (38) documented cases involving 5,500 women in 1999-2000, leading experts to believe that victims of human trafficking are not being discovered because there are not adequate resources being devoted to looking for them (Trade, 2007, and Aronowitz, 2009).

Despite the prevalence of trafficking for the purposes of labor as opposed to sex, labor trafficking has not received much attention from the academic community, particularly in the United

States (Zhang, 2007). For example, in an exhaustive review of existing literature, Farrell (2009) identified 110 sources that provided a count or estimates of human trafficking and only 17 of the sources provided sufficient evidence of labor trafficking estimates. In fact, there is so much discussion about commercial sexual exploitation that labor trafficking often gets forgotten in the discussion. Even the U.S. government regularly reports that the majority of transnational victims are women and children "trafficked into commercial sexual exploitation (TIP, 2008)." In a comprehensive literature review, Gozdziak and Bump (2008) described how academic research has focused on sex trafficking almost to the detriment of investigating trafficking for bonded labor and domestic servitude, leading many scholars to the false conclusion that sex trafficking is much more prevalent than labor trafficking. Logan et. al. (2009) in their review of nine reports from service organizations found the same scarcity of empirical data on human trafficking in general and labor trafficking in particular.

One of the populations most susceptible to labor trafficking in the United States, mainly due to its lack of social power, is undocumented workers. National estimates claim that there are, at any one point in time, more than 11 million undocumented workers in the United States (DFP, 2013). While estimates of undocumented workers in the Midwest are significantly lower than major receiving states like California, Florida, New York, and Texas, the state of Michigan has approximately 150,000 undocumented workers, the majority of which are there during the summer months to work in the agricultural sector (DFP, 2013). While labor trafficking is often overlooked at the national level in favor of sex trafficking, a preliminary review of the literature quickly reveals that while there may be some relevant research at the national level, there is very little at the local or grassroots level. This lack of focus on labor trafficking has led to a need for more empirically-based, exploratory project which interrogates the major social processes involved in labor trafficking both at the domestic and international levels.

Purpose of the Study

The purpose of the present study was to examine aspects of the migration process among migrant farmworkers communities in Western Michigan in order to identify indicators of human trafficking. Much of the research on human trafficking focuses exclusively on sex trafficking and very few studies are done on labor trafficking. Furthermore, the majority of the research conducted on human trafficking uses the nation-state as a focal point instead of a particular region or locality. For example, there is a wealth of research that has been done in the United States, but very few studies conducted within individual states themselves. This study was formulated in order to begin to fill the gaps within the research and focuses exclusively on indicators of human (labor) trafficking in Western Michigan. In completing this research, I spent several months interviewing fifteen (15) different professionals from various occupations who work regularly with migrant farmworkers in Western Michigan and another fifteen (15) migrant farmworkers who worked in Oceana County, one of the counties in Western Michigan which hosts a large number of migrant farmworkers every growing season. The pool of professionals who were interviewed was diverse geographically and vocationally, reflecting the counties or other localities in which they worked in their approaches to migrant farmworkers in Western Michigan. The group of migrant farmworkers was working in Oceana County when I interviewed them but had a great deal of other experiences to draw from when responding to questions during the interviews. Each of the respondents in the two groups of research subjects was interviewed and agreed to answer a set of open-ended questions about their lives as professionals or migrant farmworkers. I audio recorded and later transcribed their responses to these questions. Their responses revealed areas of vulnerability where traffickers had an opportunity to take advantage of them. These areas served as potential indicators of human trafficking amongst these dignified, yet vulnerable populations.

Research Questions

The data I collected investigated the presence of indicators of human trafficking within transnational migrant farmworkers in Western Michigan by answering the following questions:

(1) Which factors caused migrant workers to leave their countries of origin in order to seek employment in Western Michigan and how do these factors impact their vulnerability to human trafficking?

(2) How do transportation and recruitment networks impact the vulnerability of migrant farmworkers to human trafficking?

(3) Which aspects of the living and working conditions migrant farmworkers experience in Western Michigan are useful in identifying indicators of human trafficking?

(4) To what extent do migrant farmworkers have control over their circumstances during their time of employment in Western Michigan and how does this level of control lead to identifying potential indicators of human trafficking?

(5) To what extent have migrant farmworkers heard about or experienced cases of human trafficking? Are such cases useful in identifying indicators of human trafficking?

These five areas are central in organizing the indicators of human trafficking.

The Presence of Economic, Physical, and Family Violence. This area investigated which factors impacted migrant farmworkers as they decided to leave their country of origin and migrate to the United States, particularly, Western Michigan, and the extent to which they may have been at risk of being victims of human trafficking. It also addressed the relationship between the presence of human networks and their impact on indicators of human trafficking.

The Tenuous Road to Employment. This area investigated the process through which migrant farmworkers were transported from their country of origin to their destination country and how certain factors within these social networks may be linked to indicators of human trafficking.

This area also analyzed the funding sources utilized by migrant farmworkers in making such a journey, as well as their ability to secure employment, both of which also led to the identification of potential indicators of human trafficking.

Living and Working Conditions. This area investigated the conditions in which migrant farmworkers lived and worked in order to identify indicators of human trafficking based on the conditions identified in their everyday lives. It also examined the extent to which migrant farmworkers noticed a change in their terms of employment over time, as well as whether or not their transportation was covered, whether they were paid at least a minimum wage, and the role housing subsidies played in their employment experience as potential avenues for identifying indicators of human trafficking.

Control Over Circumstances. This area investigated whether or not migrant farmworkers have transportation, if they were able to leave freely for other economic opportunities, whether or not they could take time off for medical purposes, and how housing was often used to retain and restrict the movement of migrant farmworkers in order to identify indicators of human trafficking.

Examples of Exploitation. This area investigated whether or not migrant farmworkers had heard of or experienced human trafficking themselves in order to better identify the level of vulnerability and indicators of human trafficking amongst these populations.

Theoretical Framework

There are several theoretical perspectives which will provide a broad foundation for the present study. The defining concepts in this study, the presence of which serve as indicators of human trafficking within transnational migrant farmworker communities, are connected intimately with the theoretical approaches outlined below. Firstly, globalization, free markets, and the liberalization of the global economy provide sufficient motivational force from a structural standpoint to initiate processes which traffic persons (Bales, 2004). Secondly, this increased

liberalization, while creating licit flows of goods and services, also provides for the possibility and requisite profitability associated with illicit flows (Salt and Stein, 1997). These flows, both licit and illicit, are and can be gendered in nature and reflective of migration along gendered lines between the developed and developing worlds (Ehrenreich and Hochschild, 2002). These types of licit and illicit flows in human beings often are facilitated by mechanisms or means which are put in place to move people from place to place, whether legal or illegal. These mechanisms, of course, differ based on whether or not the victim is documented or undocumented. The defining concepts of human trafficking, which include force, fraud or coercion, are inherent in these processes (Richards, 2004). The current research project situates these defining concepts of human trafficking within their appropriate theoretical perspectives by answering a set of concrete research questions. In other words, by identifying the presence of indicators of human trafficking within these communities, my research bridges the gap between the defining concepts within the definition of human trafficking and the theoretical approaches which attempt to explain it.

As opposed to the structural forces, which help to shape the social landscape and create vulnerabilities for marginalized groups within particular societies, a more micro-level analysis also helps to formulate a more comprehensive understanding of the indicators of human trafficking. From a grassroots perspective, micro-level theoretical perspectives help to delineate the agency between the subject population and the topic of human trafficking. While the forces of globalization, the expansion of free markets, the licit and illicit flows of migration, and other structural forces produce particular indicators of human trafficking in a structural context, human agency is capable of identifying these indicators within their own particular purview. For example, in order to fully conceptualize human trafficking, it is also critical to understand that individuals may not make decisions under optimal circumstances which would allow them to best decide what is in their best interests (Chin and Finckenauer, 2012). They could, on the other hand, make decisions

which are not in their best interests because of their lack of social power with respect to their oppressor, who may be using coercion or deception to threaten their livelihood (Haugen, 2009). Furthermore, victims of human trafficking may find themselves trapped in a particular set of circumstances of their own choosing, which they believe affords them opportunities to become socially mobile as a result (Salazar-Parreñas, 2011). These theoretical perspectives provide additional insight to the plight of victims of human trafficking and are best understood not in isolation from their structural counterparts, but instead in harmony with them in order to better understand the circumstances populations such as migrant farmworkers often face in labor camps in Western Michigan.

Methodological Approach

In order to gather the data necessary to answer the research questions guiding this study, I spent several months conducting thirty in-depth, mostly open-ended interviews with both professionals and migrant farmworkers in Western Michigan. The first group that was interviewed was the professionals. They worked in a variety of fields including education, health care, law, outreach/ministry, and social work, among others. These research subjects worked in a range of locations and rarely did their localities overlap within Western Michigan. Their responses were often general in nature and provided a good overview of the social landscape inherent in the lives of the migrant farmworkers. The migrant farmworkers, on the other hand, all worked on farms in Oceana County when they were interviewed. They came from an assortment of different countries and had worked in Western Michigan for various periods of time. They were much more diverse than the professionals and provided vivid responses to the interview questions and told appropriate stories to illustrate their points. Their responses were much more specific and applicable to the questions from a grassroots perspective.

While the questions I asked each subject group were different in nature, the sets of questions were formulated based on themes of study embodied in each of the research topics. For the migrant farmworkers I was able to ask the questions and translate a great deal but relied on a translator who helped me to identify a sample of individuals who served as my research subjects. Each of the interviews took approximately one hour. Some, depending on the experience and familiarity with the research subject, would be longer or shorter in duration. With the permission of all respondents, I recorded their interviews and then transcribed them from Spanish to English and organized them based on their responses to the questions asked. These interviews provided a plethora of data from which to sort and code based on the themes embedded in the responses to the research questions. This methodological approach has thus been useful in gathering data from hidden populations who may be at risk of being trafficked.

Contribution, Collaboration, and Dissemination

Understanding the presence of indicators of human trafficking amongst transnational migrant farmworkers in Western Michigan is important for a variety of reasons. Firstly, learning more about the views of transnational migrant farmworkers, how they are recruited, the types of verbal agreements they enter into, their reasons for migration, and their living and working conditions are vital to understanding indicators of human trafficking (Bowe, 2007; Chin & Finckenauer, 2012; Ehrenreich & Hochschild, 2002; Nazario, 2006; Salazar-Parreñas, 2011). Secondly, learning about the different human networks involved in transporting migrant workers from their country of origin through transit countries to the country of destination is central to understanding the various power dynamics inherent in the process (Bales, 2000; Batstone, 2007; Bowe, 2007; Chin & Finckenaer, 2012; Nazario, 2006; Salazar-Parreñas, 2011; and Zhang, 2007).

Thirdly, a better understanding of the working conditions and standard of living of transnational migrant farmworkers in Western Michigan, where the highest number of migrant

workers in Michigan work, would not only shed light upon the current atmosphere in which they find themselves, but would also help to identify the extent to which they are actively participating or being forced to participate in the labor force. Similarly, the substance and form of the relationships in which transnational migrant farmworkers find themselves in Western Michigan would also be of interest for many of the same reasons (Bowe, 2007; Ehrenreich & Hochschild, 2002; Nazario, 2006; Salazar-Parreñas, 2011). Ultimately, this study is intended to identify indicators of human trafficking among migrant farmworker communities in Western Michigan.

This study would also seek to contribute to the literature by emphasizing a more localized, grassroots approach which seeks to be inclusive of the transnational migrant farmworker populations in Western Michigan. Such an approach would help to better educate persons working on the issue of human trafficking among transnational migrant farmworker populations and their susceptibility to human trafficking, and the actual conditions in which many of them live and work in. This study would also help those organizations working with transnational migrant farmworkers understand one central fact in the debate: that labor trafficking is often much more prevalent than is reported and appears in the literature. Once this aspect is better understood, it may be possible to more fully equip and empower those working with transnational migrant farmworkers in Western Michigan with training and expertise regarding human trafficking, including the provisions delineated under the Trafficking Victims Protection Act (TVPA) and the resources available in terms of organizations and groups working on the issue within the State of Michigan.

Dissertation Format

This dissertation is organized into nine chapters. The first chapter, or the introduction, begins with an overview of the literature outlining the issue of human trafficking, continues with the goal of the study, the research questions the study investigates, the theoretical approach framing the study, the methodological approach employed to gather the data, followed by the contribution,

collaboration, and dissemination sections and, finally, the format of the study. This introductory chapter provides a broad overview of the study itself and its constituent parts.

The second chapter provides a much more in-depth analysis of both the literature on the topic of human trafficking, as well as the theoretical framework guiding the study of the indicators of human trafficking amongst migrant farmworker populations in Western Michigan. The literature will focus specifically on the causes of human trafficking, human trafficking as a false dichotomy, limitations of the research, and the direction of the present study. These areas will be addressed in order to address the indicators of human trafficking among these communities. The theoretical perspective will utilize the macro- and micro-level approaches in order to provide a conceptual framework for the necessary identification of indicators of human trafficking amongst migrant farmworker communities in Western Michigan.

The third chapter will detail the methodological approach of the study and describe how the research was conducted, which methods were employed, and the nature of the data gathered. As part of the data collection process, fifteen professionals from various counties in Western Michigan and fifteen migrant farmworkers from Oceana County were interviewed. The third chapter will outline the steps by which the data were collected and the process by which they were recorded, transcribed, stored, and organized. This chapter will take the reader through the practical elements of the process through which the theoretical became practical in terms of the research study.

The next few chapters constitute the findings of the study. These chapters are ordered in a chronological manner which logically identifies indicators of human trafficking along the migratory routes of migrant farmworkers who work in Western Michigan. Firstly, the reasons for migration will be studied in order to identify the role of violence in the migration process, how social and economic networks influence the migratory process, and how migrant farmworkers realize opportunities once they do migrate. The second chapter in the findings section will focus on the

road to employment, particularly the lack of transportation costs, the possibility of transportation assistance, and the nature of contractual agreements between migrant farmworkers and those who represent employers. The third chapter will describe the living and working conditions on the farms where migrant workers are employed. This chapter will focus on the use of fear, force, or intimidation; "gaps" in employment; pay, hours, and working conditions; and breaks, bonuses, and housing. The final two chapters of the findings section will focus on the extent to which migrant farmworkers have control over their circumstances and provide particular examples of human trafficking within migrant farmworker communities in Western Michigan. Each of the five chapters will have different sub-headings which incorporate the indicators of human trafficking identified within the chapter. The final chapter will be the conclusion and will provide a recapitulation of the major findings of the study, some recommendations for moving forward, and suggestions for future research possibilities within this topic of study. The appendices and bibliography will, of course, follow the conclusion.

CHAPTER 2. LITERATURE REVIEW/THEORETICAL FRAMEWORK

Defining Human Trafficking

According to the *Oxford English Dictionary* (2012), the verb "to traffic" means, in its legal sense, "to carry on trade, to trade, to buy and sell; to have commercial dealings with any one; to bargain or deal for a commodity." The definition goes on further to associate "trafficking" with "dealings considered improper" and "to have dealings of an illicit or secret character." Within the context of migration trafficking may be regarded as the illegal practice of buying and selling human beings (Salt and Stein, 1997). Based on the United States Department of State Trafficking Victims Protection Act (TVPA), "severe forms of trafficking" can be defined either as:

a. Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not yet attained 18 years of age; or (TVPA, 2000, Section 103, 8a)

b. The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery (TVPA, 2000, Section 103, 8b).

As such, human trafficking is normally categorized into sex trafficking and labor trafficking. According to Logan, Walker, and Hunt (2009), sex trafficking encompasses prostitution, exotic dancing, pornography, sexual entertainment, sexual servitude, and servile marriage. Examples of labor trafficking, on the other hand, include working in sweatshop-like factory conditions, restaurant labor, agricultural work, begging or trinket selling, the food industry, hotel work, nail salon workers, landscape and gardening laborers, casino servers, magazine peddlers, and hair braiding (Logan, 2009). The United States Department of Justice estimates that 80% of human trafficking victims are female, 50% are minors, and 70% are trafficked for the purposes of sexual exploitation (see Shelley, 2010). One recent estimate states that for every one victim of sex trafficking, there are nine victims of labor trafficking, leading us to believe that the numbers of victims of labor trafficking in the United States far outnumber the victims of sex trafficking in the United States (ILO, 2005 and TIP,

2010). According to the United States Trafficking in Persons (TIP) Annual Report, human trafficking can be classified into cases of forced labor, sex trafficking, bonded labor, debt bondage among migrant laborers, involuntary domestic servitude, forced child labor, child soldiers, and child sex trafficking (2011).

Human Trafficking as a False Dichotomy

As previously mentioned, human trafficking is often categorized into either sex trafficking (see part a) or labor trafficking (see part b). While this dichotomy is often recognized as accurate, some scholars view it as false in the sense that all trafficking is essentially labor trafficking, whether or not rendered for sexual services (see Bales, 2004 and Kara, 2011). There have been numerous studies written on the various aspects of sex trafficking, such as trafficking in women, minors, and children (ECPAT, 2006; Estes & Weiner, 2001, 2005; Farr, 2004; O'Connell-Davidson, 2005). The categorization of sex trafficking also takes place in the domestic and global arenas (Aronowitz, 2009; Bales, 2010; Batstone, 2007; Chin & Finckenauer, 2012; Ehrenreich & Hochschild, 2002; Farr, 2004; Kara, 2009; Kristof & WuDunn, 2009; O'Connell-Davidson, 2005; Salazar-Parreñas, 2011; Salt & Stein, 1997; Shelley, 2010; Zhang, 2007). For the purposes of this study, however, sex trafficking will be treated as a form of labor trafficking, not as a "stand alone" type of trafficking.

While much of the literature focuses on various "forms" of sex trafficking, very few studies address labor trafficking (Bowe, 2007; De Cock, 2007; Hager, 2010; Hayes, 2009; Salazar-Parreñas, 2011; and Zhang, 2007). Of those studies which do address labor trafficking, a small number of them address labor trafficking at the grassroots level, with even fewer of them focusing in on a particular village, county, or state. Very few of these studies utilize a mixed methods approach tailored to labor trafficking victims (Clawson, et. al, 2006; De Cock, 2007; Farrell, et. al, 2009; Tyldum & Brunovskis, 2005; Watters & Biernacki, 1989). One of the populations most susceptible to labor trafficking in the United States, mainly due to its lack of social power, are migrant

farmworkers, some of whom are documented while others are undocumented (Bowe, 2007; DFP, 2013; Hager, 2010; Hayes, 2009; Nazario, 2006; SPLC, 2000 and Zhang, 2012). Those in the latter category find themselves less protected due to their lack of legal protection under U.S. law (Hager, 2010; Hayes, 2009 and Zhang, 2012). Based on this review of the literature, it is apparent that there are some significant gaps in the research on human trafficking. Some of these gaps include research on human trafficking at the state and local levels, migrant farmworker populations, and hidden populations such as undocumented workers.

Human Trafficking and Human Smuggling

For many years, researchers, journalists, and even government agencies used "human trafficking" and "human smuggling" interchangeably to describe any organized illegal transportation of persons from one country to another (Zhang, 106). Human smuggling involves an individual who chooses to cross the border illegally, alone or with an expert (Kara, 189). Whereas smuggled individuals are technically on their own once they cross the border, a trafficking victim's ordeal begins when the trafficker sells the victim to an exploiter or exploits the victim himself. Trafficking is thus smuggling with coercion or fraud at the beginning of the process and exploitation at the end (Kara, 189). For example, smuggled persons generally pay the entire amount owed before departure while trafficked persons may pay a percentage of the trip prior to departure and incur a debt for the remainder (Aronowitz, 4). It is this debt that puts them at the mercy of their traffickers. The difference between the smuggled individuals and trafficked persons may be only apparent when the journey has ended. If the person is not able to exercise self-determination and finds him - or herself in a situation of exploitation, what may have begun as a smuggling operation has then turned into a trafficking situation (Aronowitz, 4).

According to the U.S. Department of State (2006), there are several key differences between human trafficking and human smuggling. Firstly, in cases of human trafficking force is used or

consent is obtained through fraud, deception, or coercion (actual, perceived, or implied), unless the victim is under eighteen years old. On the other hand, in cases of human smuggling the person being smuggled generally cooperates and consents to the smuggling. Secondly, human trafficking involves forced labor and/or exploitation whereas cases of human smuggling do not involve actual or implied coercion. Thirdly, the persons involved in human trafficking are victims but in cases of human smuggling, the individuals are violating the law and by law they are not victims. Fourthly, human trafficking victims are enslaved, subject to limited movement or isolation, and their documents may have been confiscated where in cases of human smuggling workers are free to leave and change jobs. Fifthly, human trafficking need not involved the actual or physical movement of the victim while human smuggling facilitates the illegal entry of person(s) from one country into another. Next, human trafficking does not have a requirement to cross an international border and trafficking can occur within a particular country, whereas cases of human smuggling always cross international borders. Finally, persons who are victims of human trafficking are exploited in labor, service, or commercial sex acts but must be "working" while persons who are smuggled must be attempting illegal entry or only be in the country illegally (Department of State, 2006). These distinctions between human trafficking and human smuggling have implications to the mass migration of individuals to the United States. For example, while many Mexicans choose to come to the United States on their own, with or without a *coyote* (smuggler), one unique aspect of trafficking in the United States is that many individuals who migrate illegally become trafficking victims after they cross the border. In fact, up to one-third of trafficking victims in documented cases in the United States were "trafficked" after they crossed the border and once they were in the United States (Kara, 190).

The Role of Legal Status in Human Trafficking

As far as the process of human trafficking goes, migrants may depart their own country by legal or illegal means. According to a model used by Alexis Aronowitz (2003), this legal status may determine whether or not an individual travels independently or uses the services of a smuggler or trafficker (Aronowitz, 5). An individual may depart his or her country with a passport and necessary Visa to enter the destination country to visit family members, work, or study. When the Visa expires and the individual chooses to remain in the destination country, he then becomes an illegal alien (Aronowitz, 5). A person may depart his or her own country with the necessary legal documents, destroy those while on board an airplane, and seek asylum in the destination country (legal departure, illegal entry). A person departing his or her country of origin illegally (w/o papers or w/forged or illegal documents) often uses the service of a smuggler or trafficker to illegally enter the destination country. This status can change if the person follows the appropriate protocol to apply for refuge in terms of asylum or things of that nature. Any time the status of a person in the destination country is that of an "illegal," the person is in danger of being exploited (Aronowitz, 5).

This strong connection between the legal status of an individual and his or her susceptibility to human trafficking takes many forms. In the case of women and children, there are two primary elements which make them vulnerable to human trafficking during illegal migration. First, because illegal migrants must rely on their handlers to move them across borders, they are vulnerable to the unprincipled who take advantage of the weak and desperate. Women and children often become prey for abuses by smugglers and other criminal entities (Zhang, 105). Second, because being illegal means they have no formal access to the legal job market, smuggled women and children are forced to enter the illegal labor force. There are a great number of jobs which are available to illegal immigrants largely because the working conditions are too dangerous, the pay is abysmally low, or, as in the case of prostitution, the means of employment is itself illegal (Zhang, 105).

The connection between legal status and human trafficking is also very well politicized and has well-documented connections to the U.S. policy on illegal immigration. The roots of the debate on illegal immigration also carry over to human trafficking because when businesses hire undocumented workers in order to take advantage of cheap labor, U.S. low- and/or middle-income citizens are either pushed out of the job market because they cannot subsist on such low wages or they suffer depressed wages because of the millions of undocumented workers who can live on such horribly low wages (Kara, 191). As a result, undocumented workers/illegal immigrants are caught in the middle and subjected to all different forms of violence because they are not recognized under the law, nor are their rights respected in terms of their employment. Furthermore, the more difficult governments make their movements between their country of origin (for example, Mexico) and their destination country (the United States), the more organized criminals step in to help in exchange for exploitation (Kara, 191).

Human Trafficking as a Process

It is best to understand human trafficking as a process as opposed to a single act or mode of conduct. The process itself it difficult to uncover based on its links to organized crime, which often occurs in a clandestine manner, and it can take place along several points of the process of migration. The first stage of human trafficking often involves the abduction or recruitment of a victim (Aronowitz, 9). While this stage can take many different forms, often depending on the organization of the trafficking operation and sophistication of the criminal groups involved. The second stage of human trafficking embodies the transportation and entry of the individual into another country or locality (depending on whether or not the trafficking is international or intranational) (Aronowitz, 9). This stage often results in the relocation of the victim to a particular place where the victim will be exploited. The third stage of the trafficking process is termed the "exploitation phase" during which the victim is forced into sexual or labor servitude (Aronowitz, 9).

This stage encompasses the actions the trafficker takes in order to exploit the victim, whether over the short-term or long-term. This stage often exists concurrently with a final stage where the offender launders the criminal proceeds, a common final stage for any organized crime syndicate (Aronowitz, 9). Again, depending on the size, sophistication, and expertise possessed by the trafficker, this money laundering operation could be very simple or incredibly complex. The operations can be as simple as the smuggling and subsequent trafficking of a single victim by an individual over a border without proper documentation by vehicle or foot, to highly sophisticated operations moving large numbers of persons, using forged documents, corrupting government officials, and generating huge profits that subsequently must be laundered (Aronowitz, 9). Crimes committed against the individual victims during the trafficking process include threats, extortion, theft of documents or property, false imprisonment, aggravated or sexual assault, pimping, rape, and even death (Aronowitz, 9).

Causes of Human Trafficking

There is also a great deal of scholarship on the specific causes of human trafficking. These causes include a lack of education and awareness on the topic, the various dynamics inherent in an increasingly globalized world, the expanding and increasingly unregulated free market economy, the role of organized crime in its facilitation, the lack of morality involved, the role of migratory push and pull factors, the role of inadequate legal protection, and dynamics of gender inequality (Chin & Finckenauer, 2012; Ehrenreich and Hochschild, 2002; Farley, 2000; Farr, 2004; Flores, 2007; Flores & Wells, 2010; Flores, 2012; Hondagneu-Sotelo, 2008; Kristof & WuDunn, 2009; Nazario, 2006; O'Neill-Richard, 1999; Polaris Project, 2012; Salazar-Parreñas, 2011; Sherman, 2000; Williamson & Prior, 2009 and Williamson, et. al, 2010). This section will provide a detailed review of the literature on these specific causes of human trafficking.

In order to properly investigate the structural causes of human trafficking, it is important to review the appropriate literature on its potential causes at the national and state levels. These causes are often very difficult to determine, particularly based on the illegal and hidden nature of the activity (Williamson and Prior, 2009). In the United States, however, experts estimate that as many as 300,000 children are being prostituted at any one time (ECPAT, 1996) and another 244,000 are at risk of child sexual exploitation (Estes & Weiner, 2001). According to Polaris Project, very little research has been done to determine the prevalence of trafficking at the state level (2010). Some states that have done research on the prevalence and structural causes of human trafficking within their states include California, Florida, Georgia, Illinois, Louisiana, Minnesota, Missouri, Nevada, New York, Ohio, Texas, Utah, and Wisconsin (Polaris Project, 2010). Even though this research on human trafficking has been done in these states over varying periods of time, it is far from being comprehensive in nature. One state where extensive research is being done on the prevalence of human trafficking is Ohio, where a group of academics, activists, graduate students, law enforcement officials, and practitioners have worked together to use newspapers, interviews with law enforcement officials, social service providers, and other professionals to better understand human trafficking (Williamson, et. al, 2010).

In the case of the trafficking of foreign persons it is important to understand the structural causes such as the push factors which exist in sending countries and the pull factors which exist in receiving or destination countries (at a domestic level the sending and destination entities would be U.S. states) in order to better comprehend why human trafficking exists (see Williamson, et. al, 2010, TIP, 2011). More specifically, throughout the world there are origin or sending countries which are primarily used to recruit potential victims, destination or receiving countries, where the demand, resources, and opportunity to purchase human beings is greater, and bi-directional countries which can both send and receive victims of human trafficking (Farr, 2004). Examples of push factors in

sending countries could be weak economic structures, few job prospects, gender inequality, a lack of educational opportunities, and corrupt law enforcement just to name a few (O'Neill-Richard, 1999). Pull factors may include a low risk of prosecution, the lack of laws which punish the traffickers, social norms and values which devalue and dehumanize vulnerable groups, and enormous profit potential for the traffickers (O'Neill-Richard, 1999). The United States is primarily a destination country for both sex and labor trafficking victims and is the second-largest consumer of sex trafficking victims in the world, following Germany (Polaris Project, 2012 and Williamson, et. al, 2010). Victims may also be U.S. citizens who are recruited from origin cities or states and transported to other destination cities and states in order to engage in sex or labor trafficking.

There are many push and pull factors at the state level as well. Some factors that Williamson and others have identified in Ohio include the ease in which victims can be moved in and out of the state (presence of prominent interstates and other major thoroughfares), a growing pool of legal and illegal immigrant populations from which to draw or hide victims, the number of markets open to foreign-born persons (emerging economies in the form of job opportunities), and potential gaps in state laws to adequately curb and address human trafficking (2010). Other factors which have been identified include the presence of uneducated or ill-prepared first responders (shelters, law enforcement, among others), the demand from consumers within Ohio for services provided by trafficking victims, and other individual characteristics which make potential victims vulnerable (Williamson, et. al, 2010). The location and proximity to international borders also serves as a key factor as victims of human trafficking often are brought into the United States from Canada or Mexico, both of which have less stringent border restrictions (Davis, 2006). Other factors may also include proximity to airports, casinos, sports venues, and tourist or vacation areas. While these push and pull factors are by no means exhaustive, they represent a fairly comprehensive list of factors,

both at the domestic and international levels, which are responsible for demographic changes that directly impact human trafficking, particularly in Ohio.

When studying human trafficking, it is not only important to assess its prevalence in a particular locality, the push and pull factors responsible for its existence within that locality, but also the primary risk factors which make individuals more or less likely to be victims of sex and/or labor trafficking. There are two comprehensive studies which address the risk factors which contribute to human trafficking. Both of these studies assessed these risk factors in the United States in general, not in any particular state. The first study, which focuses on the risk factors for the domestic trafficking of children, categorizes the risk factors into the external macro environment, the external micro environment, and the interpersonal individual situation (Estes and Weiner, 2005). Some of the factors in the first category include social attitudes toward youth, social anomie among children, poverty, social responses to crimes committed against children, the presence of preexisting adult prostitution markets, and the sexual behavior of unattached transient males (military, seasonal workers, truckers, traveling professionals, etc.). Factors in the second category included socio-behavioral characteristics (family dysfunction, parental drug dependency, history of physical or sexual assault, school and other performance failures, and gang membership), active recruitment into prostitution by peers (among peers, parents or other family members including siblings, pimps, national/international criminal organizations), and identifying the pimp culture as pop culture (Estes and Weiner, 2005). The final group of factors consisted of psychogenic issues such as poor self-esteem, chronic depression, and an external locus of control as well as a seriously restricted future orientation (Estes and Weiner, 2005). This national study was put together based on a comprehensive review of the literature by the authors in order to build a substantive list of risk factors present in populations which are particularly vulnerable when it comes to human trafficking and to encourage further research at the state level.

The second study focuses specifically on the international risk factors for children. Using the same categories as the previous study, Logan, Walker and Hunt (2009) identified poverty, gender, and age as risk factors which determined vulnerability within the external macro environment. They also identified social isolation, language barriers, and cultural differences as risk factors within the external micro environment and the lack of documentation, formal education, and the presence of substance abuse as risk factors within the interpersonal individual situation (2009). While these risk factors are not nearly as exhaustive as those identified in the Estes and Weiner (2005) study, Logan, Walker and Hunt's study is used by those trying to estimate the number of foreign individuals at risk of being victims of human trafficking.

Based on these two studies, it is possible to utilize both sets of risk factors (domestic and foreign) to assess how many individuals within a particular locality are at risk of becoming victims of human trafficking. As such, these nationally-based studies can provide useful models for states like Ohio to not only identify vulnerable populations, both foreign and domestic, but to predict the number of individuals within the population of Ohio at risk of being victims of human trafficking (Williamson, et. al, 2010). Not only are these national models useful for those states such as Ohio where extensive research and advocacy have been done on human trafficking, but also for emerging states like Michigan, where there is a desperate need for innovative research on human trafficking in order to further enhance the operations of law enforcement and social service agencies, among others.

While addressing the particular structural causes of human trafficking, studying the push and pull factors which help facilitate its existence, and identifying the various social indicators which predispose its prospective likelihood all help researchers to further conceptualize human trafficking within a particular locality, prevention is one of the most important aspects of ending human trafficking. In order to prevent human trafficking from happening, research needs to be done on

how likely certain social indicators are in determining not only the vulnerability among at risk populations but also an estimation of how many individuals are victims of human trafficking within a particular locality (Williamson, et. al, 2010). There are two studies that have formulated appropriate methodologies for estimating how many victims are trafficked into the United States and within the United States, respectively. Clawson, Layne, and Small (2006) have developed a model which calculates the number of trafficking victims which have come to the United States from foreign countries. In developing their methodology, they relied on eight source countries entering the United States from its southwest border and concluded that 72,496 males and females were trafficked across the border for purposes of sexual and labor exploitation. This number does not include other countries or other border crossings and far exceeds the numbers provided by the United States Department of State (Williamson, et. al, 2010).

Estes and Weiner (2001) have developed the domestic study, which estimates the likelihood that an individual who is part of a vulnerable group will be involved in human trafficking. The approximate numbers of individuals who are part of these vulnerable groups are provided by non-governmental organizations, governmental databases, and other research studies and the vulnerable groups themselves have been defined as such based on Estes and Weiner's (2001) social indicators. These two methodologies, which were originally formulated to approximate the number of foreign and domestic trafficking victims, respectively, can also be used to calculate the number of foreign and domestic victims at the state level, as has been done in Williamson et. al's study (2010) on Ohio. As such, social isolation, language barriers, cultural differences, as well as the lack of documentation, formal education, and the presence of substance abuse may serve as indicators of human trafficking.

Limitations in the Research

While labor trafficking is often overlooked at the national level in favor of sex trafficking, a preliminary review of the literature quickly reveals that while there may be some relevant research at

the national level, there is very little at the local or grassroots level (Clawson, Layne, & Small, 2006; Davis, 2006; De Cock, 2007; ECPAT, 2006; Estes & Weiner, 2001, 2005; Farrell, et. al, 2009; Hamilton, 2011; Mizus, Moody, Privado, & Douglas, 2012; O'Neill-Richard, 1999; Shared Hope International, 2009; TIP, 2009; TIP, 2010; TIP, 2011; TIP, 2012; Williamson & Prior, 2009; Williamson, et. al, 2010). In fact, while sex trafficking has received the majority of the attention as far as research goes (out of 110 sources that provided a count or estimate of human trafficking, only 17 provided estimates on labor trafficking as opposed to sex trafficking), the area of labor trafficking has been left relatively unexplored, especially at the local or state levels within the United States (see Farrell, et. al, 2009 and Zhang, 2012). One expert on human trafficking, Bridgette Carr, an attorney, Professor of Law, and the Director of the Human Trafficking Law Clinic at the University of Michigan, estimates that cases of labor trafficking outnumber cases of sex trafficking by as many as 7 to 1 (2012).

The small number of research studies on labor trafficking focus on the areas of citizenship studies, gender inequality, methodological dilemmas in conducting research on labor trafficking, and transnationalism (Bowe, 2007; De Cock, 2007; DFP, 2013; Ehrenreich & Hochschild, 2002; Hager, 2010; Hayes, 2009; Nazario, 2006; Richards, 2004; Salazar-Parreñas, 2011; SPLC, 2000; Tyldum & Brunovskis, 2005; Watters & Biernacki, 1989; and Zhang, 2012). Despite the prevalence of labor trafficking as opposed to sex trafficking, the latter often receives the majority of attention from a research perspective. In a comprehensive literature review, Gozdziak and Bump (2008) described how academic research has furthered the understanding that all human trafficking embodies the same characteristics as sex trafficking, leading many scholars to the false conclusion that sex trafficking is much more prevalent than labor trafficking or that sex trafficking is the only form of human trafficking. Logan et. al. (2009), in their review of nine reports from service organizations, found the same scarcity of empirical data on human trafficking in general and labor trafficking in

particular. As such, there is a great need to not only continue to refine the methodological approach to studying labor trafficking, but to come up with innovative ways to understand labor trafficking as a phenomenon integral to the scholarship on human trafficking.

Several different dynamics quickly become apparent based on the research discussed above. Firstly, within the field of human trafficking, research on sex trafficking is taking place at a much more rapid pace than research on labor trafficking, despite the estimates that labor trafficking is more prevalent (Carr, 2012; Farrell, et. al, 2009; Gozdziak & Bump, 2008; Logan, et. al, 2007 and Zhang, 2012). Secondly, the research which is being conducted on human trafficking, whether sex or labor trafficking, lacks a rigorous methodological approach which focuses primarily on conducting research at a grassroots level (Clawson, et. al, 2006; De Cock, 2007; Farrell, et. al, 2009; Tyldum & Brunovskis, 2005; Watters & Biernacki, 1989; Williamson & Prior, 2009 and Williamson et. al, 2010). Thirdly, based on the research on human trafficking, and particularly on labor trafficking, there seems to be a lack of a coherent theoretical perspective which addresses the apparent disconnect between a human trafficking perspective entrenched in purely structural factors and a voluntary labor-based argument which addresses only the human agency aspect of labor markets (Bales, 2000; Bowe, 2007; Chin & Finckenauer, 2012; DeStefano, 2008; Ehrenreich & Hochschild, 2002; Kara, 2009; Kristof & WuDunn, 2009; Nazario, 2006; Salazar-Parreñas, 2011 and Zhang, 2007).

A final limitation in the literature is its lack of focus on the journeys of those who have been trafficked, the particular human networks which provided them with passage from country of origin through transit countries, and into a specific country of destination. While many studies explain the phenomenon of human trafficking itself, others describe those victimized by it, very few of the studies actually depict the phenomenon, the humanity of the victims, and the process which engulfed them which bridges these first two aspects (Aronowitz, 2009; Bowe, 2007; Chin &

Finckenauer, 2012; DeStefano, 2008; Ehrenreich & Hochschild, 2002; Farr, 2004; Kara, 2009; Shelley, 2010) (Nazario, 2006 and Salazar-Parreñas, 2011).

Based a review of the literature, it is apparent that research is starting to be done on human trafficking at the national level. Many of these studies have attempted to approximate the prevalence of human trafficking overseas, in the United States, and, on a very small scale, in certain states, have identified particular push and pull factors both globally in foreign countries and nationally in the United States, have categorized social indicators which increase the likelihood an individual will become a victim of human trafficking, and have approximated the populations at risk of being trafficked as well as those populations which have been victims of human trafficking (see Williamson, et. al, 2010). The research at the state level, however, is sparse at best (Polaris Project, 2012). While research exists in some states which addresses some of these research questions, it often covers short periods of time, does not address specific push and pull factors within particular locales, fails to address social indicators within a particular area, and does not formulate credible estimates of the number of victims of human trafficking at the state level. Based on this lack of research in these substantive areas, academics, law enforcement, policymakers, and other professionals in a capacity to act do not have an adequate understanding of the severity of the problem of human trafficking in Michigan, particularly at the local level as it relates to human trafficking for labor purposes.

Direction of the Present Study

According to research studies in the fields of anthropology, business, criminal justice, law, political science, psychology, social work, and sociology examining human trafficking, there is a need for a comprehensive research project which addresses deficiencies in our understanding of various aspects of labor trafficking (Bowe, 2007; Carr, 2012; Clawson, Layne, & Small, 2006; De Cock, 2007; Farrell, 2009; Gozdziak & Bump, 2008; Logan, Walker, & Hunt, 2007; Nazario, 2006; Salt and Stein,

1997; Zhang, 2007). Based on these limitations, there is very little understanding of labor trafficking as a phenomenon differing from wider social processes of human and sex trafficking, the processes by which labor trafficking functions based on the experiences of the people involved, the deployment of a qualitative methodology which focuses on the local- and state-wide transnational migrant farmworkers within Michigan, particularly Western Michigan, and whether or not such processes should even, in the light of the debate within the field of sociology, be termed human trafficking at all (Clawson, Layne, and Small, 2006; Gozdziak & Bump, 2008; Logan, Walker, & Hunt, 2007; Weitzer, 2007 and Zhang, 2007). As such, in order to address these gaps in the literature, this qualitative, exploratory study will investigate the presence of potential indicators (age, signs of force, fraud, or coercion, involuntary servitude, peonage, debt bondage, etc.) of human trafficking within the transnational migrant farmworker population in Western Michigan. The data will be collected utilizing a qualitative approach comprised of interviews with professionals and transnational migrant farmworkers, all of which were conducted with confidentiality. This study aims to contribute to our understanding of the difficult tension between common migratory practices and the phenomenon of human trafficking among transnational migrant farmworker populations in places such as Western Michigan. This exploratory study will also utilize several structural-level approaches while employing various grassroots-level perspectives (both of which appear in the next section entitled "Theoretical Framework") in order to create a stronger comprehensive understanding of the phenomenon of human trafficking, particularly as it relates to migrant farmworkers in Western Michigan, one population which has often been overlooked in the research on human trafficking.

Theoretical Framework

The theoretical frameworks utilized in this study include a mixture of macro-level theoretical perspectives which help to describe the contexts of human trafficking from a sociological

perspective. These larger-scale social theories consider the global dynamics inherent in human trafficking such as the role of globalization intertwined with free market economics (Bales, 2004), illicit migration (Salt and Stein, 1997), gender (Ehrenreich and Hochschild, 2002), and corruption (Richards, 2004) and how they interface with processes of human trafficking. In fact, the scholars reviewed in this section outline the inevitabilities of the relationships between these factors and human trafficking, arguing strongly that if these facets of society can be adequately addressed, human trafficking would likely be minimized (see Salt and Stein, 1997; Bales, 2004; and Richards, 2004). These macro-level theoretical approaches shed light on the social contexts within which the phenomenon of human trafficking occurs and helps us understand its occurrence, not in every case or set of cases of human trafficking, but as a baseline or measuring stick for an ideal type of structural construction of human trafficking in theory despite obvious shortcomings in practice. These theoretical frameworks will guide the analysis of the data collected in this study in order to better illuminate the structural framework in which these migrant farmworkers find themselves in Western Michigan, particularly as it relates to their vulnerability as potential victims of human trafficking.

Human Trafficking as a Macro-Level Construct

This section focuses on the structural factors which provide the particular social context in which migrant farmworkers in Western Michigan are at risk of being victims of human trafficking. These larger-scale theoretical frameworks consider the global dynamics inherent in human trafficking such as the role of globalization, free market economics, illicit migration, gender, and corruption and how they interface with processes of human trafficking.

Illicit Migration as a Form of Business

In their work on human trafficking as a form of illicit migration, Salt and Stein (1997) argue that trafficking is an intermediary system in the global migration business facilitating movement

between countries of origin, transit, and destination for migrant workers. As such, Salt and Stein argue human trafficking is best understood within a neoliberal paradigm where flows of illicit migration are utilized to maximize profits. The trafficking system itself involves planning of smuggling operations, information-gathering, finance, and a set of specific technical and operational tasks. According to Salt and Stein, each trafficking system has clear inputs and outputs. The inputs are the migrants themselves and the principal object of trafficking is to transport them from origin to destination countries. Trafficking organizations act as conduits and the final output of the system is the placement of these migrant workers into a particular labor market or social arena where they can be utilized. Inputs and outputs are linked by a group of individuals who take the place of the role of traffickers, guided geographically and spatially while connecting a set of transit countries with a corresponding set of destination countries. Borders or gateways into particular countries may sometimes be obstructed due to tightened security, logistical difficulties, or other circumstances, resulting in the utilization of a third country, referred to as a transit country, in order to transport the migrants. Furthermore, centralized systems of planning and management may exist, particularly with large-scale organizations, and there may be parallel businesses, such as trafficking in drugs, stolen goods, or money-laundering.

In outlining their model of illicit migration as human trafficking, Salt and Stein (1997) outline three consecutive stages. The first stage is characterized as a process of mobilization by which migrants are recruited in their respective countries of origin. This stage embodies both the recruitment of potential migrants and the organization of the means necessary for their travel or shipment transnationally. After the process of mobilization, the trafficker must facilitate the requirements en route as migrants are transported from origin to destination countries. This second phase encompasses a clear set of "organizational roles for the management of migrants while en route to their destinations (Salt and Stein, 1997)." The routes taken by traffickers are often

meticulously planned out, take several months or even several years, and often involve navigating borders and/or waterways in order to avoid detection. Those involved in trafficking migrants often have to have a strong knowledge of border control practices in order to familiarize themselves with particular exploitable weaknesses. The final step in Salt and Stein's (1997) model of human trafficking as business in illicit migration is the process by which traffickers insert and integrate migrant workers into the economic processes and social systems in destination countries. When migrants arrive in countries of transit and final destination, they must find accommodation and employment, allowing them to live in and settle in local labor markets. This process requires willing partners on the ground in destination countries such as hotels and motels, prospective businesses for employment, dealerships where migrants can have access to transportation, as well as other prospective partners. Documents, either forged or genuine, are often used, modified, recycled, and reintegrated into the system for further use or resale.

While this transition often affords the migrant an opportunity to enter into productive labor, contact with the trafficking process does not stop there. Many migrants find themselves in a position where they are in "debt bondage" and their journey (travel, food, documentation, housing, etc.) has cost them a great deal. As a result, they then need to pay back a particular debt or smuggling fee over a long period of time, often with a great deal of interest added on to the original debt. For a migrant who does not have many rights or legal protections within the destination country, traffickers can continue to exploit them through debt bondage arrangements or even by continuing to move them from place to place to restart the cycle of exploitation.

Globalization, Free Markets, and the New Slavery

As opposed to Salt and Stein (1997), who conceptualize human trafficking in terms of the illicit flow of human beings through migratory processes from a business perspective, Kevin Bales (2004), the Director of Free the Slaves and a former Professor of Sociology, theorizes that the

globalization of society using a free market paradigm has led to the "commodification of human beings" via a paradigm of "new slavery." Within a free market paradigm, anything of value becomes a commodity *vis-a-vis* the global economy. This process of commodification extends not only to goods and services, but also to the buying and selling of people. Those who are unable to access the free market economy based on their ability to provide a conventional good or service are often at risk for being a victim of human trafficking. The increased privatization offered under a globalized model only accelerates this process, eliminating public protections such as social services, particularly in the developing world or what is more commonly known as the Global South. Those who are marginalized within an increasingly globalized free market economy must rely on exchanging the only thing they are left with, their bodies. While not every marginalized and impoverished individual who resides in the developing world resorts to selling themselves in order to make ends meet, they remain increasingly vulnerable under these structural constraints. This increased vulnerability has led to larger numbers of victims of human trafficking globally.

According to Bales, there are more slaves in the world today than during the height of the Trans-Atlantic Slave Trade. This is, he argues, largely due to the fact that many people believe slavery is outdated and no longer exists. Quite to the contrary, he argues, the paradigm of the "New Slavery" has emerged from what most people understand as the "Old Slavery." Based on Bales' analysis, the growth of modern-day slavery can be attributed to (1) the dramatic increase in world population, particularly in poor countries, which intensifies competition for work and cheapens human labor; and (2) rapid social and economic change in developing countries, which disrupts traditional ways of subsistence and social support systems (2004). These changes also lead to changes in labor flows from the developing world to the developed world, resulting in larger numbers of more desperate populations searching for the means and networks which would allow them to migrate more readily to the Global North.

In making his argument, Bales articulates several important distinctions between the "Old Slavery" and the "New Slavery." Firstly, under the "Old Slavery," individuals could be legally owned, making slavery more open and visible. In the "New Slavery," legally owning another individual is illegal, pushing the system of exploitation underground with increasing levels of violence. Secondly, in the past law enforcement supported the fact that individuals could be owned. Today, however, law enforcement is in a difficult position as many individuals attempt to combat human trafficking, while the others are susceptible to bribes and corruption. Thirdly, slaveholders had a responsibility to care for their slaves when the practice was legal. In today's society, those who own or control slaves feel no responsibility (and often have very few bonds with) toward their slaves. Fourthly, the value of slaves was much more expensive historically. As an investment, slaves historically only made a limited amount of money. In today's society, not only are slaves easily acquired for relatively little, but they are also used to acquire a great deal of wealth and then, when they are no longer of use, are "disposed" of. This is particularly true of those involved in the sex trade, but also applies to those who are victims of labor trafficking. Finally, Bales also points out the difference in how race overlaps with human trafficking. Historically, race was the determining factor as to who was privileged and who was not in terms of slavery. Today, however, while he argues that race is still very important, the majority of slaves are recruited based on economic vulnerability and deprivation. These distinguishing factors help to articulate how slavery has changed over time, particularly based on the increased commodification of human beings within a globalized, free market economy.

The Feminization of the Migrant Workforce

In *Global Woman: Nannies, Maids, and Sex Workers in the New Economy*, Ehrenreich and Hochschild (2002) juxtapose how historically the First World has been dependent on the Third World for material resources in order to expand the goals of a growing capitalist economy, while in a

more contemporary fashion these sorts of relationships also transcend the material realm by exporting tangible spheres of gender inequality from the First World to the Third World through examples such as human trafficking. As the authors explain, as affluent and middle-class families in the First World come to depend upon migrants from poorer regions to provide child care, homemaking, and sexual services, a global relationship arises that in some ways mirrors the traditional relationship between the sexes. In other words, as the First World continues to advance its interests on all levels, it relies more and more on the Third World to meet its deficiencies. Whereas in the past the Third World had to provide material resources for the ever expanding capitalist economy, now the Third World needs to meet the more "intimate" needs of the First World as its inhabitants have sought productivity, affluence, and prosperity in lieu of foregoing these more intimate dynamics within their own cultural spaces.

In order to extend their feminist analyses, Ehrenreich and Hochschild (2002) argue that the First World takes a role like that of the old-fashioned male of the family – pampered, entitled, unable to cook, clean, or find his socks. Poor countries take on a role like that of the traditional woman within the family – patient, nurturing, and self-denying. As such, those dynamics which have traditionally been local have now transcended the global. This follows partly as one of the embodiments of globalization, a social process in which a core set of "preferred" or "legitimized" values permeate from the "core" to the "periphery" in order to fulfill a recognized or unrecognized agenda. As these social processes proceed to their eventual fulfillment, the deconstruction of the First- and Third-Worlds continue unabated as those following a prescribed ideological perspective continue to press on in order to succeed based on their priorities and ethical assumptions. While they may be aware of these assumptions, they likely are not, as often the process of legitimation often causes such normative assumptions to go unquestioned.

This theory of the feminization of poverty portrays how there is a market for workers from the developing world in order to support the lifestyle of the affluent in the developed world. This market is often driven by the forces described above by Bales, primarily free market economies and the forces of globalization, and creates a demand for a low-skilled, vulnerable workforce which is willing to leave their families for work hundreds and sometimes thousands of miles away, often leaving them vulnerable to traffickers as a result of this process of migration. They are often drawn by the promise of a better life for themselves and their families but the irony is that they end up taking care of the families of the privileged in many of the same ways they long to care for theirs. But because there are so few resources, opportunities, and social supports in their home countries, they are faced with the impossible decision of continuing to raise their families in poverty or migrating to another country to attempt to forge a better lifestyle. Unfortunately, the choices these women make, while helping to generate new revenue streams for themselves and their families, often create different vulnerabilities for their families and their children in their home countries. Furthermore, as they contemplate whether or not they will leave their families for work in a more developed country, they are often confronted or familiarized with traffickers who also choose to make money based on their migratory process. As such, those who are vulnerable, in making the best decisions they can, often are confronted with other vulnerabilities in doing so. As the slaves did in years past and the migrant farmworkers do today, these women find themselves entrenched in cycles of vulnerability and violence from which very few are able to escape and persevere through. Human trafficking is often an inevitable part and parcel of these cycles of violence for these women who desire to make a better life for themselves and their families.

The Role of Corruption

According to Kathy Richards (2004), political corruption "oils the wheels of trafficking networks" (1). This process takes place as a result of the increased demand for migrant workers

because of factors like globalization, shifting labor markets, and the use of human networks which transcend particular countries or static spatial locations. Richards' theory begins by outlining the multiplicity of factors which lead to increased rates of trafficking, particularly as she distinguishes trafficking in general from more specific forms such as labor trafficking. She discusses the ideological implications of finding an alternative source of labor within the global market; one which differs from local labor markets based on race and ethnicity, gender, social class, and spatial location (Richards, 2004). These existing and emerging markets continue to provide low-cost, less-protected laborers without respecting or engaging in corresponding discourses on human rights and other legal protections. Furthermore, this inconsistency is exacerbated by what Richards refers to as the "dehumanization" of workers within the migrant farmworker industry (2004).

There are two different ways in which migrant farmworkers are often dehumanized. Not only do the traffickers view migrant workers as essential (cheap labor, few labor rights protections, higher profits), but the entities charged to protect the rights of migrant farmworkers must negotiate the paradigm of dehumanization by recognizing the workers as human beings instead of identifying them as "illegal," "undocumented," or "wetbacks," amongst other racially- and socially- charged definitions. The discontinuity between the demand for larger numbers of migrant laborers and their lack of access to or protection under national or international human rights treaties implies corruption at the level of the nation-state, which is meant to regulate and manage these labor markets. Richards (2004) explains this discontinuity by stating that:

> A major incentive for labor trafficking is the lack of application and enforcement of labor standards. Markets come with a tolerance for restrictions on freedom of movement, withholding wages, and inhumane or unsafe working conditions present opportunistic environments for traffickers willing to exploit migrant workers. With a lack of worksite monitoring, those conditions that cultivate the exploitation of trafficked workers continue to escape notice.

Richards' argument is further supported by the U.S. Anti-Trafficking Act, which acknowledges that "trafficking in persons is often aided by official corruption in countries of origin, transit, and

destination (2012)." Thus, to summarize Richards' theoretical framework, human trafficking could not exist without corruption within the networks in which it operates.

This form of corruption exists for various reasons. Firstly, based on Bales' analysis, corruption often exists now because slavery is no longer legal. When slavery was legal, law enforcement supported the law and respected that slaveowners could keep slaves. Now that slavery is no longer legal, law enforcement is constantly being challenged as the legacy of slavery, much of which did not change with the strengthening of the laws against slavery, continued to operate as it always had. The difference is that those entities which used to uphold the legacy of slavery, in whichever fashion is was perpetrated, was no longer legitimate. In modern-day society, those institutions which were once legitimate in terms of slavery are now considered illegitimate, presenting quite a challenge for law enforcement entities, which are often at a loss for resources to address these concerns around illicit practices such as human trafficking. This change in culture has led to a very difficult challenge for law enforcement, which is attempting to address a problem, human trafficking, which not only used to be part of the social fabric of American society, but also was culturally acceptable in the lives of individuals within their jurisdiction. And, as the numbers of law enforcement have remained relatively constant, they have had to deal with increased activity in a crime that, for the majority of civilization, was considered fairly normal. This cultural change has presented law enforcement with an opportunity to address issues like slavery and human trafficking but, as Richards (2004) points out, not all officers and representatives within law enforcement view it as an opportunity to uphold the law and protect the victims, many often see it as an opportunity to serve themselves and continue to perpetuate a legacy of violence that is slavery.

Human Trafficking as a Micro-Level Construct

This section will take a look at micro-level theoretical perspectives which tend to focus on both practical and conceptual understandings of human trafficking which stress human agency and

individual choice. These theories often look at migration as a process which exists to supply individuals with opportunities outside of their home countries in exchange for work in a destination country. Furthermore, these theories often lend primacy to the role of human agency in making labor-related decisions to migrate from a country of origin, through a transit country, and then on to a particular destination. In other words, those who migrate do so "with eyes wide open," empowered and available to make concrete choices by themselves and, in many cases are aware of some of the disadvantages and pitfalls of their particular courses of action before they necessarily take them or make those decisions.

The Theory of Bounded Rationality

In Selling Sex Overseas: Chinese Women and the Realities of Prostitution and Global Sex Trafficking, Chin and Finckenauer (2012) concede that economic factors are often a driving force for the choices women make. In fact, they acknowledge that many of the women working in prostitution and global sex trafficking have already been the victims of various circumstances. Whether they would have behaved differently or worked in another profession is difficult to say should they have been involved in another set of circumstances. They also argue that increased economic opportunities for women would undoubtedly be a proper solution for combating prostitution and human trafficking. This line of reasoning follows a theoretical perspective propounded by Chin and Finckenauer (2012) called "bounded rationality."

The theory of bounded rationality was originally used to characterize various forms of organizational behavior based on economic and managerial decision-making. The theory has now been adopted into social science literature when discussing the role that social circumstances and human agency play in certain models of decision-making. According to Chin and Finckenauer (2012), the theory of bounded rationality holds that when individuals make decisions, they do not do so under optimal conditions that allow them to be completely rational and able to fully weigh all of

the possible risks and rewards surrounding their decision. Based on an individual's knowledge or lack of knowledge about a particular set of circumstances, let alone his or her ability to reasonably weigh such factors, people often take responsibility and act based on what they do know. Chin and Finckenauer (2012) describe this decision-making process as "making what appears to them to be the best decision or choice given their circumstances at the time." Another important point to add is that these assessments of costs, benefits, and risks are all based on the subjective interpretation of the beholder, which is why different women often behave differently or make different decisions given the same or a similar set of circumstances and why different women make different choices with similar sets of circumstances at different times (Chin and Finckenauer, 2012).

As such, from a theoretical perspective, it is important to consider another factor in the theory of bounded rationality: morality. Sociologists Sykes and Matza (1957) use the term "techniques of neutralization" to articulate the theory that in overcoming moral qualms regarding entering into prostitution, an individual must form a body of rational percepts which justify the decisions. In other words, given the moral qualms an individual has regarding entering the field of prostitution, that individual must reason out and rationalize why doing so would result in some sort of benefit in his or her specific case. Thus, it is not uncommon for those who are involved in prostitution or human trafficking to have a reasoned explanation for entering into the work that they have. Such "techniques of neutralization" undoubtedly justify and rationalize these forms of action in the mind of the victim to the point that such principles become part of a particular individual's moral or ethical beliefs. These could also be seen as forms of defense mechanisms or techniques for survival when meeting even the most basic needs of the individual.

The Anatomy of Injustice

According to Haugen (2009), the anatomy of injustice is such that, in dynamics which perpetuate human trafficking, power is often manipulated through coercion and deception into a

form of violence which is perpetrated against the victims involved. While power can often be viewed by sociologists as the root of the problem, Haugen argues that it is the way power is used through its inherent nature in various relationships that determines whether or not it perpetrates injustice. Examples of these relationships include teacher-student, parent-child, law enforcement-citizen, employer-employee, and pastor-church member, among others. While these types of relationships abound in society, Haugen argues that the power which is structurally inherent in these and other social relationships can either be used to reinforce the humanity of both parties, or it can be used to dehumanize them through either coercion or deception. In other words, within the normal social fabric of society, power is entrusted to various individuals within society to treat those who are in a more vulnerable position with dignity, respect, and honor. Power is misused, however, when these relationships are instead used in a way which perpetuates inequality, exploitation, and violence upon one individual by another (pimp-prostitute, mamasan-employee, middleman-migrant worker, etc., in human trafficking realm). Human trafficking is one example of how an individual within one of these relationships uses their social power in a way to exploit the other by means of force, fraud, or coercion.

In order to fully understand Haugen's theoretical model of the "anatomy of injustice" in human trafficking cases, it is important to understand the role of coercion, deception, and violence in the misuse of power. According to Haugen (2009), power is used to manipulate and is misused either through the use of coercion or deception or of both. Coercion refers to the use of subtle or brute physical force in attempting to threaten victims to disclose forms of injustice being perpetrated on them. In the case of sex trafficking, women are often beaten physically and repeatedly raped as a form of initiation into the "trade" itself. This form of coercion is meant to break their spirit and cause them to service men in order to materially benefit those exerting their power over them. In the case of transnational migrant farmworkers, they are often under the assumption that they will be

"blacklisted" if they report unsafe working conditions or physical intimidation, resulting in their exclusion from the labor source in subsequent years. This form of coercion on behalf of their employer(s) keeps them from disclosing material facts or proof of exploitation. As in the previous case, those who are in relationships where they have a disproportionate amount of power can either use their power to humanize those they interact with, or they can choose to use that power to exploit them for their own material gain.

Deception, on the other hand, is the practice of deceiving others into believing a form of truth which does not coincide with reality (Haugen, 2009). Deception is often used in order to convince victims of human trafficking that attempting to leave will result in dire consequences such as immediate expulsion from the United States, threats to family, friends, and other loved ones, or a scenario in which victims will never escape their current set of circumstances. Deception can also take place *vis-à-vis* debt bondage whereby individuals attempt to pay back their debt (often accrued through travel for transportation, food, lodging, and other associated costs) but are charged high interest rates, ridiculous fees, and other costs which result in the debt never being paid off.

The final piece of Haugen's theory about the anatomy of injustice outlines the role of the misuse of social power perpetrated through coercion and deception, resulting in the legitimation of the violent course of action taken by the perpetrator. According to Haugen (2009), the ultimate goal of those who are perpetrating the crimes against victims of human trafficking is that their violent actions will be considered socially legitimate and acceptable. In this phase, the greater society, whether knowingly or not, accepts the acts of violence and the misuse of power as the status quo. This social process then leads to a lack of substantive inquiry without any sort of questioning, investigation, and interrogation follows such an acceptance of cruelty and injustice.

The Process of Indentured Mobility

According to Salazar-Parreñas (2011), migration scholars often view migrant workers as free or enslaved subjects with regard to the debate on human trafficking. Such an approach, she argues, creates a false perception resulting in the failure to capture the more complex dynamics of coercion and choice which embody their labor migration experiences. The need for a middle ground, argues Salazar-Parreñas, is imperative in understanding the agency of migrants while also acknowledging the severe structural constraints that hamper the freedom and autonomy of migrant workers. In order to properly characterize and conceptualize this middle ground, Salazar-Parreñas (2011) has termed a state of "indentured mobility." This paradoxical state frames the process of labor migration as one of simultaneous progress and subjugation; the financial gains afforded by labor migration come at the expense of migrant's freedom. This position, whereby migrants are obtaining financial mobility while being oppressed, is also one where migrants are forced to do what they do but also choose the position they find themselves in. Most migrants know they cannot leave their respective situations, but if they did want to leave their situations they would face harsh penalties on behalf of those who control them. These penalties can be the risk of deportation, the lack of future employment upon return to the industry, or even the actual or perceived threat of physical violence. As such, the framework of indentured mobility provides a nuanced picture of migrant workers' subjugation as labor migrants, one that explains their vulnerability to human rights abuses but simultaneously refuses to recognize the prevailing discourse on human trafficking which understands victims of human trafficking as helpless and in need of rescue (Salazar-Parreñas, 2011).

In conceptualizing the foundation for the term indentured mobility, Salazar-Parreñas understands the process of deconstructing the binary between migrants as indentured servants and victims of human trafficking within broader dialogues around gender, morality, citizenship, and migration. Furthermore, these thematic areas comprise the social fabric of how she conceptualizes

the term indentured mobility as it relates to migrant workers, particularly those Filipina hostesses in Japan who form her pool of research subjects. While this analysis was restricted to Filipina hostesses in Japan, it could also be extended to other vulnerable populations such as migrant farmworkers and those who willingly engage in prostitution and other sexual services. One of the shortcomings of such an approach, however, is that it does not take into account to what extent an individual has human agency in a particular set of circumstances. While some of the research subjects Salazar-Parreñas interviewed may have had an opportunity to make their own decisions, other research subjects may not have had an opportunity to make another choice. In fact, in certain cases it is entirely possible that marginalized populations are taken advantage of against their will. While they may be making money to better their circumstances, they also are not able to leave their respective place of employment without fear of being kept their by force, fraud, or coercion. So, it is completely valid that marginalized individuals have agency, even in positions where it may seem they are being taken advantage of to the general population, but it is also possible that individuals are being taken advantage of and exploited while others believe they "choose" to engage in some sort of illicit activity they are being forced to comply with.

As such, while this theoretical construct attempts to bridge the micro- and macro-level analyses of human trafficking in this work, it does somewhat neglect the role of social power involved in the processes inherent in human trafficking and pointed out in Haugen's model of the anatomy of injustice. Regardless, the theory of indentured mobility serves as the best model of how the micro- and macro-level paradoxes within the debate surrounding human trafficking can be reconciled. This discussion will now shift to those theories which best embody a macro-level sociological approach.

Theoretical Framework of the Dissertation

The specific set of research questions I utilized for my interviews, which focused on choices before, during, and after the process of migration to the United States served the express purpose of connecting these defining concepts of human trafficking to these particular theories of human trafficking at the individual level. By asking these research questions, I was able to conduct research which identified the presence of indicators of human trafficking at the grassroots level. In either case, the defining concepts of human trafficking served as the link between the research questions and the appropriate theoretical perspectives which inform the literature on human trafficking.

As a result of this link in the present study between the research questions, the defining concepts of the study itself, and theoretical approach, I examine the presence of indicators of human trafficking within transnational farmworker communities in Western Michigan. This exploratory project will guide future research on the indicators of human trafficking within transnational migrant farmworker communities in Western Michigan in order to develop a model which suits this research population and locale. This exploratory research will also be a part of the scant literature on human (labor) trafficking and will be able to be replicated in studies both in Michigan, nationally, and abroad.

CHAPTER 3: METHODOLOGICAL APPROACH

There are numerous studies which deal with the methodological issues inherent in studying hidden populations on a domestic and international level such as those involved in some form of human trafficking (Clawson, Layne, and Small, 2006; De Cock, 2007; ECPAT, 2006; Estes & Weiner, 2001, 2005; Hamilton, 2011; Shively, Kliorys, Wheeler, and Hunt, 2012; Shared Hope, 2009; Tyldum & Brunovskis, 2005; Watters & Biernacki, 1989; Williamson & Prior, 2009; Williamson, et. al, 2010; and Zhang, 2012). Several reports have been generated which estimate victims of human trafficking at the state level, domestically, and globally, although those reports are often scrutinized on methodological grounds (Bales, 2000; ECPAT, 2006; Estes & Weiner, 2001, 2005; Shared Hope, 2009; U.S. TIP Report, 2009, 2010, 2011, 2012; Williamson, et. al, 2010; Zhang, 2012). Even though the number of victims of human trafficking used in these studies have been interrogated and scrutinized from a methodological perspective, they have nonetheless been used to shape policy and public opinion on the topic of human trafficking (De Cock, 2007; DeStefano, 2008; Hager, 2010; Hayes, 2009; Hondagneu-Sotelo, 2008; ILO, 2005; Kotrla & Wommack, 2011; Kristof & WuDunn, 2009; Michigan DHS, 2010; Richards, 2004). Based on the lack of local and regionally-based data on human trafficking, particularly given the absence of research and understanding on labor trafficking networks, this study utilized a qualitative, exploratory approach to gathering data to capture the existence of indicators of human trafficking in a region with a large population of transnational migrant farmworkers, Western Michigan.

As such, the purpose of this study was to identify indicators of human trafficking amongst migrant farmworker communities in Western Michigan. There were two different sets of interview questions, one for professionals (see Appendix A) and the other for migrant farmworkers (see Appendix B), used to collect the appropriate data. Research subjects were asked to respond to a series of questions depending on their classification as either a professional or a migrant farmworker.

The questions focused on various aspects of migrant farmworkers' lifestyles such as the migratory process to the United States and/or to Western Michigan, how they sought and secured employment, their living and working conditions, their ability to move freely within their employment, and their familiarity with human trafficking. This chapter explains the research design, a general understanding of the research subjects interviewed for this study, the instruments used to collect data as part of this study, as well as the data collection and analysis procedures utilized in order to draw conclusions.

Research Design

This study utilized a qualitative methodological approach to collect interview data on various aspects of the lives of migrant farmworkers in Western Michigan. In order to employ this approach, the research subjects (either professionals or migrant farmworkers) were asked open-ended questions about their knowledge of five critical aspects of the lives of migrant farmworkers as they pertained to human trafficking: the migratory process, the journey of securing gainful employment, living and working conditions, their ability to move freely within their workplace, and any experiences they had with human trafficking. One research instrument was used for the professionals (Appendix A) and the other for migrant farmworkers (Appendix B). These research subjects were interviewed over the scope of several months in the summer and early fall of 2014 and their responses recorded with their permission. Their responses to these research questions were recorded with the help of a translator, who offered to help transcribe any questions regarding the study by respondents. These areas of the lives of migrant farmworkers were selected based on the literature primarily because, while there is extensive literature on the topic of human trafficking, studies on labor trafficking, particularly at the local and regional levels, were nonexistent. As such, much of these data have been collected in order to develop an exploratory project on these

indicators of human trafficking, especially as they relate to labor trafficking amongst migrant farmworker populations in Western Michigan.

Research Participants

There were two distinct populations of research participants in this study. The first group of research participants was professionals who worked consistently with migrant farmworker populations. The second group of research participants was migrant farmworkers themselves. Each of the research participants was given an Informed Consent Form (see Appendix C for professionals, Appendix D for migrant farmworkers), read their rights under the consent form, and asked if they would like to participate. Research participants were only interviewed once they signed off and returned the Informed Consent Form. Once the research participants gave their informed consent, the interviews were conducted. The next subsection of this chapter will describe each of these sets of research participants in greater detail.

Phase One: Interviewing Professional Advocates

The first phase of the research design entailed selecting fifteen professionals for interviews who routinely worked with migrant farmworkers in Western Michigan. These interviews were conducted during the summer months based on the convenience of the parties involved. The research participants themselves had extensive experience working with migrant farmworkers, particularly in Western Michigan. They came from a range of professions: education, health care, law, social workers, as well as many others. The majority of them (12) were women, although a few men (3) were also interviewed. Their ages ranged from mid-20s to late 60s. About eleven of the professionals interviewed were Latino or Hispanic while the other four were Caucasian. While the majority of them had not worked as migrant farmworkers in the past, some of them had done so. Two or three of the participants in this research group had less than five years of experience working with migrant farmworkers, the other twelve or thirteen had over five years of experience

working with migrant farmworkers. In fact, a handful had worked with migrant farmworkers for more than ten years. Many of these research participants were very proficient or fluent in Spanish, others also knew how to speak particular indigenous dialects from remote areas in Mexico. This group of research participants came from several counties in Western Michigan, a characteristic that cast light on the diverse responses (based on the demographic nature of the migrant farmworker population in their respective area) these research participants gave to their set of questions. While several of the professionals did not return my phone calls soliciting interviews, none of the professionals actually declined to participate in the study. These responses illuminated the landscape migrant farmworkers face when migrating, seeking employment, living and working in migrant labor camps, and moving from place to place during their time in Western Michigan.

There were two separate mechanisms used to recruit these professionals for interviews. Firstly, professionals were selected from the Migrant Resource Council (MRC) lists of representatives in several regions in Western Michigan. Migrant Resource Councils are groups of professionals, volunteers, and other individuals who come together on regular intervals to meet and advocate for the rights of the migrant workers in Western Michigan. Individuals who served on these MRCs were contacted by telephone to inquire about whether or not they were interested in completing an interview. Secondly, professionals were also selected based on referrals from other professionals who completed the interviews. In these cases, a professional would normally mention another individual who had a great deal of experience working with migrant farmworkers or someone who might have previously been a migrant farmworker him or herself. While this referral process only accounted for two or three of the interviews, it tended to provide some of the most insightful data. Prospective research participants were then contacted either based on their work with the Migrant Resource Councils or through a credible referral from another professional interested in completing the interview process.

Once the prospective research participants were contacted, those who were interested in proceeding further and being interviewed were sent, by fax or e-mail, the informed consent paperwork. After reading through the informed consent paperwork and asking any number of questions, the professional was invited to sign the paperwork and take part in the study. Once the professional signed and returned the informed consent form, an interview was scheduled over the next week or two. The first stage of the interview consisted of reviewing the primary points of the informed consent document in order to make sure the research participant fully understood his or her rights throughout the duration of the interview process. The second stage of the interview process consisted of asking the questions from the research instrument in a way in which the research participant understood the terms and concepts in each of the questions clearly and had adequate time to respond to each question in a credible manner. In some cases follow-up questions were asked in order to more fully clarify either the question on behalf of the interviewer or the response on behalf of the interviewee. At the completion of the interview, which normally lasted around one hour, the research participant provided information where the remuneration could be sent (either to the research participant or to their entity of employment as a donation). Each of the research participants was remunerated $20 by mail upon the completion of the interview. Many of the research participants pledged their help and assistance should there be any future follow-up questions or interviews.

Phase Two: Interviewing Migrant Farmworkers

The second phase of the research process entailed completing fifteen interviews with migrant farmworkers in Western Michigan. These interviews were possible with the help of Ms. Penny Burillo, the Director of the Oceana Hispanic Center, in Hart, Michigan. Ms. Burillo has worked for decades with migrant farmworkers in Western Michigan and provided a critical link to many of the camps in Western Michigan when it came time to complete these interviews. This stage

of the research process began during the late summer months and was completed in October 2014. Those migrant farmworkers who were interviewed came from a number of various locations before they came to work in Western Michigan. The majority of them came from Mexico, although they undoubtedly came from many different regions within Mexico. Others came from places like Guatemala and other Central American countries, and yet others also had lived in the United States for some time but did not disclose which country they identified as their home country. After having left their respective countries of origin, many of the migrant farmworkers interviewed followed crop cycles within the United States for a living. Several of them lived in Southern states such as Texas, New Mexico, Florida, and Georgia during the six months they were not working. A few of the migrant farmworkers had been coming to Western Michigan for fewer than five years, others had been coming for as many as thirty years. While they were also primarily Hispanic or Latino; the majority of those research participants in this category were younger, some as young as their early twenties and others as old as their mid-seventies.

The selection of research participants among migrant farmworker populations happened based on a convenience sample. As mentioned previously, Ms. Burillo had offered to assist in selecting and identifying migrant farmworkers in Oceana County who would serve as research participants for this second phase of the study. This sample was based on convenience because we were only able to contact those who were still working and those who were at home during the time of our visits. The research participants were diverse in terms of their backgrounds, how long they had been working in the United States (and Western Michigan), the farmers they worked for, and the location or village in which they worked. While they were all working in Oceana County at the time of this project, they worked in different areas and regions of the county. Even though the professionals who were interviewed as part of the first phase of the study were from different counties, all of the migrant farmworkers who participated in the second phase of the study were

working in Oceana County at the time of the project. However, migrant farmworkers responded to the questions not just with responses and experiences based on their time in Oceana County, but also with responses and experiences based on their time in other parts of Western Michigan, other parts or regions of Michigan, as well as their time in other parts of the contiguous United States.

In order to complete this second set of interviews, it was important to reach out to the prospective research subjects during the right timeframe. Based on the recommendations given by Ms. Burillo, we decided to schedule the interviews for weeknights after the migrant farmworkers had completed their work but before they would be turning in for the night. We also knew that some migrant farmworkers would go out later on the weekends and decided the weeknights worked best. Given these time constraints, we decided to plan to do at least two interviews, if not three, one night per week or, at times, every other week, to ensure we completed the fifteen interviews with these research participants. These interviews would often be done on Tuesday or Wednesday nights between the hours of 6:30 and 8:30. This would allow us to avoid interrupting the meals of the migrant farmworkers while also leaving before they had to turn in for the night, as many of them rose around 5 or 6 for work the next morning. Ms. Burillo almost always contacted the family ahead of time to see if they were willing to participate as I had to drive just over three hours one way to arrive in Oceana County. During her initial conversation, Ms. Burillo would give a short introduction about the research project and ask if a particular individual farmworker would be interested in participating. When a farmworker responded in the affirmative, she scheduled the interview based on the availability of the parties involved. The only exception to interviewing the migrant farmworkers who desired to participate in this research study but were not able to do so that evening was one instance where we were able to interview one evening and then into the next day, as many of the migrant farmworkers had completed their work for the season. On that evening and the following day, we were able to interview seven research participants in order to meet with

them before they left Western Michigan. None of the migrant farmworkers approached declined to complete the interview process. Of those who were interviewed, the majority (11) were male and the minority (4) were female. They all worked in Oceana County and all but one identified as Hispanic or Latino. Finally, the youngest of the workers was in his early twenties while the oldest was in his early seventies.

Upon meeting each of the research participants, I explained the study in Spanish (if the prospective research participant did not speak English), presented them with the Informed Consent document (also in Spanish) and then respond to any questions. Ms. Burillo was there to help with translation issues or any misunderstandings which arose as a result of this process (on either side). Once the prospective research participant was satisfied, fully aware of his or her rights under the Informed Consent document, and had signed off, the interview began. As opposed to the interviews conducted with the professionals as a part of the first phase of the research process, which were conducted by phone and in English, these interviews were done face-to-face, in Spanish (except for two where the research participants spoke English), and were recorded. None of the participants had any reservations with the involvement of Ms. Burillo in translating difficult questions or responses or the use of a recording device for capturing their responses. This was largely a result of the informed consent process and the advice of the Institutional Review Board (IRB) at Michigan State University, which helped to protect the rights of the research participants and secure the data confidentially.

All of the interviews took place in the housing where the migrant farmworker resided for the summer. In some of the cases the interviews were conducted in mobile homes or trailers, in other cases rented houses, and yet others in a structure that resembled both. The questions were asked in order as much as possible, although sometimes research participants answered multiple questions at a time. Since the questions were open-ended and semi-structured, some of the responses by the

research participants provoked further questions, allowing the interview to take a different turn where necessary. While these tangents were sometimes helpful, it is always important to return to the original line of questioning as soon as the previous question (whether scripted or not) was answered.

The interviews lasted anywhere from forty-five minutes to nearly one hour and a half. Once they were completed, there was often conversation about other topics such as where I was from, how many children I had, whether or not my wife worked, and when I would return to visit them again. In addition to the food that greeted me when I arrived, many of the migrant farmworkers and their families sent fruits and vegetables home with me for my family once the interview was over. After our conversation ended, the research participants were remunerated at the rate of $20 per interview. In the case of the migrant farmworkers, they were paid in cash and asked to sign off on a form which documented that they had received the stipend for completing the interview. In some cases, upon completion of the interview, the research participants would tell us about friends or family who lived nearby and might be interested in completing an interview. Again, as with the professionals, the migrant farmworkers pledged their continued assistance and help as the study progressed should I have any further questions or concerns.

Instrumentation

This study utilized two separate sets of interview protocols, the first was assembled in order to interview the professional participants and the second was assembled in order to interview the migrant farmworkers. The first protocol had thirteen questions, the second had fourteen. Each of the questions was written in order to make it possible to gather data from each of the groups of research participants in each of the five major areas of the study: the migration process, the search for employment, living and working conditions, the ability to be socially mobile, and the experience with human trafficking. Each of the questions was constructed to contribute to these particular

areas of the study, each of which reflects a theme centered on the primary research questions this study has attempted to investigate. The next subsection of this chapter describes these themes that the interview questions were intended to document.

Process of Migration

The process of migration theme is meant to emphasize the circumstances prospective migrants find themselves in within their home country, how they learn about the opportunity to migrate, which networks they rely on in order to migrate (both within their home country as well as within the destination country), and how they mobilize the appropriate resources to do so. Each of these dimensions is important because they can provide useful indicators of human trafficking amongst these populations. These dimensions are investigated through some of the interview questions as well as follow-up questions based on the scope of the responses given by the research participants. This is the point where the trafficking process may be set in motion.

Search for Employment

The search for employment theme is meant to investigate how prospective migrants learn about employment opportunities in a particular destination country, how these migrants then network with others to obtain transportation to reach a place of employment, whether or not there is a binding contract between the grower or farmer and the migrant farmworker before the worker travels to the respective place of employment, as well as how they obtain the necessary resources to make it to a prospective place of employment. Each of these dimensions is important because they can provide useful indicators of human trafficking amongst these populations. These dimensions were investigated through some of the interview questions as well as follow-up questions based on the scope of the responses given by research participants.

Living and Working Conditions

The theme entitled "living and working conditions" is meant to investigate several important dimensions of the lives of migrant farmworkers in Western Michigan. Some of the important aspects this theme will investigate include whether or not the living conditions are legally acceptable, if the migrant farmworkers are paid the equivalent of minimum wage, and whether or not the housing subsidy afforded the migrant workers permits the farmer or grower to drastically reduce the piece rate paid. Each of these dimensions is critical because they can provide useful indicators of human trafficking amongst these populations. These dimensions were investigated through some of the research questions as well as follow-up questions based on the scope of the responses given by research participants.

Level of Social Mobility

This theme is meant to investigate the extent to which migrant farmworkers are able to move from their place of employment to other venues such as alternate employment, medical appointments, church, the grocery store, and laundromats, amongst other places. Those who are able to leave their place of employment and have the flexibility to attend to these other needs are much more likely to be secure in their jobs and not in fear of repercussion. Each of these dimensions is critical because they can provide useful indicators of human trafficking amongst these populations. These dimensions were investigated through some of the research questions as well as follow-up questions based on the scope of the responses given by research participants.

Experience with Human Trafficking

This theme is meant to investigate the extent to which migrant farmworkers have experienced or have heard of others' experiences with human trafficking. This theme is meant to measure not only address the experiences the research participants have had with human trafficking, but also to identify how familiar individuals are with the term. Each of these dimensions is critical

because they can provide useful indicators of human trafficking amongst these populations. These dimensions were investigated through some of the research questions as well as follow-up questions based on the scope of the responses given by research participants.

Summary

The research instruments utilized in this study include one set of interviews for the professionals which consists of thirteen open-ended, semi-structured questions, another set of interviews for migrant farmworkers which consists of fourteen open-ended, semi-structured questions, and an informed consent form, written in both English and Spanish. The two sets of interview questions investigated the five major themes in the lives of migrant farmworkers in Western Michigan: the process of migration, the pursuit of employment, living and working conditions, the degree of social mobility, and experience with human trafficking. While these themes have made it possible to gather the relevant data needed in this study, the process of collecting data will be elaborated on in the next section.

Data Collection

The interview questions were administered over the phone to "professionals" and in person to "migrant farmworkers." The professionals were interviewed over the span of three months in late Spring and early Summer and the migrant farmworkers were interviewed over the span of three months in the late Summer and early Fall. While the instruments with the interview questions varied for each of the populations of research participants, the questions asked focused on the five primary themes inherent in the research questions being investigated. The research instruments were assembled based on these primary themes and translated with the help of the Julian Samora Research Institute (JSRI) at Michigan State University.

The professionals were recruited for this study through the Migrant Resource Council lists in each of the regions of Western Michigan. Once these professionals were contacted, they were

informed about the nature and the substance of the study in order to determine whether or not they wanted to continue. Those who wanted to continue were sent an informed consent document which informed them their risks, rights, and protections which attached with their participation. They were then contacted in order to further apprise them of the circumstances listed above, answer any questions they had, and obtain the consent documentation. Once the informed consent documentation was secured, an interview time was set. Since these interviews were often conducted over the phone, they happened during normal business hours and lasted approximately one hour each. Some interviews were completed in as little as forty-five minutes, while others took close to an hour and a half. In order to ensure both parties were on the same page, clarifying questions were often asked by both the interviewer and the interviewee. Responses given by the professionals were then transcribed by typing them into a Word document under the specific questions being asked. This allowed for a quick and easy process by which the data could be collected, recorded, and the data protected in an appropriate manner which protected the confidentiality of the research participant. Once an interview was completed, it was saved in its respective Word file and then closed in a password protected laptop computer. The computer was secured and protected in an appropriate facility.

The other group of research participants, migrant farmworkers, was recruited by a convenience sample with the assistance of Ms. Penny Burillo. These research participants formed a random cross-section of the migrant farmworker community in Western Michigan and were approached for two different reasons, either they had been previously contacted by Ms. Burillo or they had been referred by other migrant farmworkers themselves. The majority of the research participants in this group were chosen from a much larger group of migrant farmworkers but were approached based on their unique circumstances (whether nationality, legal status, family structure, farm they worked for, duration of years as a migrant farmworker, etc.). This diverse group of

migrant farmworkers, despite the fact they were working in Oceana County during the period when I completed the interviews, was helpful because they provided a myriad of different experiences and responses. After these research participants were afforded the parameters of the study, as well as the risks, rights, and protections if they chose to participate in the study, both in English and in Spanish, they were provided with the copy of the informed consent document. They then were asked if they were interested in asking any additional questions and, if they had none, signed off on the documentation. Once they signed off on the appropriate informed consent documentation, the interview itself began.

These interviews were different as far as the data collection process went because they were completed face to face and were recorded. All of the interviews were completed in the residence of the migrant farmworker who was being interviewed. The majority (with the exception of two of the fifteen) of the interviews were completed in Spanish, recorded in Spanish, and then later transcribed from Spanish in the recording into English on Word documents soon after they were completed. During the interviews themselves, Ms. Burillo, the Director of the Oceana Hispanic Center, who is herself fluent in Spanish, served to respond to or ask any clarifying questions in Spanish. Her translation skills, depth of knowledge of the migrant farmworker community in Oceana County, and willingness to assist in this study were critical to the success of the study itself. Once the interviews were completed, as they were with the professionals, each of the migrant farmworkers was paid a stipend of $20 cash for their participation. This amount served not as an incentive to complete the interview process, but rather as a way to compensate the research participants for their time.

Research Questions

The following research questions have been formulated to collect the appropriate data for this study:

1. How are these migrant workers recruited within their countries of origin?

2. How are these migrant workers transported between their countries of origin, transit countries, and countries of destination?
3. How do the living and working conditions compare to those which were presented to these migrant workers upon recruitment?
4. At what point do these migrant workers no longer have control over their situations?
5. Are there limitations on the ability of these migrant workers to freely associate with others, move or transport themselves from place to place, or change jobs or occupations?

Primary Indicators of Human Trafficking

In order to understand the nature of human trafficking within transnational migrant farmworker communities in Western Michigan, I employed a qualitative, exploratory approach in order to identify indicators of human trafficking such as age, signs of force, fraud or coercion, and situations which resemble involuntary servitude, peonage, debt bondage, or any another form of modern-day slavery. Those characterized as traffickers, whether working alone or in concert with others, were those who participated in the process of exploiting another human being for gain through any combination of force, fraud, or coercion. The aforementioned indicators could be signs of abuse perpetrated on a particular worker or group of workers, evidence of deception in terms of the work hours, wages, or living and/or working conditions, the withholding of wages from workers, the lack of mobility in terms migrant workers being restricted to a particular space, and/or real or perceived threats regarding future employment. While these are examples of particular indicators of human trafficking within the migrant population, there could also be other signs which surface in terms of coding the data. I also paid particular attention to other potential signs of indicators like these throughout this process.

Once I collected all of my data, I then transcribed all of my interviews, conversations, and observations from Spanish to English, coded them based on the indicators of human trafficking,

and compiled these findings for the purposes of the dissertation. This process allowed me to further investigate the tension between common migratory practices and forms of human trafficking. There were several different forms of these indicators which appeared in the data collected which allowed me to understand the various indicators of human trafficking present within the transnational migrant farmworker populations in Western Michigan in a more coherent way than current models did. The compilation and codification of this data allowed me to put together and organize my findings section based on the indicators of human trafficking which were most prevalent and relevant to the lives of migrant workers in Western Michigan. This section provided scholars, practitioners, policymakers, and other professionals the opportunity to learn more about the scope of human trafficking within these transnational migrant farmworker communities in Western Michigan.

Specific Approach to Hidden Populations

There are several distinct challenges inherent in conducting research on human trafficking within migrant farmworker communities. Firstly, the subject population for this study was in a very precarious position on several counts. If they discussed anything unfavorable about the working or living conditions with a certain employer, they may possibly be "blacklisted" and not able to work within the farmworker industry for the next few years. Furthermore, depending on their legal status, they sometimes were hesitant to speak about their living and working conditions based on the fear of being deported after they did so. As such, it was very important to ensure confidentiality when conducting these interviews. In order to ensure this confidentiality, I was able to utilize the expertise of individuals such as Ms. Penny Burillo in order to familiarize myself with migrant farmworker populations and their cultural characteristics. Furthermore, having Penny provide the migrant farmworkers who were willing to be interviewed also helped me to gain the trust of the research participants. She helped me to learn from the migrant farmworker populations how it was

they worked within these farming communities without threatening their particular job opportunities in Western Michigan. Another facet of this was ensuring the safety and security of the data I collected from the interviews, presenting and writing my findings in a way which did not implicate the name of a particular individual, which camp they worked at, their employer, the location of the camp, or other identifying factor(s).

The second challenge inherent in the collection of these data followed from the first and involved the process by which I was able to gain the trust of those within the transnational migrant farmworker communities in which I interviewed and utilized for informal question and answer sessions. There are several means by which I attempted to earn the trust of the transnational migrant farmworker population in Western Michigan. The first way was by networking with and learning from those who they trusted, the farmworker legal services community, the migrant taskforce workers, and the religious communities in which they congregated. In order for me to better understand how to earn the trust of the transnational farmworker communities I studied, I needed to partner with and learn from those individuals and organizations who were presently working within these communities. This took place in the first phase of my research based on the professional contacts I made. A second way that I attempted to earn the trust of the transnational migrant farmworker community in Western Michigan was by utilizing my Spanish language skills in order to engage these workers in dialogue. While I may not have asked all of the questions and ended up relying on a translator more than I had hoped to, I was be able to utilize my Spanish language skills to a great degree throughout the process. I also learned about their families, where they came from, and the social processes which brought them to the United States to work in the first place. Though we may have appeared to have many differences, it was amazing how many similarities people from different regions, ethnic backgrounds, religious and cultural traditions had. A final means I utilized to gain the trust of the transnational migrant farmworker populations in

Western Michigan was by compensating their time and effort to take part in my research project. My hope was that providing some sort of financial incentive would not only secure the trust of the farmworkers who took part in this survey, but that it would have also helped provide for their needs and expenses while working in Western Michigan.

A third challenge to working with this population was that it was relatively hidden. In other words, how would it be possible to gain access to these "hidden" populations? In order to gain access to these hidden populations, I relied on those who worked consistently in these settings to provide me with research subjects in various camps who were exhibiting the indicators of human trafficking. They were essential in identifying these hidden populations which, in the case of human trafficking, were almost doubly so (legal status, possible victims of human trafficking). Networking within these communities of professionals not only helped me to identify these communities where transnational migrant farmworkers reside in Western Michigan, but also provided me with potential victims of human trafficking.

This methodological approach was strategic in the sense that it addressed the research questions posed by this study in a comprehensive manner. By relying on a qualitative, exploratory approach I was able to utilize the methodological approach employed to fully understand the research questions posed by this study. The three phases of research attempted to identify the defining concepts of human trafficking through the process of answering a series of questions on the journey of transnational migrant farmworkers, the choices they had made or not made, and the structures or conditions in which they found themselves. The relationship between these defining concepts, their theoretical underpinnings, and the methodological approach was critical to this study.

Data Analysis Procedures

There were several different steps employed to analyze the data in the form of the interview responses for this study. First of all, once all of the responses were recorded, they were then

transcribed from Spanish into English in Word documents. The second step of the data analysis consisted of categorizing the questions asked based on the thematic area they addressed. Since these questions were adapted for each of the groups of research participants, the professionals and the migrant farmworkers, this had to be done in an instrument-specific manner. In this sense, the questions were then categorized in each of the interview instruments based on the thematic area or research question they addressed. While these categorizations were not perfect by any means, they provided a relatively clear cut way to parse out data based on thematic area or research question, with a few exceptions. Once these categories were established I was able to go through the responses manually and type out those which were applicable to each of the areas.

The most reasonable way to do this was to separate each of the categories and address them one at a time. Therefore, I addressed the migratory process theme first by transcribing the applicable responses, from both the professionals and the migrant farmworkers, on a separate document which allowed me to accumulate a cumulative list of responses within each of the thematic areas. Within these cumulative lists I separated the responses of the professionals from those of the migrant farmworkers and made sure to cite which interview each of the responses came from. I also would use some of the response data in other thematic areas, if applicable. Once I transferred all of these responses from the interview response sheets to their categorical partners, I then began to sort the responses within their respective category or thematic section based on a number of factors and ordered them in a logical manner. This process allowed me to sort and order my respective chapters in the findings section.

Once I was able to sort the indicators of human trafficking logically within the steps of migration or the responses to the research questions themselves, I was then able to order them in a way which not only built off of each other, but also provided comparison and contrast, context around a particular response, and nuance within several similar, yet different responses. It was then

important to connect and sequence these ideas through a process of actually assembling and writing the chapters themselves, although synthesizing the responses of the groups of research participants, the professionals and the migrant farmworkers, proved more difficult than initially planned. This sort of synthesizing largely took the appearance of juxtaposing responses between the two groups of research participants by highlighting the differences between the context and perception of the responses of the professionals and the migrant farmworkers while also attempting to harmonize them in a way which leaves the reader with no doubt that the two sides can be reconciled. In fact, that their stories complete, instead of contradict, each other.

Assumptions and Delimitations

There are a number of assumptions with this study. It was assumed that the professionals who were interviewed with this study could provide insight into the possibility of trafficking among migrant farmworkers. It was also assumed that, by interviewing a sample of migrant farmworkers in Oceana County, the responses gathered would shed light on the presence and forms of trafficking among migrant farmworkers in Western Michigan. In each case, however, given the financial and time constraints of the study, the samples of each of the research participant groups contributed to the purposes of this study, which is meant to be the first step in a number of studies which will allow the researcher to better understand the complexity of the data given by professionals from all regions of Michigan, as well as the responses by migrant farmworkers from multiple counties across Michigan.

Another assumption of this study was that either of the research participant groups would give clear and transparent answers to these questions regarding indicators of human trafficking even though the primary population in the study was a hidden population and the term "human trafficking" is unclear to many. While the ability to earn the trust of a hidden population is difficult at best, the researcher attempted to earn trust through a variety of mechanisms in order to ensure

truthful responses to the interview questions asked. Another mitigating factor in this process was the use and partnership with Ms. Penny Burillo, who is widely respected and trusted within migrant farmworker circles, particularly in Western Michigan. These mitigating factors helped to develop as much trust as possible in such a short window of time. Furthermore, as the term "human trafficking" is used more and defined more clearly, it is possible that people will be able to understand how much of the context and background migrant farmworkers endure in the United States seems to be predicated on principles of human trafficking, much like the Transatlantic Slave Trade was during its respective heyday. As time progresses, individuals will have a better idea how to define the term as well as how to respond and report it when they see something suspicious.

There are a few delimitations which also must be considered for this study. When completing the data collection process by interviewing the two groups of research participants, professionals and migrant farmworkers, it was interesting to learn of the diversity of the practices between farms, counties, and other comparable factors. As such, it is very difficult to identify primary patterns of practice based on the counties represented in the interviews of the professionals the beliefs and perspectives based on only fifteen interviews. Moreover, drawing sweeping categorizations or generalizations of beliefs, perspectives, or how migrant farmworkers generally are treated are hardly warranted by such a small sample size and is not the purpose of this study. It is possible to analyze the responses based on the respective research questions asked. It is also possible to make a few recommendations based on such an analysis, but both the analysis and the recommendations are incomplete without a more robust research program which continues to investigate these research questions amongst this category of research participants over various localities throughout time.

CHAPTER 4: THE IMPETUS FOR MIGRATION: VIOLENCE, NETWORKS, AND OPPORTUNITY

In order to understand how transnational migrant farmworkers can become victims of human trafficking, it is important to first consider the social context which lead them to migrate from their particular country of origin to a desired destination country in the first place. While these factors may vary based on each particular set of circumstances, this section will focus primarily on transnational migrant farmworkers and their particular journeys from their countries of origin to Western Michigan. As such, we will need to break down the initial question into several different minor questions. Firstly, which circumstances lead ordinary people in countries such as Mexico, Guatemala, El Salvador, Honduras, Haiti, and other parts of the Global South to leave their homes and search for other opportunities in the United States, particularly in Western Michigan? Secondly, when these ordinary people decide to leave their particular locality, which networks do they access in order to begin the process of transnational migration? Finally, once they begin the process of transnational migration, how do they become familiar with opportunities to work on farms such as those which exist in Western Michigan? The answers to these questions will help articulate the various dynamics of the choices the transnational migrant farmworkers make themselves, the networks they rely on in order to facilitate the process of migration, and the risks involved in such a process. Furthermore, the answers to these questions will help in identifying various indicators of human trafficking within this context such as the presence of economic, physical, and family violence, the absence of economic and social networks, as well as the realization of opportunity.

The Presence of Economic, Physical, and Family Violence

In order to understand the initial impetus for migration for transnational migrant farmworkers who come to Western Michigan, it is important to understand the dynamics of violence which permeate their native countries. These dynamics of violence can often serve as

potential indicators of human trafficking. According to one of the professionals interviewed, economic violence is the primary motivating factor which causes individuals to migrate to places such as Western Michigan, "I know doctors, psychologists, and other professionals who have left their practices in Mexico to pick apples" (Interview, Professional #4). This type of economic violence is rife in many of these sending nations as the employment opportunities available to workers do not afford them at least a reasonable standard of living. According to one of the migrant farmworkers interviewed, "[we] needed to come to the United States because [we] did not have many opportunities to make money in Guerrero, Mexico, where [we] are from" (Interview, Migrant Farmworker #7). Another farmworker concurred, "it was very difficult in Oaxaca because there is no work to support [our] families" (Interview, Migrant Farmworker #9). One farmworker elaborated, "[we] could not buy food, clothes, or soap for [our] families. There is some work if you plant corn or beans or have some animals. But for those who do not have land or cannot sell the crops, even this is not profitable (Interview, Migrant Farmworker #10). These economic shifts have also impacted the personal livelihood of migrant farmworkers.

One family even felt trapped after returning to their native Mexico upon the death of a parent only to find out that "[we] could not get back [to the United States] because [we] had to save a bunch of money again to pay the coyote. [We needed to work a lot in Mexico to save the money. Good thing we had help from friends in the United States" (Interview, Migrant Farmworker #10). Some farmworkers are not as fortunate, however, and are not able to visit loved ones when they die in Mexico because it costs so much to return (Interview, Migrant Farmworker #9). Instead of returning for the funeral of his mother and risk spending several years of his life away from his family saving money to cross the border again, Migrant Farmworker #9 chose to stay in the United States and miss his mother's funeral. Yet another migrant farmworker from Mexico stated his motivation for migrating to the United States, "[I] came to find work because of the poverty and

lack of opportunities in Mexico (Interview, Migrant Farmworker #14). Another group of migrant farmworkers mentioned something similar "there is no work if [we] do not move around. [We] are from Durango, Michoacan, Tamulipas, Reynosa" (Interview, Migrant Farmworker #15).

Other families decided to migrate to the United States in order to pursue what they perceived as opportunities to escape the economic violence of their native countries. One of the families interviewed lived about twenty-five miles from the U.S.-Mexico border and did the best they could to make enough money to survive by selling tacos. One time, while selling the tacos, the Mother, who ran the business itself, was approached by others who insisted she take her business north of the border. Those who bought the tacos encouraged her and told her about how she could make more money selling tacos in southern Texas. After discussing her options, the family decided it was best for the Mother to attempt to migrate and move her business there. Once she was able to establish her business, she would be able to save enough money to send for the rest of her family. To them, the decision was easy. In this case, the Mother was the first one to migrate, then she sent for the rest of her family, who now has found other opportunities to work more hours for better pay in more favorable living and working conditions in Western Michigan (Interview, Migrant Farmworker #13). While this family did not specifically mention physical violence as a cause for their move, they did allude to economic violence as being a factor. It was also quite clear, however, that the family also saw such a move as an opportunity to better their standard of living as well.

As a result, many of the workers then are faced with the choice of living in economic poverty in their native country or attempting to migrate to some other destination country in search of a better living for themselves and their families. Without this form of economic violence and the lack of opportunities in their native countries, those who choose to migrate would largely prefer to remain in their native countries. This is often shown by the lack of agency many migrant farmworkers feel. Many of them often feel as if they have no choice whatsoever in the process. As

such, it is a commonly accepted truth among the majority of the professionals who regularly work with transnational migrant farmworkers in Western Michigan and the farmworkers themselves that economic violence is the strongest push factor in necessitating a move to someplace such as Western Michigan.

The lack of physical security in many of the sending nations constituted the second major cause for transnational migration to Western Michigan. In fact, the safety issue pervaded responses as to why individuals would move from country to country but also why they would move from state to state (Interview, Professional #2, #4, #6; Interview, Migrant Farmworker #5). On the one hand, professionals and farmworkers alike recounted how the lack of security and infrastructure in these respective sending countries promoted violence and mass migration to places like the United States and, for the purposes of this study, Western Michigan. For instance, one migrant farmworker mentioned how "[we] came out of necessity the first time. [We] needed to escape the poverty and danger in Mexico" (Migrant Farmworker #11). Another migrant farmworker, who had worked for diligently for years to bring his wife and several children to the United States with him, stated that "[we] came to the United States first from Guatemala because it was so dangerous in Guatemala and because they had no work there. We just saw on the news that there were ten people killed in a village near ours" (Migrant Farmworker #5).

Migrant farmworkers would also talk about their decision to leave a state like Florida and come to Michigan in order to find more peace and tranquility and more opportunities for their children. So, while they explained how they left their home countries in favor of a work opportunity which allowed them a stronger infrastructure (access to schools, benefits such as insurance, social security, unemployment, housing options), some were able to choose not only between their home countries and a destination country, but they were also able to choose to what extent they wanted to

live in work in a state like Florida, which many disliked for minor versions of violence, as opposed to a state like Michigan, in which they felt safer and had more opportunities for them.

The first migrant farmworker described this decision-making process between states "[we] were working in Florida and were invited up to Michigan. Michigan was much better for the kids: the environment, the schools, the pace of life….the teachers were better in the schools with the children" (Interview, Migrant Farmworker #1). Another migrant farmworker identified a different set of benefits when coming to work in Michigan, "the previous employer did not want to pay them, so they came to Michigan where the farmers treat you better (than in Florida). The costs of living are lower because the cost of housing and utilities is lower" (Interview, Migrant Farmworker #4). Another farmworker mentioned a more practical concern, "I came to Michigan (as opposed to other states he had worked in) because there was more work, more hours, and better pay" (Interview, Migrant Farmworker #6).

One of the younger migrant farmworker couples identified a different benefit when deciding which state to work in, "[Michigan] has a better climate, environment, and working conditions; it is much better for a young family" (Interview, Migrant Farmworker #7). Whether it was choosing to migrate to the United States as opposed to Mexico or it was moving to Michigan from Texas or Florida, both professionals and migrant farmworkers identified physical security (and a lack of physical violence) as preference over a lack thereof. Such a presence of physical security was also found in terms of a more stable infrastructure or public sector which provided certain benefits for migrant farmworkers such as housing, access to education for their children, and social benefits for the farmworkers themselves. The testimonies of the professionals, as well as the transnational migrant farmworkers, show that they leave their native countries to escape physical violence while also choosing which state to work in based on the absence of physical violence, among other factors, in the form of a relative amount of public security.

Many of those individuals who decided to migrate from their respective sending countries based on economic and physical violence often had to leave their immediate and distant families in order to do so. While finances and security are the primary motivators for migrating across borders, many individuals simply want to migrate in order to reunite their families. According to one professional who was interviewed, families "do not want to worry about the waning opportunities in their own lives, they want to do the best they can to secure a better lifestyle for their children" (Interview, Professional #6). One of the transnational migrant families interviewed described this process in great detail.

Another migrant farmworker had decided to migrate from Guatemala due to extreme levels of physical violence and insecurity (he had also been robbed and lost his job as a chauffeur) to come to the United States to work and attempt to support his family. He had used previous connections with family and friends to make the journey to the United States and work first in a restaurant in New York and then later as a painter in the Midwest. After saving up enough money to send for Mom to come to the United States (Mom left the children with her parents, a common occurrence in cases like this), Dad and Mom then saved up enough money to send for their children. In a very scary situation, the children came together but were separated by the immigration police only to have one of the younger children nearly lose her daughter (who had just been born only weeks before) as criminals threatened her life while she was on the phone with her mother. Since the son and daughter (and newborn granddaughter) had some money left, they were able to pay the criminals enough to not harm them and ensure their safety while Dad and Mom sent more money to complete the process (Interview, Migrant Farmworker, #5).

During the interview, Mom had tears in her eyes as she told this story of how they sought family reunification in the face of both economic and physical violence. Both parents are currently working in Western Michigan in order to pay off the large debt they owe for bringing their entire

family over to the United States from Guatemala. While it will take them a great deal of time to pay off the debt, their oldest son is doing well in a local high school and their other children are enjoying the opportunities they have in Western Michigan as well.

Based on the interviews and evidence above, three primary forms of violence (economic, physical and familial) precipitate transnational migration from several countries in Latin America to the United States. These forms of violence, which are caused by a myriad of independent social ills within the countries in question, also make it possible for traffickers to take advantage of these vulnerable populations. The lack of economic opportunities (economic violence) in many of these sending countries make individuals more susceptible to the advances, promises, and whims of traffickers looking to profit from individuals' misfortunes. The lack of physical security through public infrastructure (physical violence) serves as a motivating factor for others to escape such circumstances and seek shelter and refuge in promises traffickers make. The lack of a strong family structure (family violence), which has been evident in several of these migrant testimonies, leaves individuals in a position where they lack the necessary social supports to care for themselves and their needs.

These forms of violence heighten the likelihood that vulnerable populations, such as these migrant farmworkers, will be trafficked across international borders in order to seek the opportunities they feel will lead to a better standard of living for themselves and their families. These risks are heightened based on the levels of violence. As the violence becomes more serious, there is a greater likelihood residents will attempt to leave based on how serious the danger is. While it is not always apparent in their testimonies that they may have been trafficked exclusively throughout this process, many of the circumstances they find themselves in as passive actors situated within a social structure which dictates which choices they make and how they choose to improve the lives of their families for generations to come. These sets of circumstances may not be

clearly defined as human trafficking throughout their respective path of migration, but elements of each process may involve human trafficking as such or may resemble elements of force, fraud, or coercion, whether implicitly or explicitly. As such, it is important to understand the process of migration these migrant farmworkers endure in order to better understand and piece together the supposed indicators of human trafficking involved. Without such an understanding it is easy to decry a particular social issue such as human trafficking without actually comprehending and appreciating its intricacies and nuances. Any claims or statements made without this understanding run the risk of facilitating emotive responses to a very complex issue which requires a great deal to address its causes and remedy its effects.

From a theoretical perspective, however, these forms of violence are often tied to economic globalization, which concentrates production of goods and services, particularly in agriculture, in the Global North, as agribusinesses take advantage of large crop yields by exporting produce at cheaper prices to the developing world. This results in peasants abandoning their land and migrating to the Global North. In other words, exporting surplus goods, largely grown as a result of advanced technology and greater subsidies, drives large agribusiness while creating migration flows from the countries whose farmers have been displaced through these economic processes. As such, this economic violence, largely created by the structural changes brought on by globalization and the expansion of free market economies, leads to large cases of forced migration and, as a result, a greater likelihood that some of those migrating will be trafficked.

Furthermore, the erosion of the nation-state, largely imposed by structural adjustment programs, themselves the product of practices of the neoliberalism and globalization mentioned by Bales, also erodes the public security forces within the villages where many migrant farmworkers initially live. Whereas large subsidies and ready access to advanced farming technologies allow large agribusinesses to export surplus produce to the developing world, globalization also mandates the

reduction of the nation-state and the services it provides to the public, in order to maximize external debt payments. As a result of the erosion of public security, many villagers and residents decide to migrate to places in the Global North where public security is funded in order to protect their families. Again, these large migration flows result in a greater risk of human trafficking as those who are able to migrate legally do so, but those who are unable to migrate legally utilize illicit networks to help them migrate, resulting in a greater risk they will be trafficked. Given these recollections of migrant farmworkers in Western Michigan, it is clear that process put in place by globalization and extreme versions of free market economics lead to a greater risk that they will be trafficked.

While it has been important in understanding the role of violence as an indicator of human trafficking within transnational migrant farmworkers during their journey to Western Michigan, it is also essential to comprehend the complexity and nature of the networks involved in such a process. There are many different actors and players within this system of networks which aspiring migrants negotiate as they seek to escape the economic, physical, and familial violence in their respective countries of origin. The next section of this chapter will then address the role of human and social networks as migrant farmworkers seek new opportunities in the United States and then eventually in Western Michigan. It will also address how these networks can also be used as a means to trap individuals into systems which may exploit them through the process of human trafficking.

The Absence of Economic and Social Networks

The importance of economic and social networks cannot be understated when learning about the process of human trafficking. Once prospective migrants decide that the best thing for them and their families is to migrate to the United States, they then must rely on these networks in order to facilitate their journey from their native locales to their desired destination. As with the threat of violence, these networks can also be understood as a risk as traffickers often infiltrate them in order to recruit and secure those who are vulnerable for their own purposes. While this does not

happen in every case, it is important to understand such risks in deciphering the indicators of human trafficking. As such, this section discusses which networks these vulnerable populations use in making the journey from their native locale to their desired destination, including what means they use to cross the border and make contact with those in the United States. It will also underscore the importance of economic and social networks as they relate to indicators of human trafficking. The next section, then, will outline in detail the networks individuals use to secure particular economic opportunities for work in the United States. In order to better understand how vulnerable individuals begin the process of migration from their home country, it is important to first discuss the various programs and social networks which already exist to facilitate the recruitment process.

There are several different ways, both formal and informal, by which workers are recruited to migrate to the United States to work. The most common formal program put in place by the United States government to recruit workers from Mexico is the H(2)(A) Visa program. Initiated several decades ago in order to fill labor shortages in particular sectors of the U.S. economy, this program allows companies and employers in the United States to bring workers from Mexico and other qualified countries to work for defined periods of time in certain economic sectors (such as agriculture) experiencing labor shortages. This program is formal in the sense that it has a detailed process by which employers and prospective employees must follow in order to bring migrants to the United States in order to work.

The program is, however, and has been historically, very elastic in the sense that its activity or influence often is determined by the state of the U.S. economy. For instance, when the U.S. economy is expanding and unemployment is low, there are likely to be more Visas issued through the H(2)(A) program because of the surplus in jobs, particularly those dangerous or undesired jobs; whereas in a stagnant or struggling economy, the limits on the granting of H(2)(A) Visas would be limited because of the lack of economic opportunities and resulting anti-immigrant or –migrant

sentiments. As such, it is not much of a surprise that recently the H(2)(A) program has very much been restricted because of the economic recession in the United States. Despite the recent restricted nature of the H(2)(A) program, it is still important to understand the process and how it impacts migrant farmworkers, especially those in Western Michigan, and how it can be manipulated into a tool for trafficking people.

While the majority of the professionals and migrant farmworkers were familiar with the program but did not have a lot of experience working within it, several of the professionals were particularly helpful in explaining how the H(2)(A) Visa program worked for migrant farmworkers in Western Michigan. According to one of the more knowledgeable professionals, the H(2)(A) Visa process normally works as follows:

> Under the H(2)(A) program, there are often recruiters in Mexico within the larger cities which will broadcast work within Mexico. Prospective workers will go to the recruiter, who then helps the workers fill out an application which charges them a considerable fee (even though this is unlawful in the United States and Mexico). Problematic workers are unlawfully blacklisted. Under this program the employer is obligated to pay fees for transporting workers from sending to destination countries. Often, however, workers take out loans and then prospective employers must have half of the loans paid back to the worker within the halfway point of their employment. Then full reimbursement is paid by the end of the time working for the employer (Interview, Professional #2).

Since the H(2)(A) Visas are issued to skilled workers, many of the individuals who make contact with the recruiters must demonstrate their particular skills and/or abilities in order to qualify for the program. The skills and abilities which help qualify them for employment are set up based on the needs of the U.S. government and the particular government of the state (in this case, Michigan). The program also serves as a form of contract between the employer and the employee, limiting the employee to working a job only for that employer. As such, the migrant farmworkers who come to the United States to work on H(2)(A) Visas are guaranteed work for a defined wage and period of time with a particular employer, but such an arrangement, while defining some sense of certainty for the employee, also restricts his or her movement, gives the employer a great deal of social power,

and largely does not protect the rights of the worker in cases of exploitation and/or human trafficking. One professional articulated this well:

> Some employers will actively recruit by going to another state and/or country, they will also hire recruiters, especially if they are utilizing the H(2)(A) Visa process. For example, a Michigan grower will hire a Michigan recruiter, often then the recruiter contacts someone within the sending country. Employment under the H(2)(A) Visa is something where the employer needs to apply for Visas. They need to show that they tried to recruit from the United States first. Generally, employers will go to the recruiting country for these types of Visa arrangements (Interview, Professional #2).

Another professional commented on the frequency of H(2)(A) workers, given the economic and political climate, particularly in Michigan, "not as many folks [are] coming from other countries, unless they are H(2)(A), which we do not have many of those, only about 600 total [within her county] last year" (Interview, Professional #8).

In these cases, it is altogether too common, as mentioned above, for workers to be "blacklisted" should they file a complaint or seek recourse for any wrong which has been done to them. Based on these circumstances, it is altogether too common for migrant farmworkers to not report cases of human trafficking or other forms of exploitation because once they are put on the "blacklist," they are no longer eligible to come to the United States under arrangements such as the H(2)(A) Visa program. And, given the levels of economic, physical, and familial violence they encounter in their home countries, they may make the decision to endure countless forms of exploitation such as human trafficking as an alternative to returning to their countries of origin.

Once the recruiter, who often serves as a sort of middleman (most commonly referred to as a contractor or crew leader), has charged the interested parties exorbitant rates to fill out the appropriate paperwork, he then works with the appropriate formal channels in the U.S. Embassy to file and help process their paperwork to get them registered under the H(2)(A) program. Once the applications are processed in the appropriate Embassy(ies), the H(2)(A) workers are then

transported from the Embassy in Mexico to the United States. One of the other professionals explained the process very concisely:

> There are a lot of workers from border towns in Mexico. They take a bus all the way up to the North from the Embassy in Mexico. These workers have been recruited by postings or they have heard about them from someone in their home country. They then visit the U.S. Embassy, apply for the H(2)(A) Visa, the worker pays for the Visa, and then pays to get to the United States. They pay for the cheapest form of transportation. They receive specific information at the border and then are bussed to the nearest major city and then sent to their workplace. There is normally a representative at the nearest large city to escort them by bus, train, or other transportation to the employer. In the cases where the worker has paid for transportation, the employer is supposed to repay the cost of transportation in a timely manner. Due to the large number of workers each employer receives, however, the employees are not always reimbursed (Interview, Professional #10).

There are many different elements of the H(2)(A) Visa process which often put migrant farmworkers at risk. In addition to the restriction on migrant farmworkers' mobility under such an agreement, those who want to qualify for the program are vulnerable at a couple of different points along the way before they even reach the appropriate Embassy or Consulate to apply. First of all, there are often recruiters who will help facilitate the application process for a particular individual or group of individuals within Mexico. This recruiter (who later may become a contractor or crew leader) becomes the point of contact between the individual who wishes to migrate and perceived opportunities in places like the United States. As such, this disproportionate share of social power often allows such a person to misrepresent or manipulate the relationship with a prospective migrant worker. These individuals often charge exorbitant amounts which could lead to bonded slavery or allow individuals to exchange themselves or sexual favors for such access to these applications.

Another means of exploitation could happen within the process of applying for the Visa itself. In many cases individuals are charged a large amount of money to even interview for such a process. In many Embassies, it costs between $150 and $200 for just one appointment at the U.S. Embassy. It is also common practice to reject applicants the first time so that they will have to come back and re-apply, meaning that they will have to pay an additional $150 to $200 to apply

again. As such, individuals who wish to apply for an H(2)(A) Visa must first pay someone to fill out their application correctly, then pay at least once, if not twice or three times, to have an appointment at the U.S. Embassy, and then pay a great deal (albeit illegally) for transport to their future workplace *if* they are granted a Visa under the program. These excessive costs, let alone the bureaucratic procedure itself, cause individuals to have to make choices about borrowing money to pay for such a process. It is in such an environment that these individuals can be exploited by traffickers or others.

Another formal process by which individuals may apply for a Visa is called the V-2 Visa process. This process is also susceptible to being infiltrated by traffickers, particularly through whether or not workers are authorized or unauthorized to work in the United States. While this process is much less formal and is not set up to recruit workers to a particular organization or place of employment, it does allow applicants to cross the border and work, shop, or vacation within twenty-five miles of the border. Migrant farmworkers often insist that the reason why this Visa was created was to give Mexicans and others the opportunity to come and shop in the United States. Normally, as with the H(2)(A) and other similar Visa programs, you need to show that you own land or a house in Mexico or that you have other connections in your home country that would prevent or deter you from overstaying. According an interview with one migrant farmworker and her family:

> It is not that difficult to pay for documentation to cross the borders. It is about 300 pesos in Mexico. You can get a V2 Visa to come within 25 miles of the border. It normally costs about $30 for one of those. You have to show immigration that you have a lot of money to come shop or something like that. You can normally come for 15 days, 3 months, 6 months, depends on the type of worker and Visa. Now those Visas are up to $300. And in order to get the Visa, you need to pay $200 just to get in the door. Then you need to get another appointment because they deny you the first time because they say you do not have the connections to get back to Mexico (Interview, Migrant Farmworker #13).

While these types of Visas were not as commonly utilized based on the interviews conducted for this study, they should still be considered in terms of the next topic of conversation, the informal networks which exist in order to facilitate the movement of individuals who are interested in

migrating to the United States in order to escape the violence in their home countries and find new opportunities for work and a better lifestyle for their children.

While these programs were not discussed much within the context of these interviews, it is important to understand that many of their risks mirror those faced by the workers who come to the United States on H(2)(A) Visas. These individuals are at risk based on the recruitment practices, the costs of visiting a U.S. Embassy and applying for a Visa, and they often form a class of individuals who, like the H(2)(A) Visa holders, also overstay their Visas in hopes of fulfilling their dream of escaping endemic violence in their home countries and providing a better life for themselves and their families. In fact, many professionals and migrant workers alike made it a priority to mention that approximately one-half of the workers they were aware of had once been documented in some way, shape or form. According to one professional who has worked extensively with migrant farmworkers, "as far as those who are undocumented workers go, those who stayed and those who came in with a Visa, the majority of [them] had a Visa at some point" (Interview, Professional #2). For those who overstay or who are undocumented, it is difficult to rationally explain why they would settle for avoiding the violence and seeking a better life for their families in a fixed short-term window without attempting to realize such goals over the long-term, a permanent solution to their particular set of circumstances, if you will. It seems that, to them, they would rather chance getting caught without being documented than return to their home country and continue to be plagued by the various forms of violence and lower standard of living there.

While many of the professionals and migrant farmworkers are somewhat familiar with these formal processes, the majority of them were more used to dealing with the informal networks that migrant farmworkers routinely rely on in order to secure employment in the United States. The differences inherent between these formal and informal networks are often informative regarding indicators of human trafficking. While there are many accounts of how transnational migrant

farmworkers first migrated to the United States and then Western Michigan, the process normally starts with some sort of acquaintance or person in the particular locale where the individual lives. This acquaintance could be a family member, a friend, a local politician or business owner, or a recruiter. For example, one of the migrant farmworkers stated that "he contacted a man's wife from the village, and [she] helped him communicate with someone who could take him to the United States (Interview, Migrant Farmworker #5). Another migrant farmworker was more specific:

> There was someone in the municipality, in our hometown, who knew how to get them across the border. There was a man and they (he and some others) would go there and talk to him. He would write down our names and when we got 20 or 25 people, we would get together and decide how to cross. He would charge us an amount and help us to get across (Interview, Migrant Farmworker #10).

While some migrant farmworkers identified acquaintances they knew in their respective villages, others were aided by family and/or friends. One migrant farmworker decided to come with his friends, "[I] had friends who had come over the border. [I] decided to go with them [to find work in the United States] (Interview, Migrant Farmworker #11). Another migrant farmworker had come to the United States to work through connections with family. He described the process, "[I] came in 2005. I went to a border city and was with a woman there. I tried to learn the trades for some time but then heard about opportunities from her half-brother. He helped me go to the States" (Interview, Migrant Farmworker #14). These friends and family comprise one of the most important social networks that migrant farmworkers rely on, not only for transportation and connections as part of their decision to migrate, but also through the process of finding work once they cross the border into the United States.

Other farmworkers also talked about the level of difficulty now compared to before, when it was much easier to find the means to migrate to look for work in the United States. One farmworker expanded upon how things had changed, "Back then it was easy. Now it is much more difficult. The person [that I talked to] in my village has contacts with hotels, a house, or coyotes

near the border (Interview, Migrant Farmworker #9). Many of these changes in terms of the process of migration have been made more difficult by policies which are put in place to strictly regulate the border. As such, the prices for transportation, application, housing, crossing, and finding work in the United States have all gone up considerably, making it more difficult for poor peasants and other vulnerable populations to migrate from countries in Latin America to the United States. As these prices have gone up, vulnerable populations trying to migrate to the United States find themselves even more at risk of things such as human trafficking because they need to borrow or raise even more money to escape the circumstances they find themselves in. While the first step to successfully migrating to the United States happens in their home villages and other locales, the next step requires migrants to contract with someone to travel to and cross the border.

Many migrant farmworkers come to the border with varying levels of familiarity. Some migrant farmworkers claimed that once they came to a border town to meet a coyote, they did not know anything about what was happening. One migrant farmworker sounded scared when he described the process, "you do not know much of anything when you cross the border. You don't know anyone. They don't know you. They just demand a lot of money and then you go. [I] crossed with a coyote, but then [I] had to find my brothers who had already crossed" (Interview, Migrant Farmworker #9). Another migrant farmworker described the process in much more detail:

> [You] never know how long this (the process to cross) will take. They just wait and wait. They have to follow his lead. The coyotes had big cars. They would take everything out of the car, stack the people in every part of the vehicle, and then you had three tries. If in three times you did not make it, you needed to pay again. They did not cross the first time. One time they did not make it. Immigration picked them up, put them on a bus, and then sent them back to Mexico. They tried again and got over the second time (Interview, Migrant Farmworker #10).

Another migrant farmworker talked about the differences in prices over time and how things had become so expensive, "In 1997, it cost about $2,500 for each one of them to cross the border. Many people will not even try anymore because it costs something like $5,000 or $5,500 now. It is

too much for them to borrow. And it is difficult to make this money and pay it back" (Interview, Migrant Farmworker #11). So, after transnational migrant farmworkers reach the border, they often have to pay the coyotes and others large sums of money in order to cross. This is another risky venture for migrant farmworkers because they often have no guarantee that a coyote will lead them across the border, whether he will care for them during the journey, or if will just take their steal their money and leave them in an unfamiliar place. The coyote may even decide to pass them along to another individual who could abuse or exploit them in a way inconsistent with their hopes of making it to and working in the United States. These types of risks leave these migrant farmworkers even more susceptible to various forms of exploitation such as human trafficking.

While some migrants have the entire amount with them and are able to pay the coyote in full, others rely on friends and family members in the United States to help guarantee their trip the rest of the way. Several of the professionals, some of whom were once migrant workers themselves, testified to the fact that many of the migrant farmworkers have already established connections with friends and family in the United States. According to one of the professionals, "Many of these transitional workers have come to the United States because a coyote smuggled them across. There is a contact person who will then transport them to their place of employment, navigate the language barrier, and help them get accustomed to the changes in the United States" (Interview, Professional #12). Sometimes, however, those who are indigenous or who do not speak Spanish or English have a much harder time and are much more vulnerable when they enter the United States (Interview, Professional #12). Another professional made the connection between this step in the process of migration and the risk of human trafficking involved:

> Many of these workers know people right across the border. They know of someone who is able, after the coyote, to transport them to see their family member, friend, or other individual. This is where human trafficking can take place because these individuals often rape, charge people very high costs, or force them to work off large amounts of money. They are often bussed with buses or use transportation with people they know to get

> wherever they go. Often times people will caravan for long distances to get where they need to go (Interview, Professional #13).

Another professional elaborated:

> Once workers get into the United States, there is always someone who they know. They need to get to them. Once they get across, they go to San Antonio, Houston, they will get someone to take them to another state. They first go to North Carolina, Tennessee, or Georgia, from there they will go to Florida, Wisconsin, Michigan, Minnesota, or Ohio (Interview, Professional #14).

Not only do these migrant workers need to have someone they know in the United States to help with transport, but they often need someone to help guarantee or ensure their costs. In fact, in many cases this is a condition for passage. For many migrant farmworkers, they were able to raise the money to pay for the transportation fees from their hometown or village, as well as part of the costs for the coyote, but many of them rely on friends, family, and, in some cases, employers, to pay the rest. Several migrant farmworkers described how this process works. One migrant farmworker described how this process worked for them. Without family who loaned them the money, they would never have been able to migrate:

> [We] owe [our] family a great deal of money. It will take [us] several years to pay it (their debt) off. My brother in-law helped us get the money, we are from Chiapas (one of the poorest states in Mexico) and they could get a border crossing card to Mexico City was all. Then they needed to pay the immigration police to cross the rest of Mexico. His wife had a cousin painting in Michigan. Between the brother-in-law and cousin, as well as other family, they were able to make it across the border as a family (Migrant Farmworker #5).

Another migrant farmworker described how his family, particularly his brothers, helped to pay his costs in crossing the border and becoming a migrant farmworker:

> [I] contacted family in Michigan and they agreed to pay for [my] costs. They also agreed to pay for transportation to get [me] where [I] needed to go. [I] needed to confirm (with the coyote) their existence and that they could pay for [me]. As a result of their support, [I] took a van from Arizona to California, and then came to Michigan by plane. It would have taken much longer without their help. By picking crops in the day and working in a factory at night [I] was able to pay off my debt in a three or four months (Interview, Migrant Farmworker #9).

Another migrant farmworker also had a brother help to facilitate the transaction as he crossed the border. He also used his newfound earnings in the United States to help pay off his brother and bring his wife over so she could work and be with him (Interview, Migrant Farmworker #10). Since migrant farmworkers often borrow from friends and family in their home countries to get to the border and then borrow from friends, family, and other acquaintances in the United States to get to their perspective place of employment, it is not uncommon for them to have two separate debts: one in their home country and another in the United States. One particular farmworker lamented on this inevitability of working for their costs of living in the United States, owing a debt to friends and family in Mexico, and owing a second debt to friends and family in the United States:

> When we got to the border we needed to borrow from our contacts in the United States. Since we already knew we owed people in Mexico, now we had two debts: one in the United States and one in Mexico. Then, if we were not able to cross successfully, we would need to borrow again to try again. Then we would have another debt. It normally takes people at least one year to pay off these debts. If you end up in Mexico, it takes much longer. This is in addition to using the black market to get your papers, which can cost anywhere from $300 to $500 for those. It is very difficult to come by these (Interview, Migrant Farmworker #11).

Another migrant farmworker commented on his experience with crossing the border, "With the smugglers you need to pay them half up front and the other half when you get across. Someone in the States needs to have the other half or you cannot cross. It took [me] one year to pay back $1,500 when he crossed about nine years ago" (Interview, Migrant Farmworker #14).

As mentioned previously by one of the professionals, the risk for being exploited heightens the further you go with the process of migration. Migrant farmworkers often have to borrow money not only from their friends and family in their home countries (if their friends and family cannot loan them the money then they often are at risk of being taken advantage of by politicians, business owners, or elements of organized crime), but they also have to borrow money from entities in the United States. If they are fortunate, they are able to borrow money from people they know and trust within the countries they are traveling to. If they are not, then they sometimes will trust

and borrow money from business owners, recruiters, elements of organized crime, or other illicit entities in their quest to migrate to the United States. As part of the process they also have to consider the possibility that they may not make it over the border without being detained and, depending on how many chances they have to cross, they might have to come up with more money to pay the coyote to cross again. All of these risks, coupled with the uncertainty of work, the affordability of housing, the availability of electricity and other utilities, makes the decision to migrate a very risky proposition for migrant farmworkers. There may be less risk involved for migrant farmworkers who have friends and family in the United States, especially considering the role that some recruiters play in the process of migration.

While some migrant farmworkers rely on friends and family to help front them the money to get to the border, cross it, and then connect with their place of employment, others rely on recruiters, or as we will call them, either crew leaders or contractors. The role of contractors was discussed in part within the section on H(2)(A) Visas, but contractors are often present in many different stages of the migration process, both formal and informal. In addition to covering the role contractors often play in facilitating the migration process, this subsection will also cover other avenues migrant farmworkers utilize once they cross the border into the United States.

The role that labor contractors play is often dictated by the intentions or lack thereof on behalf of the farmer. While some professionals had heard of contractors, others had not. While some professionals had experienced good interaction with contractors, others had not. The same thing also seemed to be true with migrant farmworkers. Some of them had worked with labor contractors, especially in the Southern states like Florida, Georgia, the Carolinas, and Texas. Others noted that they had witnessed labor contractors being used with greater frequency on larger farms as opposed to smaller farms, in distant counties within Michigan as opposed to Oceana County. As such, it was difficult to pin down exactly what the role of a labor contractor is with regard to the

migrant farmworker populations in Western Michigan. Surely, not all labor contractors took advantage of their workers, but some, on the other hand, definitely did.

In fact, one of the professionals described the role of labor contractors (recruiters) from a very basic standpoint, "The groups that [we] interact with, the majority of them are [here] because of a recruiter. There are big farmers who would not get along without these recruiters. Much of the time the recruiters bring [the workers] in to the camps and the families are already pretty close to the recruiters" (Interview, Professional #6). Another professional could sense that some of the crew leaders she had worked with were exploiting the migrant farmworkers:

> The process becomes complicated by "recruiters" who have no loyalty to the workers, but whom are often paid by the farmers or someone else to recruit workers. This happens at the level of the larger farmers where they will hire recruiters to go bring workers. This practice happens more with single workers than it does with families. These recruiters will be paid to bring a certain number of workers, will misrepresent the wage to the workers, and sometimes misrepresent other terms of employment to the workers. Then, as the recruiters arrive, farmers will sometimes just pay the recruiters the wages, which then the recruiter skims money off of the top or robs or cheats the workers themselves. Normally this does not happen but we have seen this at bigger camps (Interview, Professional #13).

As mentioned before, some professionals were not used to dealing with recruiters because they did not work with H(2)(A) Visa holders, did not work in large enough camps, or were used to hearing more about crew leaders in the Southern states than they were in their respective county in Michigan.

The concerns which were voiced by many of the professionals who did not have as much contact with recruiters were often confirmed by the migrant farmworkers, many of whom had encountered recruiters who treated them badly by skimming their wages, making them work unreasonable hours, or forcing them to live in crowded living conditions. One of the migrant farmworkers who had extensive experience working in farms in California, North Carolina, and Michigan stated that he "had heard about such recruiters through the H(2)(A) Visa program, but as someone who never held that type of Visa, had not met one. He did claim that he knew they

existed, however (Interview, Migrant Farmworker #6). In addition, another farmworker claimed that his family "had experiences with horrible crew leaders (recruiters). They would make them pay $1,000 or more to move wherever there was work within the State of Florida (Interview, Migrant Farmworker #10). Other farmworkers frequently complained of labor contractors who shorted them money, made them reside in deplorable living conditions, and who charged them unreasonable housing and utility rates, particularly in Florida. Many of them claimed that moving to Michigan was one of the best decisions they had ever made. In fact, during one of the interviews, a migrant farmworker couple stated that they had worked for several months raking pine needles in a forest for a farmer in Georgia only to never get paid a dime. This frustrated the couple as they had to live in their car in order to complete this particular job (Interview, Migrant Farmworker #14). This sort of abuse was not limited to Florida and Georgia, however, as migrant farmworkers also complained of abuse at the hands of recruiters in counties in Northern Michigan such as Grand Traverse (Interview, Migrant Farmworker #3). While these cases are much more frequent amongst those workers who are coming for the first time to work (many of the farmworkers had first gone to Florida to work picking oranges), as well as amongst those who had fewer social networks (such as indigenous Oaxacans or ethnic Haitians), there was not a group or population of migrant farmworkers which was not impacted by the abuse of the recruiters.

Before moving on to the final section of this chapter which discusses how many migrant farmworkers find their respective jobs in the United States, it is important to finalize our discussion on the role that economic and social networks play within the process of migration. Once the migrant farmworkers are able to cross the border and establish contact with family, friends, recruiters, or other acquaintances who will then lead them to their final destination, before their initial social networks becomes cemented within the process of migration, they need to confirm in

some cases, or search for in others, an economic opportunity which will sustain them and allow them to escape, whether temporarily or permanently, the violence within their home countries.

The realization of these opportunities, whether fictional or real, happens in different steps for those who journey between countries in search of opportunities. For those who come with established connections on behalf of family or friends, they have some sort of frame of reference around what that opportunity will look like. While they do not realize this opportunity in its actuality, the migration process is nonetheless incomplete without them first connecting with their familial or friendship network. Whether they know it or not, some of these networks have been established for some time. Some migrant farmworkers enter into social networks which have been established over the last few decades by family members and other friends. One of the professionals describes this notion as a "legacy":

> The farmers tend to groom the same families year in and year out. The workers use informal networks and word of mouth. Texas, Florida, North Carolina, New Jersey, much of this is based on verbal communication within the migrant community. Many times the workers try to work on the farms which supply housing. But many times these workers will come to the same farms every year. Family connections and recruiters reach out to farmers in Mexico. Some come on a H(2)(A) Visa, some recruited, some come with family and friends (Interview, Professional #3).

These types of arrangements are straightforward and clean for those migrant farmworkers coming from countries in Latin America because the preexisting networks complete the process of migration for them. Some of the professionals estimate that half of the migrant farmworker population is comprised of those who come to the same farms, counties, or regions year after year looking for work (Interview, Professional #4). Other professionals concur in terming the process cyclical for those who have overstayed their Visas and worked in places like Western Michigan before (Interview, Professionals #4, #5, #6, #7, #13, and #14). In these cases where migrant farmworkers are entering already existing social networks with connections through family and friends to the labor stream, the transition is much cleaner.

The transition for those who do not have the preexisting social networks is much more difficult. For those who are coming for the first time, they may have no idea where they will find work. For these individuals, they often rely on already established ethnic enclaves to provide them with information about perspective jobs and other economic opportunities. There were several migrant farmworkers who claimed to be working alongside others who were "first-timers." They claimed to help them when selecting a workplace and guiding them away from trouble spots where either the farmers do not take good care of his workers, or the recruiters or others will exploit them. These populations, whether they are indigenous, do not have other similar ethnic groups who have come before them, or are not as educated, are at a greater risk for being exploited or trafficked.

The lack of economic and social networks in the lives of migrant farmworkers is critically important not only in through the process of migration, but also in terms of the prevention of human trafficking. While many of the migrant farmworkers who come to the United States come in order to flee economic, physical, and familial forms of violence, they have varying access to these economic and social networks along the way. For those who have some sort of familiarity with others whom, whether from their particular village or not, have migrated before them, their journey remains difficult but it also has a certain level of predictability that allows them to proceed with caution and protect themselves when possible. They are able to rely on those whom have gone before them for advice, personal wisdom along the way, as well as financial support when needed. These sorts of economic and social networks are more likely to sustain them throughout the process of migration and keep them from being exploited or trafficked.

This support comes in the form of direction and guidance to the border, reliance upon a more familiar coyote or other individual who will attempt to smuggle the migrant over the border, and specific friends or family within the United States who can help to guide them (or who can support their guidance through previously established networks) to their perspective place of

employment. This established human network, while somewhat unpredictable, offers more assurance to those who are following in others footsteps. Migrant farmworkers with access to these types of resources will be much less likely to be victims of human trafficking or other forms of exploitation as a result of their proximity and familiarity with these preexisting networks.

The indicators of human trafficking within these groups of migrant farmworkers are much more prevalent amongst populations that are more marginalized and travel without these already established economic and social networks. For those who do not have access to the appropriate financial resources within family or friendship networks, they are often forced to borrow money from sources they are not as familiar with. These situations can lead to forced labor, debt bondage, and other forms of modern-day slavery. For those who get to the border without having arranged transportation across *la frontera*, they are much more likely to be taken advantage of by anyone masquerading to be a coyote. These individuals are also more apt to borrow money from others at exorbitant interest rates, in exchange for some sort of bonded labor, or even worse, for some sort of servitude because they do not have the individual connections with in the United States who can loan them the money.

From a theoretical standpoint, these social networks exemplify how much illicit migration is not only a form of business, but how it also relies heavily on corruption within the system itself. From a business standpoint, these human networks exist in very much the same fashion as they do in any sort of human network. Individuals, regardless of their legal status, rely on these illicit human networks to direct them to jobs within their respective destination country. The networks exist in order to pair low-cost labor with opportunities within the free market structure itself. Furthermore, it is impossible to rely on illicit labor markets without there being some form of corruption within the system itself. While there are legal means to bringing workers to the United States to fill labor needs (see the H(2)(A) program above), for those who are not authorized to work in the United

States, organized crime facilitates a process which also supplies workers for American businesses. As such, illicit networks in some cases must utilize corrupt means to supply labor to businesses.

While the migratory process has become much more bureaucratic and streamlined, there are also elements of organized crime which seek to disrupt or corrupt the system itself. As such, you have individuals who recruit, transport, smuggle, and place individuals into horrible circumstances where they have no choice but to work until their debt is paid off. As the regulation of the process has become more stringent on both sides of the border, the forms of violence which cause vulnerable populations to consider migrating continue to intensify. This intensification leads more individuals to choose to migrate, while the stringent regulations command more money to make the process work. Paying higher prices to migrate, whether formally or informally, results in higher levels of risk for many of the world's poorest people. Furthermore, the fact that H(2)(A) workers need to pay huge sums to have someone complete their application, enter the U.S. Embassy multiple times, and travel to their workplaces in the United States places an undue burden on them which only serves to heighten the likelihood that they will be exploited. Non-H(2)(A) workers also have to pay to travel to their respective workplaces, although many of them are already living in the United States, which minimizes their costs on several different fronts and allows them to avoid violence while pursuing a better standard of living for themselves and their children. All in all, it seems like the system itself, while it works to serve American economic interests, does not always protect the interests of migrant farmworkers, who are put at incrementally higher risks of exploitation as a result of the tightening of border security and the increasingly globalized nature of their home countries.

The Lack of Secure Employment

The first two sections of this chapter have dealt primarily with the forms of violence which have served as an impetus to kick off the migration process and the lack of economic and social networks in facilitating migration from one's native country to the United States, particularly

Western Michigan. These sections have also pointed out some of the attributes of a successful migration to the United States while criticizing some of the shortcomings of the process. There was also a substantive discussion about which factors or indicators precipitate exploitation and various forms of trafficking. This section, on the other hand, will focus on the opportunities migrant farmworkers have, whether planned or unplanned, and who those agents are who facilitate those opportunities in the United States, particularly as they are related to indicators of human trafficking. While there was a short discussion on the role of contractors in the previous section, this section will delve into their role within the "realization of opportunity" migrant workers encounter when coming to the United States. This "realization of opportunity" embodies both the strong possibilities migrant workers have to benefit financially, in terms of living conditions, as well as in their conditions of employment, and the risks they may face in coming to the United States. This section will begin, however, with a short introduction to the process migrant workers face as they travel from their networks at the border through the rest of the contiguous United States in search for particular employment opportunities.

For those families who have migrated to the United States for the first time, they often attempt to find out about opportunities from previous migrants in order to learn about crop cycles and where others are working and when. This existing network in the United States, made up largely of documented and formerly documented workers, often seeks to integrate newcomers into its social network. Many of the professionals had information about how these formal and informal networks function. Their stories have been gleaned from either their extensive experience as a migrant farmworker or from their extensive experience working with migrant farmworkers.

While there are many different factors which impact the realization of opportunities for migrant farmworkers, one professional listed three specific ways that migrant farmworkers become

aware of opportunities. This section will consist of an in-depth analysis of these three different motivations:

> [Migrant farmworkers] become aware of opportunities to work in Michigan in three different ways. Firstly, they become aware of these opportunities through word of mouth. There are very extensive networks of individuals who pass along these opportunities to others looking for work. People who are looking for work and families who are looking for work are connected by people they know, maybe in their hometowns in Texas or other places. Another way people find out about these opportunities is through direct recruitment by "top families" in the camps. These families are told by farmers that they should try to bring others to fill the vacancies. Some of these longest-tenured families will communicate with the farmer about prospective families and vacancies. The other way is through recruitment, whereby either the workers find out about these jobs through the Workforce Development Agencies in Texas, who then communicate with similar organizations in Michigan to see where the jobs are. There are also direct recruiters who are able to come and "recruit" the farmers, but the farmers swear they are going away from this model because the recruiters are representing and misrepresenting things which are not in the best interests of the farmer (Interview, Professional #14).

Based on the data provided above, word of mouth is one of the strongest motivating factors as migrant farmworkers search for employment in the United States. Many of the professionals who were interviewed gave examples of how instrumental word of mouth was in migrant farmworkers being more aware of these economic opportunities:

> Much of it is hearsay or word of mouth. Many of their family members tell them. Generational patterns, they will meet new people. Godfather will tell Dad – this is a good place to go. Workers look for quality people and farmers that will also respect them. They sometimes go to bad farmers and then leave them to go to better farmers they have heard about. Some are wanderers, just come because they hear about the possibilities (Interview, Professional #13).

Many of these migrant workers hear via word of mouth from families, friends, and other close social connections. Whether the migrant farmworkers are coming for the first time or reentering the labor stream, they often have to rely on those they feel like they can trust in order to take advantage of these economic opportunities. As one professional noted:

> Most of the migrant farmworkers are brought from family, extended-family, friendship sorts of relationships. They know through these networks where jobs are in FL, NC and SC, and then they establish these connections from them. In MI there are some migrant programs, these programs already have family and others who will come to pick apples and other crops. Churches also help. These families often look for specialized farms where they can

> pick crops they are familiar with. Most of the houses do not have facilities for the winter, but sometimes families stay there anyway (Interview, Professional #15).

This characterization of "word of mouth" as a means for migrant farmworkers to hear about opportunities to find work in the United States stretches then from families and kinship networks to friendships and other close non-familial relationships, to churches, laundromats, and other places where migrant farmworkers may congregate. While word of mouth likely serves as the strongest source of information for migrant farmworkers, both those who have newly arrived as well as those who have worked in the United States for some time, migrant farmworkers also rely on "top families" and other contacts who already have a certain level of social capital or specified preexisting relationships with farmers or growers.

The use of direct recruitment by "top families" in the camps is also another means by which migrant farmworkers realize opportunities for themselves and their families. One of the professionals described the process by which farmers use "top families" to actively recruit:

> Many farmers have a year-round person that stays with them. These folks become the contacts with the families. Even with the single men. They used to see the same families and folks years ago in Cass County but now it is more single men. They do have some repeat clients, but many of the demographics are changing now. This family that stays year-round is instrumental in retaining and recruiting migrant farmworkers from year-to-year (Interview, Professional #11).

In fact, many of the professionals mention how pivotal these connections are in terms of securing and pursuing employment opportunities in the United States. While nearly every professional has mentioned relying on word of mouth through family, friends, and other social acquaintances, others mention that they have relied on being recruited by these "top families," as listed above. In addition to these "top families," there are an increasing number of agencies within the local, state, and federal governments that also serve as conduits through which these migrant farmworkers find economic opportunities in places in Western Michigan. One of the professionals describes the process by which migrant farmworkers establish formal and informal connections through these venues:

> There are many informal connections. Texas, Florida, Georgia, the Carolinas, many of the farmworkers travel from place to place often. Migrants are coming from Mexico to Florida, then from Florida to Michigan. Many of them are large indigenous populations, mixteco-speaking Oaxacans. Many of them have crew leaders who serve as intermediaries. They organize the recruitment, transport, etc., of the migrant farmworkers. The recruiters know many of the crew leaders, and the farmers and crew leaders have good relationships. The farmer contracts with the crew leader and then the crew leader contracts with recruiters or sometimes even the families and workers themselves. It all depends on the nature of this relationship. The crew leaders operate as independent contractors and provide laborers for the farmer (Interview, Professional #1).

Based on this information, it is clear that there is an already established hierarchy in many of these farms, particularly the larger ones. While this hierarchy is present in certain sets of circumstances, it is not necessarily present in others. So, in some cases these hierarchies serve to position migrant farmworkers in places where they are able to find work. In other cases, migrant farmworkers rely on other resources to find work and realize certain opportunities. One other professional described the role families play in migrating to different parts of the United States and finding work:

> Many of the farmworkers caravan with on their own with their families, it is all about who you know. For example, if they live in Florida, they might be renting in camps. Families are moving, however, looking for employment, as they may have heard of opportunities in Michigan by word of mouth or whatever. The Workforce Development Agency is also tied in with the United States and internationally. Farmworkers also seek help from agencies like that where they need to find postings and job listings. They can do the transactions by phone and find crew leaders and other workers (Interview, Professional #5).

While it seems logical that families and close friends would travel together, if they are first timers, they may need to learn more about the jobs that are available for migrant farmworkers. Some families who have been part of the migrant labor stream for quite some time just ride the crop cycles. Others who are first timers, however, need to search for different opportunities through job postings and other available avenues.

One of those avenues is the Workforce Development Agency (WDA), which often works closely with the farmers in a particular geographic region to identify labor needs and then circulate notices through press releases, job postings, recruiting events, and the like in order to fill the vacant jobs. As one professional noted, "Normally farmers will approach the local employment offices, file

something that says how many workers they will need. They will then do a contract with the local job employer such as Michigan Development Agency (Interview, Professional #14). One professional described the role of the WDA as well as other governmental organizations which try to help to connect migrant farmworkers with job openings:

> Most of the job opportunities are spread via word of mouth. If someone hears about it, they tell their neighbors and friends. There is also the Workforce Development Agency, the Agriculture Employment Specialists are connected through the various human networks. The Michigan Talent Bank (Michigan Works) also works with agriculture workers. The Michigan Department of Agricultural and Rural Development also partners with the Workforce Development Agency in order to do a PSA to announce different opportunities to work in Michigan (Interview, Professional #8).

Another professional expanded on the role of the WDA and other governmental organizations in bringing workers to certain counties but not others in Western Michigan and the role families play in returning to certain geographic regions year after year:

> There are a number of ways that many, especially those who come to Oceana County, have been coming for five generations who have worked for the same farmers. Because of the change in administrations, the Michigan Employment Agency, they would send recruiters down to Texas in order to recruit people for many years, they would also publish the notices and job opportunities in papers, make radio announcements, although much of it is by word of mouth, family members and neighbors telling each other. In areas of Western Michigan they still do recruit down south. For example, this is the first year that there has been a Haitian farmworker delegation which came with a crew leader. It still does happen where crew leaders and/or recruiters will go there to recruit and transport to Michigan (Interview, Professional #9).

In addition to the Workforce Development Agency, the Michigan Employment Agency, Michigan Works, and other organizations, there are also farmers who, instead of using all of the agencies at their disposal to recruit farmworkers, they choose instead to send recruiters and/or crew leaders to other geographic locations, particularly the southern United States (Texas, the Carolinas, Georgia, Florida, and sometimes California), in order to find migrant farmworkers for the upcoming seasons. As mentioned previously, however, the recruiters and crew leaders often receive mixed reviews, "There are some good crew leaders and some bad ones. Most of the crew leaders [I] have talked to have been very helpful and have introduced [me] to families and others within the camps. It seems

like the crew leaders at larger camps may be abusing their powers more" (Interview, Professional #8).

The crew leaders themselves also have to go through a process in order to be licensed as a farm labor contractor. According to one professional, "The U.S. Department of Labor requires a license, but many of these crew leaders are not licensed" (Interview, Professional #8). Furthermore, another professional describes the obligations of a crew leader, whether licensed accordingly or not, "Those who are recruited by crew leaders are supposed to get a contract with the terms of employment on it. They need this to be guaranteed a fair wage. I am not sure how often people sign these contracts, however" (Interview, Professional #9). Based on the evidence provided by these professionals, recruiters are supposed to be licensed through the U.S. Department of Labor and are required to provide contracts to those whom they recruit, although in many cases recruiters fail to comply with either of these conditions. Furthermore, recruiters have a disproportionate degree of social power based on other circumstances as well, "many of these workers are dependent on their crew leader for transportation, getting paid, housing, and other necessities. The crew leaders are often bilingual which is problematic because they can represent circumstances in a certain light to the grower or farmer when they may not be as cordial or stable" (Interview, Professional #9).

One of the professionals used the newly arrived Haitians as an example. She mentioned that the Haitians were driven on a bus from a southern state and that they needed immediate care and attention so they could work in Western Michigan as migrant farmworkers. These Haitians did not speak any English, they had never been to the United States before, and they had no familiarity with the process of farming. Even she pointed out that this was a particularly vulnerable population given the circumstances with the crew leader and their lack of familiarity with the circumstances (Interview, Professional #8). Moreover, one professional mentioned that some of the crew leaders

she has encountered "will take money off of the top of their (the migrant farmworkers') checks. This happens more with singles and not as much with families (Interview, Professional #14). Taking money from the checks of others, particularly on behalf of others, has led to charges of human trafficking in some cases.

Based on this data from the interviews with professionals, it is clear that there are a few different ways that migrant farmworkers hear about these economic opportunities in the United States, particularly in Western Michigan. It is also evident that different parties and actors have varying amounts of social power within the system of migration. While it is very clear that the majority of migrant farmworkers hear about the economic opportunities in Western Michigan through word of mouth, who these workers hear about opportunities from depends on whether or not they are first-time farmworkers or if they have worked in the United States taking advantage of the labor needs given the crop cycles. First-time farmworkers are more likely to take advantage of newly formed friendship networks or to connect with family members who already live in the United States, while farmworkers who already live in the United States already have established connections with either friendship or family networks.

First-time farmworkers are also more likely under the guidance, whether acceptable or unacceptable, of a recruiter or crew leader, one of the many manifestations of their lack of social power within such a new network and environment. Farmworkers who live or reside in the United States and who have worked before on farms in different states also can rely on these recruiters or crew leaders but have much more flexibility in terms of their familiarity with opportunities, their expanded friendship and kinship networks, as well as more financial resources to rely on. Chances are they know some of the language and have minimal familiarity with the culture, both attributes which give them more social power than first-timers and, therefore, they are much less likely to be exploited or trafficked as a result. Migrant farmworkers who also have been living or residing in the

United States and who have previous experience farming are also more likely to be recruited by "top families" in order to fill out their workforce. This allows them to be more stable and to settle in to working for a particular farmer based on the better housing, improved working conditions, and better pay. This sort of enhanced agency or ability to pick and choose farms where they can build a better standard of living contributes to their social stability and decreases their vulnerability to a range of social issues. Their work ethic and ability to specialize in a particular set of crops makes them more valuable to these "top families" and the growers. These sorts of economic opportunities are difficult for the first-time migrant farmworkers to realize because they lack the capacity, experience, and networks to realize them.

Finally, local, state, and federal agencies also serve as points of connection for migrant farmworkers, experienced and first-timers, as they seek to realize economic opportunities in places like Western Michigan. These agencies often advertise opportunities not only within their particular geographic areas, but also to other states and localities where migrant farmworkers may live in the non-growing season. While these agencies may employ recruiters, crew leaders, or other intermediaries who use their social networks to pull in prospective migrant workers, employers also rely on these agencies in terms of posting and publicizing their needs. In fact, many of the professionals are familiar with these agencies and how they recruit and staff these positions during the growing season. There are regulations for how these processes should work and standards for those who work within these positions, but all too often these regulations and standards are rarely enforced or monitored.

While there are undoubtedly individuals working within this social system, or any social system for that matter, who are making a difference and advocating on behalf of migrant farmworkers, there are also others, because of a lack of enforcement, who take advantage of migrant farmworkers. This is especially true the less familiar these migrant farmworkers are with the culture,

language, customs, and other regularities of the system. As such, while migrant farmworkers who have a "legacy" of working alongside particular growers, recruiters, ag specialists and others are less likely to be taken advantage of, more strict regulation and enforcement needs to take place to better protect those who are not regular farmworkers and who are not familiar with the processes and procedures in place to protect them. Unfortunately, the system and those who work within it focus on an individual's legal status instead of his or her humanity, personhood, and/or safety. The discussion will now shift to the feedback given by migrant farmworkers and how they identify and realize these economic opportunities within the United States and, more specifically, Western Michigan.

While the professionals identified word of mouth, the influence of "top families," and the role of recruiters as the primary factors which help migrant farmworkers to realize economic opportunities in the United States, when migrant farmworkers shared their experiences, they talked more about the role families, friends, and recruiters played. They also discussed the groups which were most vulnerable during this process. Since the professionals have dealt with and worked alongside so many migrant farmworkers, it is much easier for them to generalize when discussing the avenues these populations use to access economic opportunities. The stories the migrant farmworkers tell, however, are more specific and detailed in helping to articulate their particular paths to economic opportunities in Western Michigan. Furthermore, the stories of migrant farmworkers articulate not only the pathways they have used, but also their roads to growth and maturity as a skilled workforce. Many of these migrant farmworkers first heard of these opportunities from family members:

> [We] heard about the opportunity in Michigan from [my] wife's Uncle. [We] were working in Florida and were invited up to Michigan and then came to work here. Michigan is much better for the kids, the environment, schools, the pace of life is much slower here. [We] had family here, the grower takes better care of [us], teachers were good in the schools with the children. [We] used to work with a crew leader and were always short. Now [we] just work directly with the farmer and he takes care of [us] (Interview, Migrant Farmworker #1).

The interview with Migrant Farmworker #1 shows how individuals (and then later families) hear about opportunities from other family members, establish a good working relationship with a particular farmer or grower, and then come back year after year to realize the same or similar economic opportunities. In addition to the relationship with the grower, these families of migrant farmworkers also acknowledge the benefits of working in Michigan such as the good teachers, the safer environment, and the more favorable pace of life. Other migrant farmworkers describe how this "legacy" takes shape:

> The first time [we] came was with [our] Mom and brothers. It was tradition to travel to the North with [my] brothers. [I] have been coming for 20 years, [my] first time that [I] came was when [I] was 25 or 26 years old. [Our] brothers knew someone who told them about the opportunity. The others told [us] the job was fairly easy and there was plenty of work. [We] like the weather in Michigan as opposed to Texas. The first time [we] came, [we] worked and people robbed [us]. [We] came with a crew leader and he robbed us and took [our] checks and money. [We] worked so long and the farmer did not know what was going on. When [we] got robbed, [we] switched jobs. [We] work for a much better grower now. (Interview, Migrant Farmworker #3).

The path of this family of migrant farmworkers clearly outlines how difficult it is for many of the first-timers to work for recruiters, crew leaders, and even farmers who either take advantage of them or are unaware that someone is taking advantage of them. This absence of social capital makes migrant farmworkers more vulnerable to abuses such as human trafficking. While these migrant farmworkers were able to leave and pursue other, more stable employment, some first-timers are bound by contractual obligations or other forms of Visa requirements when they first come to the United States to pick. Even though they may be taken advantage of initially, most of these migrant farmworkers have family and friends who function as a support system for them to move on to better employment opportunities:

> [We] have worked for more than twenty years in Michigan, near Hart. During this time they have worked for several different farmers, they farmer they work for this year; this is their first year working for him. [Our] Dad heard about the work here in Michigan. When [we] first got [our] papers to work in the United States, [we] worked in Delaware picking

> asparagus. The guy did not want to pay [us] so we could not get certain documents, so [we] decided to go to Michigan. The farmers pay more and treat [you] better in Michigan. The costs are low in Michigan because the cost of housing and utilities are lower. It is more expensive and they take advantage of [you] more in Florida. [We] have heard about crew leaders stealing from people in Leelanau, but it does not happen to [us] here. [We] are also able to connect with the Agriculture Specialist here to get opportunities if [we] need them. (Interview, Migrant Farmworker #4).

This family of migrant farmworkers also spoke to the difficulties they had from what sounds like the H(2)(A) Visa program in Delaware where they were hired to pick asparagus. Since they were not being paid, they left Delaware for other places, only to find that they were taken advantage of there as well. They spoke very highly of the connections they made in Michigan and have enjoyed working there for years, citing the lower costs of housing and utilities, as well as the relationships they have been able to build with farmers, as reason to stay there. They mentioned their dealings with crew leaders and others who took advantage of them and are happy to be working in Hart, where they have worked for 20 years now. Other migrant farmworkers have also described the path they have taken to realize economic opportunities in Western Michigan, particularly through their connections with family members:

> [I] contacted family in Michigan when I came to the United States and they agreed to pay for my costs. They also agreed to pay for transportation to get [me] where I needed to go. [I] needed to confirm their existence and that they could pay for [me]. [We] took a van from Arizona to California and then went to Michigan by plane. [We] came in the van with the coyote. [I] do not know who bought the tickets or how they got them. [I] met up with a brother in Chicago before coming to Michigan. [I] am not sure about a crew leader. One guy had all of the vans, the equipment, and [we] did the work and got paid. [We] did not pay taxes, social security, or anything else. The man paid [us] in cash. It took [me] about three or four months to pay the debt off but [my] brothers helped too. It would have taken much longer to pay it off without their help. (Interview, Migrant Farmworker #9).

While this migrant farmworker was a first-timer, he was able to rely on family members, his brothers, to help him with transportation, job opportunities, and paying off his debt. While they may have worked with a crew leader, the fact that they worked together allowed them to look after each other. In a way they, as so many other families have, found strength in numbers. It may have been possible for a coyote or crew leader to short one first-time migrant farmworker without family

or friendship connections, but the chances that a crew leader would short a group of brothers is minimal. The paths of other migrant farmworkers also show similar patterns to realizing economic opportunity, as the migrant farmworker relied on family networks and connections to move to Michigan from Florida, where they did not make much progress picking:

> We learned about the work in Florida from our family. We worked in the orange groves. We were able to pay off our debt in about one year and then my wife became pregnant and we looked for other opportunities. We settled on Michigan because the weather was much milder, there were better benefits, working conditions, and housing options. We felt like it was a better place for us to raise our family. (Interview, Migrant Farmworker #7).

Even though many migrant farmworkers have family who are willing to host them, help direct them to employment opportunities, and/or assist them in paying off their debt, others rely on established networks of acquaintances or other friends they have met along the way. These friends are sometimes friends of friends from their villages back in their home countries, friends who know family members, or maybe even travelers whom they have befriended as they are looking for work. There are two migrant farmworkers who have identified friendships as a primary means for realizing economic opportunities in Western Michigan. The first migrant farmworker talked about how friends in Michigan helped encourage them to take their taco-making business from Texas to Michigan, "we have been in the United States for 15 years. It was difficult to live in Texas when we first came because La Migra is everywhere. While you can use black market sources for papers, it costs a great deal of money and everyone wanted papers in Texas. So, when our friends from Michigan invited us there to make tacos, we went" (Interview, Migrant Farmworker #13). Another migrant farmworker commented on how she and her partner "heard from Mexicans along the way in Ohio about this opportunity to pick in Michigan. They began working as migrant workers because of financial circumstances and addiction. They had employers who had taken advantage of them. They are so thankful for the opportunity they have with the farmer they work for now in Michigan" (Interview, Migrant Farmworker #14).

Another group of migrant farmworkers who, unlike the previous two migrant farmworkers who heard about their respective jobs from friends, work the crop cycle and move from state to state throughout the summer, mentioned how they often do not have work in the summer in the South because of the lack of farming then. "[We] had a friend in Georgia who knew about this job (in Michigan). [We] did not know anything about it, [we] just heard about it. [We] are excited because we did not have work in the summer in Georgia" (Interview, Migrant Farmworker #15). Other migrant farmworkers do not necessarily realize these economic opportunities by hearing about them from family and friends. Instead, they seek them out with groups of friends. These examples can happen on behalf of individuals who migrate from their respective villages and countries of origin with friends or they can happen as migrant farmworkers meet other migrant farmworkers and leave certain places of employment for the realization of better economic opportunities. For example, one migrant farmworker was working in Texas when he heard about another opportunity from a friend and co-worker in Texas:

> One year the oranges in Texas froze. We did not have as much work. [I] then heard about an opportunity in Michigan from Alma (one of his friends and co-workers). A group of friends and [I] then came to Michigan to work here. Now [I] bring my family to work here. I have worked in Michigan for 24 years ever since. (Interview, Migrant Farmworker #8).

As such, this migrant farmworker not only came with friends when the freeze adversely affected the number of hours they could work in Texas, but he then also recruited family to come and work with him once he was established in Michigan. So, the group of friends he made in Texas had heard about these economic opportunities in Michigan. They then decided to travel together in order to assess the work collectively, and 24 years later, the migrant farmworker himself is the one who is broadcasting the opportunities his factory has to employ his own family members. This is a concise example of how historically these processes of migration form intricate social networks which are self-perpetuating in nature. Furthermore, how such networks favor the advancement of migrant

farmworker populations in terms of realizing economic opportunities upon their migration to Western Michigan.

In addition to hearing about these economic opportunities from family or friends, or learning about them through coming with friends, migrant farmworkers also hear about these opportunities through recruiters, contractors, and/or crew leaders. While families and friends can often be trusted more than either of these three parties, it cannot necessarily be concluded from this evidence that recruiters, contractors, and/or crew leaders should not be trusted at all. In fact, they often serve as necessary intermediaries, as described at length before, in the migration process before. Nonetheless, migrant farmworkers have mixed feelings about them, particularly as they are directed to varying economic opportunities in places like Western Michigan. One account describes an example whereby the crew leader took advantage of the situation:

> When [we] were married, [we] came to Michigan after having worked in Florida. Mr. Ponce, a crew leader, invited [us] to Florida and then to Michigan. We always came in a big truck and did not have our own vehicles, so we had to pay. The farmer would always pay Mr. Ponce and then he would pay us. Now we do not have any social security or anything else to help us when we retire. We did not know if we were being paid a decent wage or not. (Interview, Migrant Farmworker #3).

Another farmworker described his experience working with a crew leader in Florida before he came up to Michigan years later:

> Several years ago [I] worked with a contractor in Florida, the contractor had a lot of people, he would leave them and they would pick. He would then collect money and pay the workers. He would pay them however much he wanted to. He would then pocket a great deal of the money. The grower would come to the contractor and secure the necessary workers. The farmer would pay $6 per hour. The contractor would then pay the workers $3 per hour and get a pizza for food or something like that. The contractor paid cash, no taxes, Social Security, nothing. He had no records whatsoever. In 1993, he came to Michigan because there were many more hours, more work, and more money to be made. He also has not seen any contractors like this in Michigan. (Interview, Migrant Farmworker #6).

In these two examples, it is clear that some of the recruiters, contractors, and crew leaders take advantage of migrant farmworkers, particularly those who are first-timers or who do not have strong social bonds (family connections, secure friendship networks). While these are two potential

indicators of vulnerability for migrant farmworker populations as they seek to realize economic opportunities, there are others. One migrant farmworker explains the situation rather succinctly:

> The majority of the exploitation happens when the people speak some dialect, no Spanish, no English. For some of these farms, they stack 6, 7, 8 in a room. They charge #100 per person to live in a house. A crew leader will bring up a crew, he will go to a farmer, 20 people to work. Get the check from the farmer, the poor people do not have any idea how much they will make. It used to be that people would come up freely, now it is difficult because you have middlemen and crew leaders, even this Haitian group. Farmers have a contract with middlemen or crew leaders. It is easier this way because the farmer does not need to interact with the workers (they cannot be held responsible). It is one way of not needing to deal with the administration of everything (I-9 forms, whether or they go to work or not, etc.). And the farmer can deny responsibility for the workers completely (legal vs. illegal, documented vs. undocumented). (Interview, Migrant Farmworker #3).

From a theoretical approach, the realization of opportunity often overlaps with illicit migration as a form of business. Whether the growers, recruiters, or crew leaders attempt to offer prospective migrant workers jobs in person, through friends and/or family, or over the Internet, illicit migration itself not only is its own form of business, but it also helps to supply businesses with workers, whether legally or illegally. Formal businesses attempt to utilize government processes in order to secure the requisite number of workers, while informal businesses also attempt to network with those non-governmental processes (organized crime among them) to recruit workers as well. This overlap with the role of corruption highlights the need for these workers, especially in those fields which require workers to submit themselves to work a large number of hours each week, in inclement weather, and in jobs where the perceived risks are higher. The role of corruption allows for workers to pass through an illicit process which often subjects them to risks they may not encounter as part of a formal process of employment. These risks, particularly through the illicit structures which do not make use of any formalized processes, often do not take into account how easily it is for individuals, groups, or businesses to exploit migrant farmworkers. One of the means of exploitation that happens as a result of these illicit networks (although it is not limited only to such networks) is human trafficking. The next section of this chapter will provide an overview of

the sections of the chapter and will culminate in identifying a short list of indicators of human trafficking during the initial stages of the process of migration.

Indicators of Human Trafficking

These different indicators of vulnerability and, quite possibly, human trafficking, amongst other social problems, are quickly revealed through a study of the initial stages of the process of migration. This process, which begins with acute violence in the countries where these migrant workers come from, is often facilitated by the myriad networks which exist in the home countries of the migrants themselves. These networks are not, however, merely national in nature. They inevitably spread themselves through other transit nations, across borders, and, due to policies within sending and destination countries, exist within places such as the United States and, more specifically, Western Michigan. While acute violence is itself a potential indicator of human trafficking within many of these sending countries, the lack of a clear path of migration is also extremely problematic. Those who have strong economic and social networks inevitably have greater access to the migration process. They are not, however, the only ones who attempt to navigate this process, and those who find themselves further alienated from these strong networks often find themselves at a greater risk of being trafficked.

As mentioned, from a theoretical standpoint the strength of the economic and social networks, while not airtight, does lead to a greater level of security amongst migrant farmworkers. Economic resources allow individuals to be given priority throughout the process and helped the children of one of the migrant families to escape harm as they attempted to rejoin their parents in the United States. Human networks also help as those who migrate with family members, groups of friends, or who have family or friendship networks in the United States have a better familiarity with the process, let alone a greater level of security as they migrate. These human networks are also instrumental in assisting migrant farmworkers with acculturation processes whereby those newly-

arrived populations are able to learn about the destination culture without being willingly or unwillingly exploited. As such, it has been important in this chapter to understand the progression throughout the process of migration whereby migrants leave their respective countries due to acute levels of violence, rely on economic and social networks in order to navigate the migration process, and rely on a myriad of actors when attempting to realize work opportunities in the United States, particularly Western Michigan. These different dynamics within the process of migration have also illuminated the indicators for exploitation through avenues such as human trafficking.

These indicators include the presence of acute violence, in its various forms, in the sending country, the lack or deterioration of economic and social networks available for individuals aspiring to migrate in order to secure a better life and standard of living for their families, and the lack of an unclear path to migration for those individuals who lack economic opportunities amid acute violence in their home countries. This final aspect embodies, but is not limited to, the extent to which a particular migrant worker has access to the migratory process, including any family, friends, or other acquaintances within the United States, the rules, regulations, and other standards in place which monitor recruiters, contractors, and crew leaders, and whether or not they are being enforced. The level of culpability of the grower or farmer also should be taken into consideration when considering this last point because they are more likely to hold their employees or agents accountable when (and if) they can also be held accountable. While these are only a few of the many indicators of human trafficking within the scope of the migratory process, there are many more given the other research questions outlined by this study. As such, instead of addressing the migratory process, the focus of this study will shift to the process by which migrant farmworkers in Western Michigan are transported. An overview of this aspect of mobility is essential in order to better understand other interrelated indicators of human trafficking amongst migrant farmworker populations in Western Michigan.

CHAPTER 5: THE TENUOUS ROAD TO EMPLOYMENT IN WESTERN MICHIGAN

While the previous chapter covered the process many migrant farmworkers in Western Michigan take from their country of origin to their desired destination, this chapter will cover the types of interactions migrant farmworkers often have with their prospective employers during this process as a means to uncover potential indicators of human trafficking. As such, it is important to consider not only the path and process by which migrant farmworkers arrive in Western Michigan, but also how they secure employment, on what terms, and whether or not they are compensated for their travel expenses to a particular place of employment. In order to fully address this process of securing employment, this chapter will address the following questions. Firstly, does the grower or farmer pay for transportation costs in order to bring their respective farmworkers to Western Michigan? In other words, do these employers, whether larger or smaller farms, pay their farmworkers to migrate from their home countries, other parts of the United States, or other localities as they incur costs to come to Western Michigan to work? Secondly, when do migrant farmworkers agree to a contract? When are they aware of the terms of employment such as how many hours per day they may work, the conditions of the migrant housing provided by the employer, or access to education for their children? When do they know if they will have consistent work picking a certain crop or crops?

As in the previous chapter, these responses provided by the professionals and the migrant farmworkers who were interviewed for this study will help us better understand how tenuous the nature of the employment relationship is between farmers/growers and migrant farmworkers in Western Michigan, particularly as it relates to the issue of human trafficking. This dynamic between farmer/grower and migrant farmworker often attempts to protect both parties within the contractual relationship but also has its own set of inherent risks and complexities. While these inherent risks and complexities vary depending on the legal status of the migrant farmworker, how

diligent employers are at confirming this legal status, as well as some of the factors mentioned in the previous chapter, these migrant farmworkers often find themselves in limbo and, as a result, very vulnerable to traffickers. This vulnerability is often a result of both the expectation that they pay for their transportation as they migrate from opportunity to opportunity and the lack of a contractual relationship which ensures they have work when they do reach their prospective place of employment. Even though farmers/growers also face risks within this process, they often have insurance or other structural mechanisms which provide more protection for them as part of this process. As a result, migrant farmworkers often find themselves vulnerable to human trafficking within this step in the process of migration. This chapter describes how vulnerable migrant farmworkers are based on the lack of compensation for their transportation costs and the difficulty many have negotiating the terms of their employment prior to arriving at their respective places of employment. This chapter will also discuss the impact of recent legislation changing housing codes and how it may serve as an indicator of human trafficking.

This chapter will also serve as a means to critically analyze the structure in place for the migrant farmworkers who work in Western Michigan under the H(2)(A) program. Although they are few in number, they seem to be difficult to characterize. This population is important because of their utilization of a formal process through which to migrate and its role as an indicator of human trafficking. Migrant farmworkers who are brought into the United States on the H(2)(A) Visa have an employment contract, they also are supposed to be reimbursed for their travel expenses. While it may initially seem that their situation is favorable to those who do not come in under such a program, it seems that the vulnerabilities in fact shift. In fact, the nature of their vulnerability is different than that of their non-H(2)(A) counterparts. In order to articulate the complexities involved in these different populations, however, it is important to rely on the testimonies of the professionals who work regularly with migrant farmworkers as well as those who

are migrant farmworkers. This discussion and analysis will begin with the topic of compensation for migration or travel expenses and then will shift to the issue of the conditions of employment. Each of the topics will embody the costs of employment to migrant farmworkers as they often have to invest time, resources, and social capital into reaching their respective employment destination. These testimonies will also help to uncover potential indicators of human trafficking amongst this step in the process of migration.

The Road to Employment

The road to employment for migrant farmworkers in Western Michigan is often challenging. Not only do they have to navigate the social networks inherent in working within the agricultural industry, they also have to spend large amounts of money in order to transport themselves to their place of employment. Furthermore, once they have navigated these networks and paid to get to their employer, they work for several months, return to their more "permanent" residence, and then try to do it all over again the following year. This section describes the different social networks that many of the migrant farmworkers have to navigate as well as outline whether or not they are compensated by the farmers or growers for they work. The responses given by professionals and migrant farmworkers themselves will be analyzed to show the various nuances in each of these topics so that we might have a better understanding of how their complexities result in various levels of susceptibility to forms of human trafficking.

The first topic of discussion concerning the nature of the road to employment concerns how these migrant farmworkers are often transported to their respective place of employment in Western Michigan and their level of vulnerability to cases of human trafficking. It seems that, based on the interviews, some of them come by way of recruiters or crew leaders, while others come of their own accord, with families or friends or other acquaintances. These various forms of transportation are articulated in the responses of the professionals who were interviewed. One professional gave her

best estimate as to how many migrant farmworkers have their own transportation as opposed to how many were being transported:

> Some of the migrant workers are driving themselves, other times someone is driving them. They often say that sometimes they have a ride, not sure if someone has brought them in or not. Some of them they take off in their vehicles, otherwise they do not have vehicles, they often say that they need a ride, were dropped off, or walked. She would estimate that about 75% of migrant farmworkers have transportation, 25% of them do not (Interview, Professional #5).

Another professional corroborated her estimates by stating similar percentages but also explaining who is more likely to have their own transportation versus who is by stating that, "75% have family vehicles, 25% do not. Often these are single men who (don't have their vehicles) are married in Mexico but their families are at home" (Interview, Professional #6). This perception makes sense, as the previous chapter presented detailed data which showed that migrant farmworkers often travel in families, especially those who have settled in the South and then who migrate to the North and East in search of work based on the crop cycle(s). It also squares with our previous findings, which show that single men are more likely to travel with a crew leader who has recruited them for a particular farmer or farm in Western Michigan. There are also cases where crew leaders recruit entire families to work in a particular farm or farm(s) or where single men do not work for crew leaders and just work on small farms on their own.

The following accounts describe the nuanced nature of the social networks migrant farmworkers form and navigate in order to secure employment in Western Michigan. One describes the relationship between workers and families, many of whom travel together, and the crew leaders, "Generally, the workers do travel together. Many of the camps fill up within a day or two. The recruiters know many of the crew leaders, but they speak directly to the families" (Interview, Professional #1). Another describes how many families work together by utilizing the vehicles one of the family members has while traveling at opportune times, "Most of the migrant farmworkers have at least one vehicle per family or per two families. Most affluent families may have multiple

vehicles. They follow the weather patterns and crops around the country. They almost always carpool" (Interview, Professional #3). Yet another professional describes what she is used to witnessing as a social service worker who routinely works with migrant farmworker populations who migrate to her county in the Spring:

> Some of the migrant farmworkers show up with their vehicles but they do not even have license plates. Some of them are families, some of them are single moms with kids, a lot of single men, although [they] tend to not come as often. Many farmworkers caravan with their families. She would say that at least half of the same families every year go to the same farmer, know the farm itself, they help to run the farms. About 30% of families are new. These families might have been to another county in Michigan before but they keep moving around, learning how to farm and harvest different crops. Many of the individuals she knows are there because of recruiters and crew leaders, especially those on the larger farms. Not a lot of the workers she knows have their own vehicles or family vehicles. They are often married, they do not have a lot of money themselves. (Interview, Professional #6).

Another professional described the differences in the populations which routinely migrate to Allegan County, where she works:

> In Allegan County she would estimate that between 40%-50% of the migrant farmworkers had transportation. It is mostly where there are single workers. They come up with crew leaders. Families often have their own vehicles. If you go to camps in Allegan County, you would see these single workers. (Interview, Professional #8).

These accounts all describe the wide variety of experiences these professionals have had working with migrant farmworker populations in Western Michigan.

As described above, migrant farmworkers come together in families, with friends, and also with recruiters or crew leaders to their respective places of employment. One professional describes how migrant farmworkers carpool and, whether or not they come with their families or not, they share a common heritage with singles and offer them help as well, "Most of these migrant farmworkers will carpool. Many of their family members will come and caravan together. They will also bring singles (Interview, Professional #15). As such, it is important sometimes to distinguish those who migrate together as families, friends, or groups of single men. These distinctions do not always hold up, however, as many times families will take in single men or single women. In fact,

one of the groups of migrant farmworkers I interviewed was made up of a couple and two young women who were not related to the couple at all.

These accounts also estimate which migrant workers have their own transportation, although those estimates are only estimates and vary based on the locality of the worker interviewed. For example, the accounts below from Oceana County describe how many more families continue to come to work every year (in line with the "legacy" concept mentioned in the previous chapter):

> The majority of the families/persons who come to Oceana County come with private vehicles. They come with families, neighborhoods, might be two or three vehicles following each other. She would approximate that about 90% of migrant workers are families, this County has a history of having family workers and family farms. There are a couple of things driving demographic changes, rules and regulations say that they need to have a certain amount of square feet per migrant for housing. While this is meant to protect migrants, it makes it unduly difficult on families who live in migrant housing because they need to have a great deal more space than a single, unaccompanied farmworker. (Interview, Professional #9).

Based on this professional's assessment of Oceana County, there is a much higher percentage of migrant farmworkers who come with their families than in some of the other counties. This higher percentage may also correlate with a larger percentage of migrant farmworkers who either have transportation or who have easier access to transportation because of their close proximity to family.

It also talks about how certain changes in the law impact which workers are more likely to be recruited based on housing codes. For example, a recent law that was passed in order to provide more square footage per migrant farmworker (in order to discourage warehousing migrants in small spaces) has actually worked against families who have come to work for particular farmers (families which have come for "generations" to work for a particular farmer or in a particular region) because now the farmers or growers need to provide larger housing options to families. This, then, would lead farmers or growers to recruit less families and more single males in order to meet housing regulations based on these legal changes. When fewer families come and more single men come, these single men (and women) are more likely to be vulnerable apart from their social networks,

leading to an increase in the cases of human trafficking within the labor sector. This sort of work as "legacy" still happens, as stated by this professional who herself comes from a family of migrant farmworkers, but is much more fluid now based on the aforementioned demographic and legal changes:

> Many of these farmworkers have been coming to Western Michigan for years. They know the farmer, the farmer knows the family will be coming from April to October. Her in-laws still migrate every year. They will receive a letter letting them know of the dates for housing, her in-laws are in constant contact with the farmer, but this is not the norm. When she was younger, she would go on the 4-day ride, not only her family, but others in the family, included two semis driven by her uncles, her grandpa was a truck driver for one farmer in MI, all extended family, 10-12 car caravan, would leave early in the morning. Dad would recruit families, stop at rest stops to cook and eat. Her Grandpa worked for Chase/Case Farms in Walkerville, would haul all of their produce. In other cases, other than hers, promises were made and not kept in terms of housing, pay, how much work is available, let to believe enough work for one season, was not. Instead of having alternate plans, you have to go. (Interview, Professional #12).

This professional describes her life as a migrant farmworker and describes the role her family played in recruiting families to work in the fields, transporting migrant farmworkers to jobs or places of employment in Western Michigan, and hauling produce for the growers as part of the process. While this migrant farmworker family was likely one of the more privileged families, the professional also emphasized how her experience was not the norm, nor was it something that was optional ("Instead of having alternate plans, you have to go"). On the other hand, she did describe a cordial relationship with the grower and discussed how her in-laws continue to migrate every summer to work in the fields. She even goes so far as to say that the farmer or grower sends them a letter to let them know when the housing will be ready.

Over the years, farmers also build up a certain trust with farmers, believing that they will look after them and take care of them. In fact, over time this yearly practice of migrating from home in a Southern state to a place like Western Michigan has become custom, to the point of migrant farmworkers not knowing anything other than migrating yearly to pick and work in the summers. In some ways, they feel as though they have a sense of responsibility or duty to the

farmer or grower to come and make sure the crops get picked. In fact, many of the migrant farmworkers joked about how the farmers or growers would panic if they actually had to do the work, particularly those who had smaller farms. The feeling that the farmers need the workers for their labor and willingness to pick in such conditions is often portrayed as every bit as important as the workers needing the wages in order to help support their families both in the United States and in their country of origin. This sort of reciprocal relationship is shown by the response of one of the professionals:

> Most of the families which come to her county have come for years. These families come to Michigan together, often in large groups, where they caravan with several (up to 10) cars where the families are all coming together to work on the farms for a season, they know the farmers, have established relationships with them (know there is adequate housing, programs for children, decent wages, know the farmer will "do right by them") (Interview, Professional #13).

This reciprocity extends further than the fundamental exchange of labor for wages, as the professional mentions that the workers have established relationships with certain farmers and growers. This distinction is important because it transcends a financial or economic transaction and discusses how they *know* each other. They have established relationships with them in the sense that, from a grower's perspective, these are no longer workers and, from a worker's perspective these are no longer just growers. This relationship is manifest through the fact that the migrant farmworkers know the growers will "do right by them." This relationship then, includes, but is not limited to, providing adequate housing, educational programs for children, and decent, fair wages. It seems as though, in cases like these and many others, it is possible to build a relationship which is non-exploitative, which transcends the economic transactions so inherent in much of this sector of a capitalist economy, and which appreciates human dignity in terms of *knowing* the proverbial "other." These ideal types of working relationships between grower and migrant farmworker are important to keep in mind as we move forward in our analysis to cases where these relationships do not always exist.

While much of the data above allows a look at the demographic patterns of migrant farmworkers and how they are transported amongst the different counties to their respective places of employment, it is also important to discuss the role of recruiters and crew leaders and how these individuals play a role in the social networks of migrant farmworkers and how they seek employment in Western Michigan. Recruiters and crew leaders, in fact, play a very pivotal role in the transportation of migrant farmworkers to their places of employment. This tends to be the case particularly for single workers, but recruiters and crew leaders are also known to network with families in order to secure the requisite number of workers for whichever grower or farmer they are working for or with.

While recruiters and crew leaders comprise an integral part of this social network, professionals were quick to point out their financial motivations in doing so, "Recruiters are ready to bring them [migrant farmworkers]. Often they will make thousands, they will take much of this off of the checks of the migrant workers. And they have no transportation. This happens more with singles – 80%, than families – 20%" (Interview, Professional #14). This sort of dynamic shows the role the recruiters and crew leaders often play in the process. Farmers or growers have recruiters who, by the nature of the contract, are paid based on the number of workers they bring in. This fee is often paid by the farmer either formally, through a particular fee "per head" or informally, as the recruiter charges the workers above fair market price for any number of things such as application fees, transportation, food costs, housing, or other necessities. They then pocket the remainder of the proceeds from the farmer or grower, who insists that he or she had no understanding of this "informal arrangement." One of the professionals described the circumstances surrounding one of these informal arrangements:

> The crew leader has a large van to bring workers in large vans, workers themselves do not have licenses or vehicles. Crew leaders will purchase goods and bring them back to sell to the workers. How much did they charge? Why would workers be buying things in the back

> of a large van? This farm was mostly single men who were the farmworkers there. She knew they were not getting out, more isolated. (Interview, Professional #8).

Some of the questions that the professional asks about this sort of arrangement are definitely valid. It is difficult to comprehend how or why crew leaders would treat their workers this way, especially considering that the workers were "not getting out" and that the camp was "more isolated." These indicators are consistent with the measures of vulnerability and, quite possibly, human trafficking, which have been mentioned before.

While some professionals insist that these types of agreements are a thing of the past, many migrant farmworkers attest to the fact that their first time or two working for a farm, particularly as they were getting acquainted with the process of working as a migrant farmworker in Western Michigan, they were often taken advantage of by these growers, recruiters, and crew leaders. Some described stories whereby their crew leaders or recruiters stole from them, threatened them, or withheld a great deal of their wages as "graft" or "payment" for the services they had rendered. One example of this happened when two migrant farmworkers came for the first time to work in Western Michigan:

> The first time they came, they worked and people robbed them. They came with a crew leader their first time and he took their checks and money. He robbed their check and they worked from 2 in the morning until 10 in the evening. The farmer did not want to know what was going on. He lives closeby in Walkerville. They now work with a good farmer. He allows them to do their job. He does not interfere in their work and pays them on time (Interview, Migrant Farmworker #3).

This example provides a good illustration about what can happen when migrant farmworkers come to work in unfamiliar places for the first time. The fact that the workers put in 20-hour days and then had their checks and money taken shows that examples of human trafficking, forced labor, and other forms of abuse do happen in Western Michigan. Furthermore, these migrant farmworkers mentioned that they did not report the case to the proper authorities because they brought up cases where others had been abused in a similar fashion, had reported their case to the authorities, only to

find out that they did not receive justice because they were "not entitled to the same rights as undocumented migrant farmworkers." These types of inconsistencies in the law allow recruiters, crew leaders, growers, and farmers to take advantage of migrant farmworkers, particularly those who may be undocumented. While these farmworkers now have found a farmer that they trust and who pays them on time and does not take advantage of them, the crew leader who did abuse them still has not been reported or found guilty. The lack of action in this case means that he could now be exploiting and trafficking others.

While cases exist where recruiters, crew leaders, farmers and/or growers exploit first-time, often undocumented migrant farmworkers, there are other cases where migrant farmworkers describe how they had "heard" from others about how they were exploited. While many of these stories will be discussed in greater detail in a later chapter, it is important to remember the role that these recruiters and crew leaders play in recruiting and transporting migrant farmworkers, particularly those who come as "singles" and/or those who are not as familiar with working on farms in Western Michigan. Even more important to remember is how the farmers or growers are either knowingly aware of these arrangements and accede to them in order to recruit a workforce needed to harvest their crops or implicitly aware because these individuals are their employees whose welfare they could be held liable for in cases like this. Either way, these arrangements often serve to exploit migrant farmworkers in Western Michigan who are less aware of their circumstances and workplace, sometimes involving cases of human trafficking.

While the experiences of migrant farmworkers sometimes parallel the stories told by the professionals, their accounts must also be explained in detail in order to more fully understand the individual situations and circumstances they find themselves in. The accounts given by professionals undoubtedly made generalizations based on the populations they work with and the testimonies given by migrant farmworkers can either confirm or deny these generalizations given their specific

nature. This next subsection will describe those accounts and how migrant farmworkers describe their own roads to employment. In doing so, they will recount, in detail, their struggles with securing reliable transportation as well as their necessary reliance on recruiters and crew leaders.

As mentioned previously, some of the migrant farmworker populations seek refuge and safety as they come together with other family members and friends. As part of this arrangement, many of the families who regularly visit Western Michigan on an annual basis already have transportation and rely on it as their primary means to reach their place of employment. One of the migrant farmworkers discussed the role of transportation, as well as its challenges, in their annual migration to Western Michigan from Texas:

> We have our own transportation. The only bad part about that is when you break down. You have to then handle things yourselves. When you have family, you can rely on each other. It is hard when you travel by yourself. They normally bring their entire family to help work, cook, and clean for each other (Interview, Migrant Farmworker #1).

The husband in this family is a pretty good mechanic, which allowed the family to make it up to Michigan the year described above. In addition, they discussed how they have a division of labor in terms of chores and responsibilities when they work and live in Western Michigan. This ability to rely on each other not only helps to clarify social roles and expectations within the family, but it also allows them to look out for each other and protect the well-being of each member of the family.

Accounts from other migrant farmworkers acknowledge that while they have transportation, the majority of their peers do not, "We came together. We have our own vehicle. Some years we would take both the truck and the minivan. Lately, we have been leaving the car here" (Interview, Migrant Farmworker #2). Another migrant farmworker resonates with their ability to travel together but admits that they are in the minority:

> They come separately, but together. They drive different vehicles but they caravan together. They are not sure if they are coming back to the same camp or not every year. The majority of people [migrant farmworkers] do not have transportation (Interview, Migrant Farmworker #3).

This couple, two middle-aged women who had grown up as farmworkers, admitted that they were fortunate to have transportation, which was provided to them by the farmer in order to help transport other workers, but admitted that they were in the minority in terms of transportation. They also confessed that they did not know whether or not they would work for the same farmer every year. In fact, their situation is such that they have been moving around from farm to farm nearly every year because of how they have been treated over the last several years, particularly by recruiters and crew leaders. While they had adequate housing and were developing a relationship with the farmer, they did not know if the farmer would want them back next year.

One of the groups that is more likely not to have transportation during their time as migrant farmworkers in Western Michigan is undocumented workers. In one case, a family of migrant workers who had migrated to the United States from Guatemala one at a time admitted their plight, "[We] came in and were undocumented in the United States. In [our] case [we] are not able to have consistent transportation. Even when [we] do have transportation, [we] need to be very careful and often have to rely on others" (Interview, Migrant Farmworker #5). In this case, the migrant farmworker has been living in the United States for several years but still is not able to drive himself or his family to work, school, the supermarket, or anywhere else because of his status as an undocumented worker. This status limited his ability to seek or ascertain any form of legitimate transportation, forcing him to rely on other forms of transportation as he attempted to find a job where he is able to support his family, let alone pay off the enormous debt he owed as he arranged to bring his family to the United States to escape the violence of his native Guatemala. While it is understandable to limit the rights of non-citizens in situations like this, it is undeniable that such a limitation also presents a great deal of risk for those who are undocumented. This risk leads to various levels of vulnerability based on legal status and presents another indicator or measure of human trafficking.

While other migrant farmworkers are more silent about their mode of transportation to their employment, choosing to portray their decisions as economic and instrumental in nature, "[I] came with my friends who wanted to work here. [We] came here together. [I] now work on my own apart from them. [I] have sent for [my] family and now they live in Michigan in order to work" (Interview, Migrant Farmworker #8), others have to rely on unknown methods of transportation in order to reach their workplace:

> After he could contact family and they confirmed they would pay for his costs, he and others (who had migrated from Mexico, many of them from Oaxaca) took a van from Arizona and then to Los Angeles and then took a flight from LA to Michigan. He does not know who bought the tickets. He just knows he met up with a brother who helped to facilitate the travel to Michigan. (Interview, Migrant Farmworker #9).

As mentioned previously, migrant farmworkers, as part of the process to cross the border, often need sponsors in the United States to pledge to cover the rest of their costs. In this case, the migrant farmworker above utilized a fairly complicated network of transportation to arrive in Chicago, where his brother picked him up and transported him to Western Michigan. He knows that his brother helped to facilitate the travel, but he is unsure who arranged the travel or how it happened since he was undocumented. All that was important to him was that he was able to come to the United States to help support his family back in Oaxaca while working with his brothers. When there are not the appropriate pathways for these migrant farmworkers, especially given the demand for laborers on the farms in Western Michigan, then these migrants rely on the networks, formal or informal, which are available to them.

While the transportation networks remain largely unknown to those who are undocumented, some transnational migrant farmworker families are documented and have authorization to work in particular sectors of the farming economy in Western Michigan. For example, one family was quite honest about their experiences as opposed to their undocumented counterparts:

> We have our own transportation. We also speak English. We have driver's licenses. It makes it harder for larger families who do not have licenses. They have a difficult time

> because they have to rely on others when they do not have these liberties. Others often have to transport these people (Interview, Migrant Farmworker #12).

The insight provided by this family is very helpful in understanding transportation to employment for migrant farmworkers in Western Michigan.

In cases where families have work authorization and are able to apply for and secure a driver's license, they are able to drive themselves and others to their respective places of employment. They can pay for the vehicle, the gas, and control their own schedules. As was stated both explicitly and implicitly in the passage above, however, those without the proper authorization or documentation have a hard time and have to rely on others to get to work, the supermarket, the laundry facilities, the bank or any other place which requires travel. As such, they are more likely to be taken advantage of because they do not have this transportation. This level of vulnerability makes it very difficult for undocumented workers to protect themselves both physically and financially, let alone their ability to show up to work on time. This level of vulnerability also makes these migrant farmworkers more susceptible to being victims of human trafficking.

Given the data and responses above, it is clear to see that access to transportation is crucial in terms of securing consistent and reliable employment. Many of the professionals and migrant farmworkers shared stories and experiences about how they secured safe and reliable transportation through access to a driver's license, traveling with friends and family whom they knew well and worked with, or through family members who were able to arrange their safe transport through familiar networks which they had utilized before. They also identified aspects or areas in which these transportation nodes or networks were not reliable in terms of securing sustainable employment. For example, first-time migrant farmworkers sometimes found their means of transportation unreliable or even exploitative if a recruiter, crew leader, or farmer arranged for transport which was overpriced or untimely. Furthermore, those who were undocumented were more likely to report instances of vulnerability and exploitation in terms of transportation based on

their inability to secure authorization to drive, their willingness to do what their authorities demanded of them, and their general lack of familiarity with the process itself.

From a theoretical perspective, it is important to understand the role of illicit networks of migration, the role of corruption, and how migrant farmworkers are often part of the process of indentured mobility. For those who come to work in the United States without the proper documentation, they cannot rely on those forms of transportation most accessible to the public. As a result, they must contract with illicit forms of transportation which often involves contracting with some sort of criminal network, whether or organized crime or not, in order to secure transportation. Since this is the only possible way these undocumented migrant farmworkers can secure transportation to their place of employment, they unknowingly avail themselves to traffickers and other criminal enterprises. The only other possibility, in addition to utilizing illicit networks such as organized crime, would be to use licit networks which have been compromised. While the role of corruption in bringing migrant farmworkers to their desired places of employment is difficult to ascertain, corruption is undoubtedly a means by which these workers achieve their desired ends. Corruption often serves as an illegitimate means by which undocumented farmworkers utilize legitimate processes to reach their respective place of employment. Furthermore, these migrant farmworkers often find themselves in a state of indentured mobility, especially those who are not documented, based on the fact that they often have relatively few choices as to how to reach their respective place of employment but, once there, they can make money to improve either their standard of living or the standard of living of their families back home. This state of indentured mobility binds them to their respective employers while also permitting them to work to better their situations and, in most cases, the livelihood of their families. This access to transportation, albeit in this section for employment purposes, is essential in minimizing the risk of human trafficking within migrant farmworker communities in Western Michigan.

The Lack of Transportation

In addition to the risks involved with securing reliable, safe, and secure transportation in order to secure employment, there is also question of whether or not employers are under any obligation to assist in the transportation costs in bringing migrant farmworkers to Western Michigan to work. In the majority of cases, professionals and migrant farmworkers reported that migrant farmworkers travel hundreds of miles, often from Southern states such as Texas, Arizona, California, Florida, and Georgia in order to follow the crop cycles to come to places like Western Michigan to work. While the case may be different for migrant farmworkers who come on an H(2)(A) Visa, as their employers are required to reimburse them or pay for travel costs, those who do not come on H(2)(A) Visas often are not reimbursed. Given the previous discussion on the risks inherent in transportation options for migrant farmworkers, such a risk of being trafficked would seem to compound were these migrant farmworkers not reimbursed or forwarded the appropriate cash to travel to their work destination.

This section discusses whether or not migrant farmworkers are reimbursed or forwarded travel expenses by their employers when they migrate across the country to work for them. It will rely on and analyze the responses of both professionals who work with migrant farmworkers and the migrant farmworkers themselves in order to determine whether or not paying for transportation costs is customary in this line of work and in which circumstances migrant farmworkers are forwarded travel costs. The issue of who pays for the migrant workers when they travel cross-country for these jobs in Western Michigan is important because it also increases the likelihood that migrant farmworkers and their families may be trafficked; in some cases these risks become compounded when there is no access to transportation in the first place. While the opinions and perspectives vary as to whether or not farmers include compensation for those who travel to work

on their farms, the level of risk of trafficking incurred by migrant farmworkers who drive long distances to work in Western Michigan does not.

Professionals differ as to whether or not they believe farmers or growers reimburse or provide travel advances for migrant farmworkers driving cross-country to work in Western Michigan. One professional shared that the majority of farmers she knew offered travel advances or reimbursements:

> Most farmers will send an advance for transportation costs (used to be $100-$200 worth for gas). Depending on the arrangement with the grower, sometimes it is a loan and it must be paid back. Sometimes they will send gas money, other times they will help with housing. She would estimate that the majority of growers (50%-60%) send gas money ahead of time or if they break down on the way, employer might wire money to help get the vehicles repaired. It is common for the growers to take care of the workers, especially those growers who want to take care of their best workers. (Interview, Professional #8).

This professional mentioned two different types of assistance that farmers or growers may offer to migrant farmworkers, especially those with families. She mentioned that in her opinion, "most farmers will send an advance" often in the form of "a loan" which "must be paid back." She estimated that over half of the growers or farmers would "send gas money ahead of time" or, in the event that the migrant farmworker had trouble with transportation, "they might wire money" to help with repairs.

The second kind of assistance or, in this case, subsidy, would be in the form of housing. While this will be talked about more later on, it is sometimes common for farmers or growers to offer housing subsidies to migrant farmworkers who work for them. This may initially sound like a good arrangement for the migrant farmworker, as it saves them the money they would normally pay in rent (they often still pay utilities, sometimes at a very steep rate). The catch here is, however, that if they decide to no longer work for the farmer, they no longer have the housing, regardless of whether or not it is a "good year" for picking, they are paid a fair wage, are being cheated or exploited, or any other adverse circumstance. All of this to say that the housing, which is definitely a

benefit, does come with strings attached. Farmers would argue, on the other hand, that granting this no-rent housing to workers shows their confidence in them and their willingness to attempt to retain them in order to keep or maintain a highly qualified and skilled workforce. Surely it does not benefit farmers or growers to have high rates of turnover from year to year. One of the ways they can help retain these quality farmworkers is by offering them housing assistance at little to no rent.

While this initial professional claimed that the majority of farmers or growers were extremely generous in terms of these types of subsidies, other professionals did not feel as though similar opportunities were available to the migrant farmworkers they worked with. One professional acknowledged one side of the argument while also holding fast that these sorts of benefits were far and few between:

> There are some employers who do provide some transportation reimbursement. She has only seen this once in five years of full-time employment in advocating for migrant farmworkers. Generally this is not provided. There is a promise of wages, they come with that promise, not brought by a specific employer. If an employer brings in H(2)(A) workers, they have to provide transportation and other rights to non-H(2)(A) workers. They cannot offer anything less to a U.S. Citizen or Lawful Permanent Resident than what they would offer to H(2)(A). (Interview, Professional #2).

In this case, this professional admitted that there are some employers who will provide the transportation reimbursement. She did note, however, that in her five years she has only seen this happen one time. Another professional also supported this claim by stating that "[she] has heard that farmers offer a travel advance in very rare cases" (Interview, Professional #3). The workers, as Professional #2 described above, come for the wages, not the transportation reimbursement.

She also made a specific distinction in the response above between the migrant farmworkers who come to the United States (Western Michigan in this case) on H(2)(A) Visas as opposed to those who do not have these Visas. According to this professional, employers are required to reimburse or pay for the transportation costs of H(2)(A) Visa holders, while those who are not do not have H(2)(A) Visas are not afforded these rights. Even though those who hold these Visas are

supposed to get transportation costs paid for, some of the professionals and migrant farmworkers have explained that it is far from a guarantee, even in this formal Visa program. Furthermore, as was mentioned in the previous chapter, the quota for H(2)(A) Visas for migrant farmworkers is so low in Michigan that the impact such a program is minimal at present.

The professionals quoted above seemed to acknowledge several things. Firstly, it is possible that in some areas of Western Michigan migrant farmworkers had received transportation assistance in the form of travel advances or reimbursements. While this seemed to differ based on the region or place where each of the professionals worked, it was a possibility in some of the cases mentioned. Secondly, it was also evident that farmers used housing assistance in the form of low-rent arrangements to attract and retain qualified migrant farmworkers to their farms to work. These arrangements often entailed lower or no rent payments, although utility payments still existed, in exchange for allegiance to a particular farmer or grower, regardless of the crop yield, weather, or working conditions. As soon as the migrant farmworker found a better opportunity, however, the housing assistance ceased to exist. Finally, there appeared to be a distinction between the rights afforded to migrant farmworkers who came to Western Michigan with H(2)(A) Visas as opposed to those who came to Western Michigan without a H(2)(A) Visa. Those with an H(2)(A) Visa have the legal right to be reimbursed or compensated for their travel costs (if the employer does not pay to transport the worker(s) in the first place) to their respective place of employment in the United States. While professionals and migrant farmworkers testify that this right is not always protected and migrant farmworkers sometimes have to pay their way no matter what, it must be stated that this right is present and employers are meant to bear the cost. Non-H(2)(A) Visa holders, on the other hand, are not entitled to these transportation costs and, therefore, if they pay anything in the way of transport costs, they are doing so out of the proverbial "goodness of their own heart." In these cases, the majority of migrant workers likely do not receive transportation assistance and, as

one of the professionals stated above, "come for the promise of the wages, not to a specific employer."

As previously discussed, the perspective of the professionals is only one piece of the puzzle. Migrant farmworkers in Western Michigan understand firsthand whether or not they receive transportation assistance in order to work for a certain employer. It is now time to describe and analyze their responses in order to synthesize them with those of the professionals. As opposed to the responses given by the professionals who work with migrant farmworkers, migrant farmworkers themselves responded that farmers or growers did not ever pay for the gas; the burden of transportation always fell on them. While one of the farmworkers stated that cash advances for transportation was a possibility, he said that such an advance would only be possible in the form of a loan which had to be paid back promptly. One migrant farmworker put it fairly succinctly, "They do not pay for the gas, we [have] to pay for the gas" (Interview, Migrant Farmworker #2). Another farmworker reiterates this and explains how they also help transport those who do not have transportation:

> [We] have to pay for gas. I help to transport people around, I charge gas money. Before people could get a driver's license without an ID, now they need to get a Social Security card to get a Driver's License to be able to drive. This makes it more difficult for these vulnerable populations. (Interview, Migrant Farmworker #3).

This response helps to articulate, from a basic level, that most migrant farmworkers need to pay for gas. It also shows us how the change in state-level policy regarding a driver's license has impacted vulnerable populations like migrant farmworkers. Prior to the change in the law, those without valid photo identification could get a driver's license, which would help protect migrant farmworkers without an ID because they could drive themselves. In other words, they did not have to rely on parties they did not know who may charge them exorbitant prices for transportation, because they could drive themselves. Moreover, before the law changed migrant farmworkers without a photo ID could also then have the opportunity to have secure and reliable transportation to their places of

employment, allowing them to be more likely to get and retain a job in Western Michigan. After the law, however, migrant farmworkers are required to have a Social Security card in order to obtain their Driver's License. This change represents a significant restriction on the rights of migrant farmworkers as they no longer have access to transportation, something which makes them more vulnerable as they seek employment in places such as Western Michigan. This increased vulnerability allows those who seek to exploit migrant farmworkers more opportunity to utilize transportation as a means to do so.

Based on the responses of these migrant farmworkers, it seems as though assistance for transportation costs incurred when driving cross-country is rather non-existent. Another migrant farmworker drew the distinction between which types of transportation he and his family use as they travel from job to job in the United States as opposed to Mexico:

> Farmers do not pay for their transportation to Michigan. They need to pay to get to Michigan and some of the other places they have gone. They do not drive their car to Mexico, they save money and go on the bus. They drive their car from state to state in the United States to find work (Interview, Migrant Farmworker #15).

These migrant farmworkers drew a distinction between their travels from state to state in the United States in order to find work and their annual travel to Mexico (they were granted citizenship under IRCA in the late 1980s). On the one hand, as many migrant farmworkers have stated, they are willing to pay for the transportation costs needed in order to find work somewhere within the crop cycle, starting in the Spring. They are willing, it seems, to incur these costs to they can reap the greater rewards of finding a well-paying job that will allow them to send money home to Mexico. In other words, if the farmer or grower is not willing to pay the transportation costs needed to get them to their farm, the migrant farmworkers are fine with the arrangement because the benefits they will receive by working for the farmer or grower will greatly outweigh these initial costs required to get them there. Furthermore, they need more reliable transportation going from state to state to find employment than they do going back home to Mexico, which could take longer and be more

uncomfortable because the bus is more affordable, it is what they have customarily taken, and there is no timetable on returning to Mexico (like there would be for working for a farmer or grower). These variables, evident in the response above, all factor in to the decision the migrant farmworkers make even though they are not able to have financial assistance when traveling to Western Michigan to work.

The responses from migrant farmworkers listed above clearly show that it is rarely possible to receive financial assistance for transportation to their respective place of employment in Western Michigan. One response, however, left some room for disagreement, however, as the migrant farmworker interviewed stated that it was possible to get travel assistance from a farmer or grower, but that such assistance was almost always in the form of a loan which had to be paid back immediately:

> Sometimes farmers pay for the gas, other times they do not. If they do pay for the gas, it is a loan. They will send it and loan it to you but then you have to pay it out of your check. Normally they do not have to pay more. The same as the loan they borrowed for the gas. (Interview, Migrant Farmworker #4).

As mentioned by this migrant farmworker, it sounds like at least a small number of farmers are willing to give travel advances in order to assist with transportation costs. These travel advances, however, are loans and will be taken out of the employee's check after they begin to work. By the sounds of the experiences this employee has had, the farmers do not charge interest on these advances, so they do not seem to be predatory loans, per se.

Based on the analysis of the responses given by both the professionals and the migrant farmworkers who were interviewed, it appears like transportation assistance in the form of travel advances or reimbursements are very rare. While migrant farmworkers under the H(2)(A) Visa program have a right to be reimbursed for their travel expenses if the employer does not pay to bring them, the majority of migrant farmworkers are not a part of the H(2)(A) Visa program and therefore have no recourse in terms of rights when it comes to transportation costs. Furthermore,

while there may be cases where these farmers or growers send some money to help cover travel expenses, the expectation is that the migrant farmworker will pay the advance back immediately. As was stated most clearly by one of the professionals and reinforced by several of the testimonies of the migrant farmworkers, the migrant farmworkers are willing to incur the costs of transportation involved in driving cross-country so long as they are able to have consistent and reliable work because their earning potential far outweighs these travel costs. Moreover, they have no legal ability to be compensated for these costs which are necessary to this form of employment in Western Michigan.

From a theoretical perspective, in today's globalized world, there is a massive supply of available workers without a requisite demand for their services. According to Bales, these forces of globalization largely dictate the terms of employment as workers (this relationship would be especially disproportionate due to the imbalance of power between growers and migrant farmworkers), whether that is reimbursement for travel expenses, hourly pay, availability of housing, duration and intensity of the work, or whichever term of employment is at stake. In fact, these forces of globalization facilitate the movement of labor across borders. Those developed countries in the Global North often seek increasingly low-skilled, cheap labor eager to work in more dangerous vocations while those developing countries in the Global South seek emerging employment opportunities for their workers as their markets are unable to compete with the heavily subsidized and mechanized economies of the North. As such, due to the large discrepancy in social power between the low-skilled workforces supplied by the Global South and the myriad jobs available for lower and lower pay in the Global North, migration continues to intensify. And the need for transportation between various places has increased, resulting in a higher risk of exploitation in the form of human trafficking within migrant communities, especially among those who are not documented or who lack the means to legitimate forms of transportation.

The Nature of Contractual Arrangements

The final section of this chapter will focus on the nature of contractual arrangements between the farmer or the grower and the migrant farmworkers themselves, including any intermediaries or other parties which play a role in this process, and how these relationships may serve as indicators of human trafficking. While contracts between these parties exist in certain circumstances, such as H(2)(A) Visa arrangements, the majority of the migrant farmworkers who come to Western Michigan do so based on the "promise of work" or the "prospect of work," which leaves them rather vulnerable in terms of taking any or every opportunity that may come their way. Furthermore, while the contractual arrangements through programs such as the H(2)(A) Visa program are preferable in some respects because they allow the employee some clarity as to what to expect from the arrangement, they also serve to bind employees to employment that may not follow the rules of the formal contract, leading to an increased risk of being trafficked. In these cases, migrant farmworkers are often "trapped" or "restricted" based on the terms of their Visa arrangements and unable to leave these employers without being deported or sent back to their home countries. In circumstances where there are no contracts, on the other hand, the terms of their employment are ambiguous and they are not protected by any form or guise of the law, whether in theory or in practice, leading to increased vulnerability for exploitation in the form of human trafficking. Both of these sets of circumstances present challenges to the growers and the migrant farmworkers.

As with the previous sections, this one will start with an analysis of the responses of the professionals. It will then proceed to a more detailed and specific analysis of the responses of the migrant farmworkers. These perspectives will help delineate the nuances between the interests involved, particularly of the growers and the migrant farmworkers, but also those who serve as intermediaries such as recruiters, crew leaders, and top families, all who may serve as integral

participants in this process. Finally, there will also be a more detailed analysis of the H(2)(A) Visa program and how it, as a more formal process which is used to recruit migrant farmworkers, has its own challenges and struggles. These challenges and struggles will be juxtaposed with the more informal process by which migrant farmworkers find employment in Western Michigan. This entire analysis, of course, is structured in a way to identify indicators of human trafficking within the discussion of contractual arrangements.

The relationships between farmers or growers, their intermediaries (recruiters, crew leaders, top families, and so on), and the migrant farmworkers in Western Michigan are rather complex and nuanced. In some cases farmers or growers work directly with migrant farmworkers and know them by name without the use of intermediaries. Other farmers or growers rely heavily on intermediaries to facilitate the recruitment, transportation, and other forms of the employment process. This formal structure often depends on how large the farms are; for those farms that are larger, intermediaries are often used to help facilitate the process, for those farms which are smaller, there tend to be more personal relationships between the farmers and the workers. One of the professionals who is an attorney who advocates for the rights of migrant farmworkers in Western Michigan explained the rights the migrant farmworkers if they are brought in to work under an H(2)(A) Visa:

> The H(2)(A) program is very formal in terms of their employment. Before workers are able to apply, the terms of labor are already set up by the employer. Recruitment has to happen with the Department of Labor-approved terms. This determines whether or not employers are in compliance with common practice. If the prevailing practice in the area is to provide 15 minute breaks then the employer would need to provide somewhere between the minimum wage rate, prevailing wage rate (for that area and crop), surveys, and data collection. For the H(2)(A) program this contract is available before workers are recruited. There always has to be a recruitment period of time. They need to meet a recruitment period within the United States. It is still unlikely that H(2)(A) workers receive their terms of employment in Michigan. It is very common for H(2)(A) workers not to be reimbursed for costs of travel. For H(2)(A) workers, the issues that they have are with the failure to provide meals or transportation to essential needs (laundry, supermarkets, etc.) (Interview, Professional #2).

The way it is set up, the H(2)(A) process is meant to be very detailed and structured, from employers outlining their needs to the Department of Labor, to the terms of recruitment of the workers, to the prevailing practice within that particular area, to the transportation costs and terms of employment which apply to the migrant farmworker. Based on this professional's response, however, just because the process is more formal and structured does not mean that it functions accordingly. For example, many of the migrant farmworkers, although their contracts are already agreed upon when they are recruited, many of them see the contract until they arrive at their workplace. Furthermore, many of them still do not receive reimbursement for transportation costs. Even given this formal process, Michigan only brings somewhere between 2,000 and 3,000 H(2)(A) workers per year and so, while Michigan has the fifth-largest number of migrant farmworkers every year, it is only allotted the thirtieth highest number of H(2)(A) Visas every year (Interview, Professional #2). As such, the majority of migrant farmworkers who work in Western Michigan are not on H(2)(A) Visas.

Those who are not classified as H(2)(A) workers, however, have fewer rights in terms of their employment in Western Michigan. While many of these nuances will be discussed from the perspectives and localities of the other professionals below, it is important to understand their rights from a legal perspective before moving forward:

> When Non-H(2)(A) contracts are formed, normally verbally, there is a requirement through the Agricultural Workers Protection Act (AWPA) that employers must provide terms of employment at recruitment. This normally means calling the employer with the terms. This does not always happen, but happens on occasion. This often happens when they arrive at the place of employment. It also happens when the terms of the employment are not met by the employer. Many times, even when there are formalized contracts, workers do not necessarily know what they sign. They are often told to sit down and sign all of the contracts but they do not know what they are consenting to. It is very rare when they see workers who have a copy of a formal contract where the terms of employment are disclosed. The majority of calls that they would receive would involve some sort of alteration to these promised terms of employment. (Interview, Professional #2).

There are a number of issues listed above which speak to the terms of employment. Firstly, terms of employment are binding even if they are verbal. So, in a case where the farmer, grower, recruiter,

or crew leader speaks with a migrant farmworker about coming to work in Western Michigan, it is possible to agree on a verbal contract. Secondly, an employer must provide the terms of employment during recruitment, whether that recruitment is done by the farmer, grower, recruiter, crew leader, or another family within the camp. Therefore, the migrant farmworker must know the terms of his or her employment when agreeing to come to work at a particular camp or for a particular farmer or grower. These individuals are obligated to accurately and truthfully, to the best of their knowledge, disclose these terms as part of the recruitment process. Thirdly, migrant farmworkers must be able to read and understand the contracts which they sign, whatever language they are in. They must be able to understand whether or not the terms they initially agreed to verbally are consistent with those which they are consenting to in written form.

Based on the response above, it sounds like the highest number of complaints is based on situations whereby the recruiters promise terms of employment which are different than what the migrant farmworkers actually find when they reach their place of employment. As such, it appears that, whether or not a migrant farmworker is classified as an H(2)(A) worker or not, there are different procedures which are meant to protect migrant farmworkers. While these procedures exist, they are not always followed. These inconsistencies, for those migrant farmworkers who know there are legal advocates who can represent them, are often reported. For others who are unaware or disillusioned with the way these procedures function, there is little or no recourse. There are other professionals who have been able to see and experience some of the inconsistencies above based on their work with migrant farmworkers. The focus of this chapter will now shift to their responses.

While most professionals have learned secondhand from migrant farmworkers how the contractual arrangements function, many of them have increased familiarity with the process because of their former experiences as a migrant farmworker themselves. These arrangements in

terms of a contract also may vary based on location and custom within certain regions. For example, it may be that in a particular county it is customary to issue a contract or call workers back to make arrangements year after year. In a neighboring county, however, it may be highly unlikely that farmers communicate with their workers on a yearly basis and instead expect them and others to come and inquire about available positions. It really depends on the situation, circumstance, and place. Based on an interview with one professional, it seems to be customary for migrant farmworkers to come to work in Western Michigan without a binding contract:

> There is not usually a binding contract that is done prior to coming to Michigan. Growers are making phone calls to their regular workers to see if they are coming up. The workers are sometimes told that they would be paid a certain wage only to come and then get paid a lower rate. Often in these cases the farmer who does this loses the workers who leave to work for a different farm. It is different for large farms (families will not leave) than for smaller farms (families will leave and seek other work) in these "bait and switch" situations. It often depends on the farm, but the farmworkers sign contracts when they do their training, especially in medium- and larger-sized farms. (Interview, Professional #8).

This professional outlines the way the recruitment process works. The growers make phone calls to their regular workers and they agree verbally on a certain wage. Based on the interview with this particular professional, it sounds as though a verbal agreement, which apparently changes when the workers arrive, is not contractually binding. While lawyers who work in labor law contend that these verbal agreements do serve as binding contracts, it is possible that many professionals working with migrant farmworkers, and maybe even the migrant farmworkers themselves, are unaware that these constitute actual contracts under the law. The professional also states that they sign and "actual" contract upon going through training with the grower and/or his or her associates. This formal signing of the contract during orientation was confirmed by an interview with another professional:

> One of the farms that they work closely with will call their employees in the offseason and check to see if they are coming in March. Then, on the day they arrive, they will set up an orientation, fill out tax paperwork, sign application forms, but [I am] not sure about the offers ahead of time. There do not seem to be conditions of employment ahead of time. This consent seems to happen upon orientation. It is a bit of both, last year there was an incident where one farm raised wages, everyone heard about it, and then those workers migrated from a farm where they worked for years to a higher-paying farm. Crew leaders

> often tell them about other possibilities with higher wages and better working conditions at other farms. (Interview, Professional #3).

This professional describes how farmers will often call their workers to see if they are coming. She also describes the orientation process and how it is the means by which the employer facilitates the contractual relationship with the worker. Her impression is that a discussion regarding conditions of employment does not happen until after the migrant farmworkers arrive at the camps and go through the mandatory "orientations." The consent to employment, as she explains, does not happen until orientation when the workers have already arrived. She does explain, however, that if the farmers or growers do not treat the workers well or pay them adequately, informal word of mouth networks exist which let workers know where better opportunities may exist so they can pursue them. In this case, word of mouth seems to function as a check to a system whereby workers are taken advantage of on behalf of "bait and switch" schemes by farmers.

Another professional gave insight as to the recruitment process and the inability of the migrant farmworkers to negotiate before they arrived at their respective place of employment. According to this professional, there are important relationships migrant farmworkers need to cultivate in order to find work and enter into a contractual relationship with the grower:

> Many of the workers wait until they get here to negotiate those things. Whatever they get, they get, especially in terms of those who are undocumented because they have a lot of obstacles once they get here. A lot of times, a lot of the families who currently work will help to recruit. Many times the families that will come back know who will return and who will not. If a family drops off, or does not come, then the farmer asks the workers whether they knew of any other family or an additional number of workers who could come the next year. They do not necessarily know who will come and recruit. The main family will almost always be the family that will recruit. In each case, it depends on seniority, how well you know the family, the farmer that is. (Interview, Migrant Farmworker #12).

This professional highlighted the power dynamic between the growers and the farmworkers by saying that "they often wait until they get [to the place of employment] to negotiate" and "Whatever they get, they get." This power dynamic leaves the migrant farmworkers at a disadvantage if they are unsure of how much they will be paid ahead of time, are not sure of the working conditions, or of

housing options they might have. This professional also described some of the dynamics within the camp whereby families would serve to recruit other workers should there be a shortage or if some workers left the camp. While these dynamics regarding recruitment will be discussed more thoroughly later, it is important to take note of the passivity, much of which is dictated by the dynamics of social power, resulting in a sector of the economy that shows up and takes whatever is given to them, regardless of the wage, condition of the housing they live in, or their working environment. This power dynamic is also highlighted in a response from another professional who routinely works with migrant farmworkers in Western Michigan:

> There are rarely contracts between migrants and owners. Some have contracts and do come every year. They majority of farmworkers come somewhat blinded and do not have contracts. Sometimes they come early and the farmers have not opened up the camps and they need services. They often come because they know there are jobs, but there are no specifics discussed: pay, housing, hours, living conditions, etc. People come "blindfolded" because they do not have money for gas, housing, food, etc. They have nothing left. They need someplace to go and stay. They come very vulnerable. Sometimes they are not given the bonuses, housing, but for the most part they are taken care of. She works primarily with licensed camps, however. She would not know what happens in unlicensed camps. (Interview, Professional #4).

This professional takes note of the nature of farmworkers coming "blinded" and "without contracts," knowing that there are jobs but not knowing the specifics of these jobs. She also describes how they come "very vulnerable" and while some farmers or growers take care of their workers, there are also cases where they are not given "bonuses" or "housing." She also noted that she works primarily in licensed camps, those which have registered with the local and state government as having migrant farmworkers, as opposed to those who do not choose to register their camps in order to keep them in compliance with local and state-based laws which are put in place to protect the livelihoods of all parties involved. This distinction is troubling, however, because many of the workers who are the most vulnerable are actually those who come from unlicensed camps and are therefore not the workers she is describing here.

One of the other professionals, who has worked with migrant farmworker populations for the past thirty years, claims that it is often unclear whether or not they sign contracts. One of the topics she discussed was the General Agricultural Practices and their role in shaping and guiding the process of issuing contracts and facilitating agreements between growers or owners and migrant farmworkers:

> I am not sure how often people sign these contracts. I would say that it is not common to get these contracts. The General Agricultural Practices (GAP) have come to the forefront in order to change the way things are being done in recent years. While many farmworkers may not have signed the contract before they show up, the majority of farmers have them sign one when they arrive. Examples of standards include you cannot take outside food into the fields, certain health and sanitary measures should be followed, etc. The majority of contracts are likely signed when the migrant farmworkers arrive at the farm. (Interview, Professional #9).

As has been stated many times before, her experience is that many of the migrant farmworkers who work in her specific county do not come with a verbal agreement or a contract. Instead, many of the farmers or growers have them sign the terms of employment after they have already arrived at the farm and completed an orientation. She also mentioned the role of the General Agricultural Practices (GAP) and how they have reshaped the way things are done in these workplace environments. Her take was that the GAP agreement protected migrant farmworkers in order to promote a safer work environment.

While many of the first-time migrant farmworkers in Michigan, as well as those who are changing in employers may not have much of an understanding of the terms of their employment, let alone agree on some sort of binding contract before they reach Western Michigan, other migrant farmworkers have a clearer picture of their terms of employment because they return to their place of employment on an annual basis. While these examples tend to be more prevalent in certain counties in Western Michigan as opposed to others, it is important to acknowledge that some of the terms of employment are continuous or assumed from year-to-year based on the relationship between the farmers or growers and the migrant farmworkers. According to one professional, who

acknowledges that migrant farmworkers are often lured by "bait and switch" techniques to come and work at a particular farm:

> When the workers leave their homes they do not know their exact wages. They know they are entitled to make minimum wage either way. But there is no signed contract, no formal agreement as to wages, benefits, housing, anything. Much of this is verbal. There is not a lot of this which is never formalized. Much of it is word of mouth and it is never written about. In most cases, the workers, when they arrive at the camp, sign off on the proper guidelines and behavior (code) that they should abide by. There are no binding contracts offered to them by the farmer to do work. None whatsoever. (Interview, Professional #13).

The same professional also discusses how many of the migrant farmworkers who are coming to the same camps year after year do have some idea of the terms of employment even without a contract:

> Most of the time workers are aware of the terms of employment because they are coming back to farms that they know. They know because they have worked at these farms before. The problems come in when there are circumstances outside of the parties' control, weather circumstances (late winter, hot summers) whereby the crops are not ready or as plentiful as before. Then it gets difficult for workers because they are not protected and can be thrown off of the land by farmers who do not have the amount of crops to pick or the number of weeks to work as originally agreed upon. This makes it difficult unless, and in certain places this happens, the farmers are able to network and swap workers depending on which seasons start and which ones end at certain points. It depends on the farmer. Often farmers take good care of their workers because they want them to come back and work every year. The workers know how to navigate these camp situations with farmers. (Interview, Professional #13).

This professional shares a different perspective than those above. While many of the previous professionals have shared about the lack of knowledge migrant farmworkers often have with regard to their terms of employment, this one discusses how many of the migrant farmworkers who are returnees know exactly what they are getting into, particularly if they are returning to work at the same farm year after year. There should be a distinction made here between those migrant workers who are coming, looking for work year after year, and those who are returning to the same farms to work every year. In other words, it is possible for these stories to harmonize even though they seem at odds. It is completely plausible for first-time migrant farmworkers or even those migrant farmworkers who are returning but who will work for different growers to be very unsure and uninformed about their wages, their work environments, and their housing situations when they

come to work in Western Michigan. This is because they have not had any sort of verbal or written contract and, even if they do have a verbal agreement, farmers or growers can change the terms of employment when they arrive in the aforementioned "bait and switch" technique. On the other hand, it is also completely plausible that migrant farmworkers would be highly informed of their conditions of employment on a yearly basis if they are returning to the same farmer or grower to work year after year. These circumstances are different with each of these populations and what may appear to be conflicting responses on these interviews should be understood within this context.

The circumstances which are most difficult for the migrant farmworker populations which return to the same farm year after year are uncontrollable circumstances such as longer winters or drier summers which inhibit and/or stunt the growth of the crop the farmer is trying to grow. In these cases, as the professional mentions above, good farmers or growers will attempt to find their workforce alternate employment with other farmers or growers until their crop is ready; they will even allow them to use their housing during this process, so that they do not lose the migrant farmworkers who they have partnered with for years. Such a "worker swap" is important for farmers and growers in terms of retention and preserving the morale of the migrant farmworkers.

Another professional who works in a county where many of the migrant farmworkers are returnees, mostly due to the presence of smaller farms within the county and the longstanding relationships formed between the farmers or growers and the migrant farmworkers, concurred and mentioned that it is customary for the workers she knows to rely on verbal agreements since the migrant farmworkers have "prior knowledge" of the farmer or grower and the work environment:

> Normally the terms of employment are discussed verbally. Many of the families have prior knowledge after having worked for years on these farms in the past. Again, she would estimate that 90% of families come back year after year. (Interview, Professional #9).

In this case, the professional concurs with many of her colleagues in stating that the negotiating takes place in terms of a verbal agreement. Based on the fact that "90% of the families come back year after year," it would seem to follow that such a verbal commitment is enough in their minds. While it was hard to distinguish whether or not these responses were biased based on the work with families, especially in light of the burgeoning number of "singles" who were now coming to many of these farms due to the changing housing codes and resulting issues in providing adequate space for each worker, it is undeniable that returning migrant farmworkers are much more comfortable with a verbal agreement because of their familiarity with the farmers, growers, and working conditions in their places of employment in Western Michigan.

While some professionals were knowledgeable about the point at which farmers or growers entered into a contract with their migrant farmworker employees, other professionals who work regularly with migrant farmworkers were surprisingly unaware of how these processes took place:

> I know that there is a paper that they sign, but I am not sure about its legality. I am not sure if it promises them certain wages or if they sign contracts or terms of employment beforehand. Migrant workers have not ever really consented to the terms of their employment because I am not sure what papers they file, the only part I know is that they do e-file in order to file a form to make sure their social security identification is valid. The terms of their employment is not discussed much. (Interview, Professional #5).

In this case, the professional in question worked more in a health care related field and was unaware of the employment arrangements migrant farmworkers made with farmers and growers. She seemed to base her opinion on her lack of knowledge of how the process itself works. In part of her response, she alludes to a paper they sign but she is not sure at what point of the hiring process this happens. She does discuss an e-filing procedure to ensure that their social security numbers are valid, but it is often common that migrant farmworkers share these forms of identification to help each other out. Another professional was also unsure about the process:

> I am not sure about this. I am not sure how it is done in these countries. My sense is that there is not a lot of signing of these contracts. This is why there is such a reliance on

> internal forms of compensation, for those who have been to the camps (internal, informal) to testify to the importance of the farmer, wages, and housing. (Interview, Professional #11).

In the example above, the professional again states that she is know very aware of how the process works but thinks that there are not very many examples of situations when migrant farmworkers actually sign contracts. Much of this is because they are given so many other forms of compensation such as housing subsidies and other forms of assistance, which she refers to as "internal forms of compensation." Her observation about there not being a lot of contracts that migrant farmworkers need to sign is an interesting one moving forward.

Based on the responses given by professionals in this section, migrant farmworkers often come to places such as Western Michigan based on the fact that there is work there. Many of them come based on some sort of verbal agreement which often can be altered by the time they arrive. They then go through some sort of orientation for their jobs and sign a contract in a language many of them do not understand. Other farmworkers are returnees and come to the same employer on a yearly basis. A verbal arrangement is sufficient for them because they understand the terms of employment and what they are getting into. While these workers' situations and circumstances vary, workers still find themselves in precarious positions because they are vulnerable at a number of levels. The next section touches on the chances they take in migrating to Western Michigan and lack of social power many of them have as they seek employment.

One of the ways in which this lack of social power is manifest is through events or happenings which are uncontrollable from the perspective of the migrant farmworker. As mentioned in the previous paragraph, a great deal of the migrant farmworkers who come to Western Michigan do so based on some form of verbal agreement. In every case it is possible that circumstances outside of the control of the farmer or grower and the migrant farmworker may transpire which complicate such an agreement. One professional shared about how tenuous such arrangements can be at times:

> There are no guarantees in terms of the jobs now. Things can happen with finances, budget, when we talk about the migrant farmworker, yes they look for employment but it is not a given. They are not a group that would just walk away from a commitment. They would strive and persevere even with the longer or shorter commitments. It is a 50/50 chance you are taking. They trust those with whom they have already farmed. They are taking the gamble, the chance, to come to work. There may be drought and the crops do not grow, etc. They are taking a chance. (Interview, Professional #6).

In other words, there is a great deal of other contingencies which may happen that supersede the verbal agreement made between the farmer, grower, recruiter, or crew leader and the migrant farmworker. As she said, "employment is not a given." She does take the time, however, to highlight the responsibility and commitment the migrant farmworkers feel toward their work and, sometimes, to their respective employer(s). While they are taking a gamble to work, migrant farmworkers also build networks of trust with the farmer, grower, recruiter, and/or crew leader, especially those they have worked with. This lack of social power has caused the migrant farmworker to forge these bonds of trust and camaraderie with certain actors within this process in order to earn wages which will help them survive.

Another way in which the lack of social power is manifest in the lives of migrant farmworkers is through their respective legal status and/or their level of literacy in the language being used, whether Spanish, English, or some sort of indigenous dialect. Their legal status and level of literacy can help to determine how aware they are of their surroundings and what the likelihood is that they may be taken advantage of. As one professional stated, much of their circumstances are out of their control:

> What she has seen is that there is a farmworker which needs to take control. These workers are under the power of those who are in control of them. Especially in cases where they are not documented. She would believe that a lot of the workers, especially with Van Buren and St. Joseph, Cass County farmers are people who have more independence, have papers already. Van Buren County will encounter more undocumented. People will take what they are being offered. Most of them they cannot even sign the names, they are not literate. Most of these families have little children, they are playing and working and helping parents. They bring things with them from Mexico, they are taken advantage of there and do not expect things to be much different here (in the United States). (Interview, Professional #15).

There are several points made by this professional that are important to this analysis of social power. Firstly, she states the relatively passive nature in which migrant farmworkers often find themselves by saying that "they are under the power of those in control of them" and "people take what they are being offered." These phrases depict the state of migrant farmworkers as being rather passive and unable to stand up and advocate for themselves. Another manifestation of this relative lack of powerlessness is found when she states that "most of these people cannot even sign their names." She seems to imply that it is highly unlikely, if the migrant farmworkers cannot sign their names, that they would even understand any of the terms or conditions of their employment contracts. Furthermore, she goes on to say that some of these exploitive arrangements are eerily similar to the circumstances they found themselves in when back in their native Mexico. Implied in this final statement is a continuation of the legacy of exploitation which has been inflicted upon this population, starting first in their native Mexico and perpetuating itself through their work in the United States, in this case in Western Michigan.

Another means by which migrant farmworkers are often exploited based on their lack of social power is through recruiters, crew leaders, and other intermediaries. One professional responded by discussing how important it is for migrant farmworkers to make sure they have strong relationships with these intermediaries:

> Many of the workers have their own crew leaders, they do most of the arrangements, serve as intermediaries. It is important to build relationships with the crew leaders, they have an important and essential working relationship with them (crew leaders). His understanding is that farmer contracts with the crew leader. Crew leaders connect with families, workers. They operate as independent contractors. (Interview, Professional #1).

Based on this response, in tandem with some of the responses in the previous chapter, larger farmers and some smaller farmers rely on recruiters and crew leaders to gather migrant farmworkers who are interested in working for a particular farmer or grower. It is very important, if a migrant

farmworker wants to find consistent work, to network with recruiters and crew leaders. Another professional elaborated on the role of the crew leaders in the hiring and employment process:

> There is a contract for employment. When there is a crew leader involved, there is always some sort of contract, they sometimes give them a manual, like a rules or regulations manual. This is what they have to do when they get to the camps. They return and sign the sheet (in English and in Spanish). If the workers break the contract book then they do not get the last pay or bonus or some other form of compensation. They say that it is my job, you must agree to these contracts. People cannot believe these contracts. They do not care in the case of a family emergency. You do not have a choice in those cases. They present it to them as if they do not have a choice. (Interview, Professional #6).

There are several statements where it is clear that there is a lack of social power on behalf of the migrant farmworker throughout this process. Firstly, this response confirms that the contract is signed as part of the orientation. There is nothing definitive even before the migrant farmworkers arrive and, when the crew leaders are involved, they make sure the migrant farmworkers get the employment manuals, sign off on all of the releases (such as emergencies), and sign the contracts, both in English and Spanish (although this may not be common practice at all farms). There are severe penalties for breaking the contract and "the people cannot believe these contracts." The migrant farmworkers are not given much of a choice. Either they sign the contracts and the releases or they are not able to work.

Another professional describes a different scenario where the contracts take place with the recruiter, although in this case the circumstances vary based on whether or not the migrant farmworker has an H(2)(A) Visa or not:

> The contracts take place with the recruiter. Sometimes employers try to argue that the recruiters are the employers, not the farmers. The law recognizes verbal contracts between the employer and the worker. The H(2)(A) workers absolutely have a written contract (which is public) before they come. These are binding contractual relationships. Often recruiters make promises to the workers, then they change or modify the promises. (Interview, Professional #10).

Based on this response, this legal advocate states that the verbal agreements are recognized as contracts between the farmer or grower and the migrant farmworkers. Furthermore, farmers or

growers often try to pass off responsibility on the recruiters or crew leaders for deliberately misleading migrant farmworkers when describing their terms of employment. According to her, it is very common for these parties to misrepresent the terms of employment to migrant farmworkers. This is another form of exploitation based on a lack of social power whereby those who have control of the resources attempt to trick and deceive those who have relatively little and are thereby vulnerable. She then goes on to describe how they address these disparities in social power:

> Much of our outreach is trying to convince workers to get their contracts in writing. They need to keep records of the contracts themselves. We deal with many cases where recruiters have misrepresented terms of employment to workers before they have come [H(2)(A) and non-H(2)(A)], much of the housing can also be substandard. They are told about great housing opportunities but then things are changed, much of the housing codes and standards are sub-par. There are laws with housing codes, they are just not enforced much of the time. There is also misrepresentation going on in terms of wages, terms of work/employment, thinking that they are being brought up (non H(2)(A)), thinking they are working in one line of employment, then working for another one, being moved around too much, etc. (Interview, Professional #10).

Many of the examples listed above are practical manifestations of the discrepancy in social power between the farmers, growers, recruiters, and crew leaders and migrant farmworkers. Another professional also discussed how the recruiters (and sometimes the farmers) often exploit the migrant farmworkers:

> If workers come themselves, the Van Buren, Cass, and Berrien Counties, the farmers want to talk to the workers they want to work with. They want reform, opportunities, for the workers because they want a consistent workforce. They want people to have their own identities. These farmers tell them the wages. Recruiters are also the ones who take advantage of them. There is a verbal contract (95%-96% of the time) with the farmers. They take good care of the workers the majority of the time. In her opinion, the verbal contract is enough. Some of the documentation would help the workers to understand their work stubs and deductions. The majority of families do a good job, in her experience, of detailing these things. She has not had an opportunity, the only way she has seen this any different is through a recruiter. Where she comes from she has seen the positive, the positive of the farmer and the worker. She has heard a couple of cases where it is negative, where it is bad. (Interview, Professional #14).

While this response is a bit scattered and hard to piece together, the focus of this professional is on the strong relationships between the farmers and growers and the migrant farmworkers they employ.

She does not make this equivocation without qualification, she acknowledges that there are situations where farmers and growers do exploit migrant farmworkers, but the majority of time this is not the case. She does state, however, that bringing recruiters into the process does complicate things. In those cases, recruiters are able to offer migrant farmworkers certain wages, living conditions, and other terms of employment unbeknownst to the farmer or grower they are working for. Furthermore, it is difficult for the farmer or grower to know what the recruiter negotiated and what the recruiter is pocketing through graft or other forms of corruption. As a result, some professionals have emphasized how farmers and growers are moving further and further away from using recruiters and instead they just rely on building stronger bonds and relationships with the migrant farmworkers themselves.

Crew leaders are another mechanism through which migrant farmworkers are often exploited when working for farmers or growers in Western Michigan. Crew leaders are often those in some sort of leadership or managerial role within the group of workers. In some cases they are known to the farmer or grower and in other cases, they serve in such a capacity within the group or party of migrant farmworkers without the knowledge of the farmer or grower. One of the professionals interviewed detailed the dangers of the crew leaders and the possibility that they could be exploiting migrant farmworkers:

> In most of the farms there will be kind of a person in a position who is in management who is in charge of a group of people, most of the time the time the farm owner will not know about this. They sometimes cannot share problems because of this person. People will be very afraid of this person. Someone that the farmer trusts but the farmworkers do not know what he or she is doing. Usually these persons are established on the farm. He or she who controls who has this opportunity can determine who has the opportunity to stay and who has the opportunity to go. The wages are determined based on the needs of the farm. She does not think that the workers, a few families might know how much they will make. Most of the families will not negotiate at all, they will take whatever they can get. Usually this person in charge of managing the people will pay them accordingly depending on how much they pick, etc. (Interview, Professional #15).

Based on the experience of this professional, the role of the crew leader is integral to understanding dynamics within the migrant farmworker community. Her analysis casts doubt on whether or not the families or individuals who work on a particular farm, under the guise of this crew leader, know their wages when they arrive. She suspects that individuals are paid differently based on their relative power within the group. So, in other words, crew leaders would be more likely to pay those in families who are returnees or those who have more specialized skills higher wages while paying those who are first-timers, newcomers, or novices lower wages. This assertion would then claim that the wages, housing conditions, and terms of employment vary from worker to worker based on their proximity and familiarity with the crew leader. These relationships are only a few of those which might exert undue influence over those migrant farmworkers with little or no social power within their particular situations or places of employment.

While many of these professionals have worked with scores of migrant farmworkers in their respective fields of expertise (education, legal, medical, social service), it is also important to consider the migrant farmworkers' perspectives when understanding when the terms of employment and contracts are agreed upon. It is one thing to hear about how things generally happen from the professionals' responses above, but it would be much more specific to analyze the responses given by migrant farmworkers as they interact with farmers, growers, recruiters, and crew leaders and navigate the process. A quick analysis of the responses of the migrant farmworkers shows that the process is much less formal than any theoretical approach or generalization previously given. As was previously stated, many of the terms of employment, whether verbal or written, depend on the prior relationship between the farmer or grower and the migrant farmworker. In cases where the migrant farmworkers are more familiar with the farmer, they are more likely to come back knowing less about their work whereas in those cases where migrant farmworkers are coming for the first time, the terms and conditions of employment are much less clear. This section will first focus on

the responses of the migrant farmworkers who could be classified as returnees and who have worked for a particular farmer or grower for some time.

There are several of the migrant farmworkers who come consistently on an annual basis to work with the same farmers or growers every year because they have built a relationship with them. It is important to keep in mind that these arrangements are not the norm given the trend to employ single men as opposed to families based on changing rules and regulations regarding the size of migrant housing. It is also important to understand how important it is for migrant workers to seek better and more lucrative opportunities so they are better able to care for their families, both in the present and in the future. Finally, the role of "returnees" also is more prominent in localities or regions whereby families often come. In other words, certain counties (such as Oceana) have higher numbers of families who come to live and work there on an annual basis. Given these caveats, it is now time to analyze the responses migrant farmworkers gave as far as their terms of employment and when they normally receive their contracts from their respective employers. According to one migrant farmworker, they enjoy the arrangement and always talk with the grower every year about whether or not they will return:

> We normally talk (grower and farmworker) every year. We normally tell the grower whether or not we will return. The grower calls us, he always calls us. When we leave he says "call me when you return" but we always forget. There have not really been any struggles with this farmer. In Florida, it was a different story. This farmer allows them to stay in his housing free of charge so they can come back every year. (Interview, Migrant Farmworker #1).

In this arrangement, the migrant farmworkers tell the grower whether or not they will return the next year to work for him again. While he asks them to contact him when they return, presumably to let him know they made it back safely, they always forget. They are reluctant to move to another farm because this farmer has treated them well (as opposed to the work they used to do in Florida) and he allows them to stay in his migrant housing free of charge as a perk to retain them. There is very little discussion about the terms of employment on an annual basis because "there have not

been any struggles with this farmer." In this case, the migrant farmworkers decide after the season is over whether or not they will come back.

In other cases, however, migrant farmworkers, even though they come to work for the same farmer or grower every year, decide whether or not they will come based on a negotiation process because the trees they are harvesting and trimming are only getting larger:

> We know when to come because we have come here year after year. Some farmers like to call us when they want us to come earlier. They trees have to be trimmed every year. If it is too hot, it makes the trees grow more quickly. Then we come sooner. If it is too cold, then we do not come as quickly. They have work, a certain type of tree where they want to take off the cones so the tree has more energy to grow. With three of the ranchers up in another part (of the county), they have an agreement which is set. Sometimes with one of the other ranchers, they need to negotiate. Every year the tree grows more year to year larger, so we need to negotiate more. Sometimes he tries to pay the same for more work. There is usually some tax paperwork but no contract from year to year. (Interview, Migrant Farmworker #2).

This family of farmworkers comes every year but sometimes when they come depends on the temperature as the trees grow slowly with the colder temperatures and quickly with the warmer temperatures. While they have an agreement with two of the farmers, the third one often wants to pay them the same amount to do more work, especially as the trees grow taller and increase in size. They also acknowledge that there is paperwork to fill out, but there are no contracts. This sort of arrangement is consistent work for them every year, but they are increasingly vulnerable without contracts. Another migrant farmworker found herself in a similar situation:

> The employers call them every year. There is no contract, no advance for gas to get there, no agreement on what they will be paid. There is no agreement for employment. They are at the will of the market. (Interview, Migrant Farmworker #3).

This migrant farmworker finds herself in a situation where there is no compensation for travel to come to Western Michigan, no agreement on any terms of employment, and no contract even after she arrives and begins working. As opposed to other farms where there is some sort of formal orientation, in this place of employment there are no contracts signed. Despite this lack of an agreement, she is happy because she is always paid on time and is never shorted, unlike her previous

place of employment. It also helps that the farmer calls her and trusts her with one of his pickup trucks which she uses to transport the other migrant farmworkers.

There are sometimes certain timeframes during which the farmers or growers will call the migrant farmworkers to ask them to come back to work for them. One of these is timeframes is when the housing has passed inspection and is ready for them. This migrant farmworker spoke at great length about these housing deadlines, the negotiations that take place as part of a verbal agreement, and the lengths farmers will go to retain their workers:

> Usually the growers will call us once the housing passes inspection. Normally, by April 15th, the farmers call us when it (the housing) is licensed. When it is licensed, then they can call the farm workers and tell us we can come to work. Since the license is for six months (to live in the housing) then we can stay around until November 15th or so and then we need to vacate the housing. We normally do not know anything about the contract and how much we will make (terms of employment). In fact, there is normally no terms of employment (pay, hours, etc.). We will not arrive unless the farmer says the wage will at least be a certain amount. When the climate changes, however, it puts the growers in a bind and then also puts us in a bind and they have to leave farmers to look for work elsewhere. The growers do not want us to leave, so sometimes they will arrange other jobs to keep us from year to year. It would be harder for those who do not have the connections (these people have been here twenty years). (Interview, Migrant Farmworker #4).

In the case of these migrant farmworkers, they normally expect to be called once the migrant housing has passed inspection. Once that process takes place, the farmer or grower normally calls them to ask them to come back to work. According to their response, however, they will not come to work without an agreed upon wage which is above a certain minimum level. While there are no terms of employment or anything that resembles a contract, these farmers nevertheless feel secure working for the same farmer (they have worked for him for twenty years). They even go so far as to say that, in order to retain them in times of adverse weather, their employer will find other temporary work at another farm for them to keep them happy. While their circumstances with this employer are far from the norm, they acknowledge that their connections and networks, as opposed to someone who is a first time farmworker, put them in good stead every year.

These relationships between migrant farmworkers and their employers, while never perfect, are often very strong. These relationships often take time, trust, and understanding in order to mature, as another migrant farmworker who works in Western Michigan confirmed:

> They communicate with me. I am very thankful because there is always work for me waiting at this plant. The new and old employees are always kind and ask me back. I have never had a problem; I have never been shorted even an hour there. There is not a difference between the workers in terms of who is being shorted and who is not. (Interview, Migrant Farmworker #8).

As is stated in his response, this migrant farmworker confirms that it is important to have these relationships and networks as he has been working for the same employer for over thirty years and now brings his family to work in the same place every summer. This dynamic is difficult in his case, however, as he often works eighty hour weeks at a base wage (his hourly rate stays the same and he is not paid overtime) and is often called into work at very strange hours in order to help in various capacities. As such, it is difficult to tell sometimes when migrant farmworkers are very gracious about their working arrangements whether or not their graciousness is not unfounded based on their not being taken care of adequately. It is definitely possible to be thankful for an opportunity to work while at the same time working yourself into your own grave. These types of relationships, while appearing mutually beneficial, often tend to benefit one side to the detriment of the other. Despite which side comes out ahead, however, there is no doubting how complex the process is and how farmers, growers, recruiters, crew chiefs, and migrant farmworkers are just a few of the actors involved in the larger tapestry of the agricultural market in Western Michigan.

One aspect of the conversation around verbal agreements, terms of employment, and the signing of contracts revolves around these other actors involved in the process. Some migrant farmworkers admit that it is difficult to ask for a higher wage, demand a contract sooner, or haggle on other terms of employment because many of the farmers they work for have other demands on them as well. For example, one family of migrant farmworkers explained the difficult situation

facing the farmer they worked for, with whom they had a fairly strong relationship, within the greater context of their terms of employment:

> We normally talk from year-to-year about what the pay will be like. This year we did not ask for any kind of raise. We will talk to our friends at other farms to hear about who is making how much and they will have a good idea about what the going rate is. Many times it depends because the growers do not know how much they will get paid per pound per crop, so they need to know that to determine how much the workers will get paid. The processers tell the growers how much they will get paid, then the growers tell the workers how much they will get paid. It is a process. We also felt bad because our grower lost two close family members this year and it was hard to ask for higher wages as a result (Interview, Migrant Farmworker #10).

In this case, the family of migrant farmworkers was very familiar with the situation their employer was in. Firstly, they understand at a much deeper level the dynamics involved between the processers and the growers. If they processers are paying a lower rate per pound, it is difficult for the growers to pay the migrant farmworkers higher wages because they would lose money. Secondly, they knew that the grower had lost two people who were very close to him over the past year and they did not want to inconvenience him when he was going through a very difficult time. While they still may have deserved a raise, they decided it was much more important to respect his privacy and need to deal with losing family members than advocate for higher wages. Finally, this family also recognized the need to talk to other migrant farmworkers to see how much they were being paid by their employers. It would make no sense to ask for a raise if other farmworkers were not also getting a raise.

This response is increasingly complex and insightful because it deals with the layers of individuals involved in the farming process as opposed to assuming that wages and other terms of employment have to be agreed upon and issued indefinitely at a certain period of time. While this level of complexity does not excuse exploitation or taking advantage of others, it is important to realize and recognize its validity as it helps to uncover future areas of research on this topic.

Other migrant farmworkers also gave responses which helped to augment this understanding of the various complexities and nuances amongst the actors involved and the decisions they often have to make. One family of migrant farmworkers talked about how the process is mutual and the process both sides take when they are working together for the first year or two:

> There is normally not a contract between the farmer and the worker. It is not custom to have a contract. It is voluntary employment. It is passed along by word of mouth. They are observing the farm, the farm is observing us. We do not want to be bound just like the farmer does not want to bind us. At the end of the year, we talk and work together. Then they decide on what they will be doing for the following year. So, when they talk at the end of the year, they decide that it is easier about what to do next year. For H(2)(A) workers, they are on a contract, those are harder because they are bound. They are not bound by something like that. (Interview, Migrant Farmworker #11).

This insight by a fairly young migrant farmworker is full of insight as to how reciprocally beneficial the first two years can be for both the farmer or grower and the migrant farmworker. First of all, he mentions the reality, "there is normally not a contract between the farmer and worker." This statement is contrary to what most of the professionals said. While the larger farms most likely have orientations, training, and contracts to sign, these comments bring into question whether or not the smaller farms do. This "voluntary employment" exists without a contract and this reality actually helps both parties. The way it helps both parties, secondly, is by allowing them enough time to honestly evaluate each other. Farmers or growers do not want to hire workers who do not work hard and pick the requisite amount of crops on time. Migrant farmworkers do not want to work for a farmer who does not treat them fairly, let them do their work, or compensate them equitably. Each of these parties then is then free in a way, courting for a time to see if they are compatible.

This, according to this young farmworker, is why contracts are prohibitive to the goals each side has. While some may see contracts as a way to guarantee work, a way to protect their rights from infringement by the farmer or grower, and a way to secure employment for a longer-term, he sees contracts as a way to bind them to a relationship whereby they are trapped in a certain set of circumstances which are not always advantageous to them. This is why he sees it as a disadvantage

not to have a common agreement on pay, housing, or other terms of employment. This is another way to analyze the debate as to whether or not verbal agreements are sufficient, housing standards should be put in place to protect migrant workers, and/or contracts should exist to protect their rights. A contract may also not be sufficient in cases where workers are paid by the quantity of the crop they pick. For example, this migrant farmworker responded about his normal pattern of interaction with the farmer or grower he works for:

> He normally talks with the farmer, he tells them when they start, they sometimes tell him how many people there are, if there is housing. They do talk about how much he will make, they normally talk about the crop and how much they pay. It really depends on the crop how much they make for each of the baskets, buckets, etc. (Interview, Migrant Farmworker #15).

In this case, the migrant farmworker alludes to how difficult it is for the farmer to know how much he will pay until he knows the price he will get from the processer. He also distinguishes between crops and quantities of products picked when he claims that "it really depends on the crop and how much they make for the baskets, buckets, etc." In analyzing his response, it is important to remember that, while it is important to protect the rights and privileges of migrant farmworkers, there are other factors which impact the discrepancy between a verbal agreement and a document such as a contract, the amount migrant farmworkers get paid from year to year, and even when they are informed about their wages and other terms of employment. Again, these sorts of complexities must not take priority over the rights and privileges owed the migrant farmworkers, but some farmworkers are more understanding of the situation the farmers and growers find themselves in the more familiar they get and the more relationships they make within the larger agricultural industry itself. These nuances are important when completing these sorts of analyses.

While some migrant farmworkers are fairly confident in their employment from year to year based on their expertise, work ethic, and familiarity with both the crop and their employer, other migrant farmworkers struggle a great deal to form the necessary relationships moving forward.

Moreover, many of the farmworkers who have been working for any number of years in Western Michigan may get some sort of verbal commitment from their farmer or grower but are still unlikely to receive a formal contract based on the responses of migrant farmworkers above. Much of this lack of clarity in this process goes back to the lack of social power on behalf of the migrant farmworkers within these farms in Western Michigan. As one migrant farmworker from Guatemala put it:

> We cannot dispute or negotiate wages because we do not want to have to look for work again. We need the work, so if we are discriminated against because they are of another nationality, ethnicity, they do not do anything about it. We cannot afford to lose our jobs. For me, I am someone who will do anything for the work because me and my family have to pay off all of the debt we incurred in order to stay." (Interview, Migrant Farmworker #5).

This migrant farmworker talks about the debt he and his family incurred to come to the United States to work and how essential it is that he keeps his current job in order to care for them. For those who are in vulnerable positions, whether that means being part of a minority ethnic group, not having the appropriate documentation to work in the United States, speaking a different language or dialect, or having a great deal of debt, many of them become immobilized within their respective circumstances. They do not want to lose what they have because they are afraid they may never secure employment again based on these areas of marginality within places such as Western Michigan. They take any form of "discrimination" or treatment in order to keep their job because they are unsure if they will ever be able to secure another one.

This lack of social power is also determined by skill set, experience, and access to transportation. These elements are often essential in forming the necessary relationships and networks needed in order to secure employment. As one migrant farmworker discussed in his response, sometimes migrant farmworkers do not have a choice about whether they will stay or return again to work the following year:

> Most people will stay because they do not have transportation. They have to stay. They cannot negotiate the wages. Usually at the end of the asparagus season, they normally would

> ask if they would have work again next year. Sometimes farmers will tell them "we'll talk again…" Then they never call. Sometimes they negotiate higher wages when they do not live in their housing. I am in a good position to negotiate what I make because of my expertise and experience. The negotiations depend on how the relationship starts, whether or not the grower or the worker calls. If the grower really wants or needs the worker, then they will pay $9. If they are looking for work, they are having a hard time because they need money, they may take less than $8.50 or so. If you go to a farmer and say that they are looking for work, you get paid the price they give you. You are up to their desires about how much they pay you. And there are no written contracts. It is always what is agreed upon by word (verbally). There is nothing signed. It is a verbal agreement, but if I see that I have not been paid that much on the check, I will talk to the farmer and confront him about it. Sometimes the farmer will say, oh my secretary made a mistake. (Interview, Migrant Farmworker #6).

This migrant farmworker brings up the point that sometimes migrant farmworkers are not able to come and go as we assume all of the time. Sometimes they have no choice but to stay on despite whether or not there is adequate housing available. Even as they finish working they are unsure as to whether or not the farmer will call back. In these cases the workers are left in a state of limbo where the farmer may say he is going to call them back but never does. He also outlines the rules of negotiation between the farmers or growers and the migrant farmworkers. If the farmer or grower needs workers, he or she is much more likely to pay a higher wage than if a migrant farmworker approaches a farmer or grower looking for work. He also confirms the pattern which many of the previous responses stated, that there are verbal agreements only. There are very few contracts issued to migrant farmworkers.

Another family of migrant farmworkers expressed a different reaction to not receiving a contract every year. They feel protected on the one hand because they have worked for the same farmer for nearly 20 years but are anxious on the other because there are no contracts issued at all by their employer:

> The farmer does call us. There is no contract. Some people come with contracts and H(2)(A) agreements. We do not have these contracts. Sometimes they can get fired if they do not have work from the farmer. If it is cold, then they are still guaranteed a wage because they can find other work for them. They are satisfied with us and we are satisfied with them. We have been working for them for 19 years. We know what is going to happen every year. (Interview, Migrant Farmworker #12).

This migrant family is definitely conflicted over their status. On the one hand, they feel they have reliable employment with a farmer who they have worked for over the last 19 years who treats them well. He pays them a fair wage and also finds work for them when the weather does not allow them to work for him. They also have consistent and reliable housing. On the other hand, they talk about how they do not have a contract each year and how some farmers will not allow their workers to find other work during inclement weather. Their situation sums up many of the migrant farmworkers who do not have consistent employment during bad weather, who come without contracts signed, who do not know what the state of their housing will be. While a lack of guarantees or security may be reassuring for some, for others it presents a lack of certainty and protection not only in the short-term, but also over the long haul.

This was not the only family of migrant farmworkers who found themselves in this sort of predicament. Another family of migrant farmworkers also found themselves in a similar situation:

> There was no agreement about how much we would make. When we started to work with him, they worked out a wage that they might be paid. We were told when we arrived what we would make. We started making $7.25 per hour or so. One of them who does everything makes $10.25 per hour. They have been working for 14 years there too. Sometimes they get paid $13, $14 per hour or other wages sometimes. Sometimes people make less money because they are also in the migrant housing. They pay $40 per month for gas and lights in their housing, which is covered (Interview, Migrant Farmworker #13).

This family discussed similar circumstances as they were not aware of how much money they would make until after they had already started working. They also talked about the discrepancy between how much you make with migrant housing and how much you make without it, stating the differences in pay between the two. This level of flux, although many migrant farmworkers are thankful for their work, is difficult and stressful without the understanding or knowledge of a contract or another binding agreement in place to protect themselves.

In a separate situation, a couple who were both migrant farmworkers decided to come to Michigan based what they had heard from other migrant farmworkers in Ohio. When they came,

they were flat broke and looking for work. They had been working in Georgia only to find out that their employer would not pay them for the two months' work they did. Their circumstances were dire, so they came based on the "promise" of work:

> We did not have a formal contract to work in Michigan. We just knew there was work. We were struggling with the map and were dead set on coming to Hart. We heard there was a lot of work here. They know the job will be here as long as you are doing your job well and you do not get caught drinking or doing drugs. For this job they know they will have work every year (Interview, Migrant Farmworker #14).

This migrant farmworker couple came to Michigan because they had heard there was work here and have found a farmer who, as long as they work hard for him every summer, will continue to provide work and housing for them all year long. This couple is another example of how migrant farmworkers often come looking for opportunity and will work for meager wages so long as there is an opportunity to secure housing and work from year to year.

From a theoretical perspective, the nature of contractual arrangements between a grower and a migrant farmworker often incorporates both the theory of bounded rationality as well as the process of indentured mobility. Each of these theories hinges on the disproportionate nature of social power between the two parties. Migrant farmworkers are often limited by the circumstances they know and are most familiar with from their home countries: the violence, the lack of jobs, and the low pay when they are able to work. This cultural context is all they know and it invariably limits their knowledge and understanding of how the terms of employment operate in the United States. As such, a migrant farmworker could be taken advantage of because they do not understand the cultural context and how terms of employment work in the United States. So long as their terms of employment, whether or not they sign a contract or not, are preferable comparatively to their working conditions in their home country, they are grateful to work. In other words, they are bounded by the cultural context in which they were raised, a context in which they had no rights, little work, and very little pay. Their rationality then is based on all they have ever known and, as a

result, whichever set of circumstances they find themselves in within the United States is immeasurably preferable to their situation back home. Regardless, then, of how many U.S. citizens would perceive the job, the migrant farmworkers are grateful, even sometimes within situations in which they are being exploited through circumstances which are classified as human trafficking.

Indicators of Human Trafficking

This chapter describes, in detail, the tenuous road to employment migrant farmworkers often take when coming to Western Michigan and the indicators of human trafficking which emerge along the way. It relies on the responses of both professionals and migrant farmworkers in order to analyze how migrant farmworkers in Western Michigan secure employment, on what terms they do so, and whether or not they are compensated for their travel expenses to a particular place of employment. As such, one indicator of human trafficking is the ability for migrant farmworkers to access transportation from the border to their place of employment or residence in Western Michigan. This ability depends on the legal status of the migrant farmworker and, as a result, his or her means to secure legitimate and trustworthy transportation.

This chapter also set out to discuss at what point migrant farmworkers reached an agreement in terms of the parameters of their employment (wages, housing arrangements, working conditions) and when these parameters are binding on the employer. The level of understanding a migrant farmworker has over his or her terms of employment when entering the United States can also serve as an indicator of human trafficking. In cases where the migrant farmworker has a good understanding of his or her terms of employment, trafficking is less likely to happen. In cases where the migrant farmworker is not aware of his or her terms of employment or the terms of employment change between the initial point of contact and arrival the migrant farmworker is far more susceptible to being trafficked.

This chapter also looked at the various parties involved in this process such as farmers, growers, recruiters, crew leaders, and migrant farmworkers in order to analyze the complex dynamics involved in the employment process within the agricultural industry in Western Michigan. A final portion of this chapter focused on the differences between the more formal H(2)(A) Visa structure and the structure it provides for those who come under its aegis as opposed to those who come through a more informal route where there is no real hard and fast structure to follow. It is clear from this data that there are still several factors which lead to increased risk and vulnerability for migrant farmworkers in Western Michigan. Furthermore, there are some distinct factors which are prominent in the employment process such as whether or not the migrant farmworker secured reliable employment before leaving his or her home country, level of understanding about the terms of employment, the extent to which the terms of employment change, and the ability to secure consistent transportation to and from the place of employment. There are also factors which vary depending on the situation of the migrant farmworker and the circumstances he or she might be in. At this time, however, it is important to shift our attention to another area of focus, the next area of concern after migrant farmworkers have secured employment in Western Michigan, their living and working conditions at their place of employment.

CHAPTER 6: LIVING AND WORKING CONDITIONS ON THE FARMS OF WESTERN MICHIGAN

The previous chapters of this dissertation have addressed the roads that many of these migrant farmworkers have traversed in coming to Western Michigan, while also analyzing the various different networks in place in order to secure the road to employment for them. This chapter provides an analysis of the living and working conditions on the farms in Western Michigan as reported by professionals and the migrant farmworkers themselves and how these living and working conditions may serve as indicators of human trafficking. Furthermore, this chapter will answer questions such as: (1) How much do migrant farmworkers typically earn?, (2) Do migrant farmworkers make the minimum wage?, (3) Are they able to leave their workplace in order to find better opportunities elsewhere?, (4) Where and in what conditions do migrant farmworkers live?, and, finally, (5) Are there any standards or codes by which migrant farmworkers must be treated in the workplace and with housing? In answering these questions, it will be apparent that, while some of the circumstances are favorable to the well-being of migrant farmworkers, other circumstances lead to their being vulnerable to things such as human trafficking. As such, this chapter will provide a thorough analysis of these questions in order to better understand how, as a population, migrant farmworkers are susceptible to being victims of human trafficking through particular living and working conditions on farms in Western Michigan. This chapter will focus specifically on the presence of force, fraud, or coercion, the existence of "gaps" in employment, the pay, hours, and working conditions, and breaks, bonuses, and housing as indicators of human trafficking.

Presence of Force, Fraud, or Coercion

There have been several instances in Western Michigan where it has seemed that migrant farmworkers might have been victims of human trafficking. Many of these cases seem more apparent to the professionals who work with migrant farmworkers, as opposed to the migrant farmworkers themselves, who assume that such practices are part and parcel of working on farms in

the United States. While these cases of abuse happen on a variety of levels and to varying degrees, there are some which are often more serious than others. According to a number of sources, one of the more brazen cases involved a crew leader who watched over migrant farmworkers on a farm near Grand Rapids with a shotgun:

> Within the first couple of years working [with migrant farmworkers], I became aware of a report from a service provider that (at a meeting) they were talking about the service provider had been at a camp and when they pulled up to a camp there was a worker outside monitoring with a shotgun. They watched as all of the workers filed out of the camp housing and into the fields escorting the workers with a shotgun. No one was living at the camp any longer when they followed up on the case. While I have heard stories of this, I have not witnessed anything myself. (Interview, Professional #2).

While this case seems rather blatant, it is an example of bonded slavery. If those who are working in a particular field are being monitored by a supervisor with a shotgun, it is difficult to ascertain that those individuals are there by choice. Moreover, it would be difficult to believe that they are able to come and go or leave as they please. Granted, cases of bonded slavery, a form of human trafficking, are not always as apparent as this one was. Furthermore, since these professionals have permission to only access those camps which are registered, it is difficult to know if practices such as this go on in camps they do not monitor, namely the unregistered camps. This case proves that it is clearly possible that some of these migrant farmworkers are being held against their will in camps such as the one described above.

While these cases are not always immediately apparent as the one described above, there are several signs that social service providers and other professionals may look for when interacting with migrant farmworkers to determine whether or not they are there voluntarily, they have the ability to leave, and/or if they are being forced or coerced into doing anything against their will. One of the signs which may be an indicator as to whether or not workers are being compelled by force, fraud, or coercion is how they act around superiors such as top families, recruiters, crew leaders, or farmers. For example, one professional described a situation where a crew leader walked by and the

migrant farmworkers would no longer talk to the outreach team, "After he walked by, no one would talk to us any longer" (Interview, Professional #2). Another professional corroborated this sort of indicator by describing the precarious nature of the crew leaders in relation to the migrant farmworkers who work for them:

> There are crew leaders which are very helpful and there are crew leaders which instill fear in the migrant farmworkers they supervise. There are cases where the crew leaders interact well with me and show me all around the camp and the units. There are other circumstances where they withhold pay, workers are often terrified or scared to report anything negative, fear they could have their employment terminated. I have seen situations where the crew leader has a large van, he brings the workers up in the large vans, workers themselves do not have licenses or vehicles. Crew leaders would also purchase goods and then come back and re-sell them to their migrant farmworkers. This happened at a farm with all single males. I knew they got out, just not much. They also had access to the medical clinic when they needed it. (Interview, Professional #8).

In camps such as this one where there was a majority of single males, who are dependent upon the crew leaders to transport them to work, account for their pay, and allow them to visit hospitals and other medical clinics, there is a great risk for human trafficking. As is stated above, not all crew leaders are crooks. But in many of these cases, it is not uncommon for migrant farmworkers to be afraid to talk to outsiders due to their fear of termination should they not comply. Again, as stated here, single workers who congregate in certain camps who do not have licenses or vehicles and who rely on a crew leader for their livelihood are at a much greater risk of human trafficking because of their relative social isolation.

The type of latitude given to crew leaders and the relative lack of supervision over them by farmers is largely problematic. One professional who has worked with migrant farmworkers for several decades recounted the following about the expectations of migrant farmworkers and their consequential relationship with crew leaders:

> The expectation is that the migrant farmworkers will come, work from dusk until dawn, be healthy, and they (crew leaders) sometimes chip in to help but they will then charge the workers. I do not think these incidentals are written out. In my opinion, crew leaders can charge whatever they get away with. The crew leaders I have seen in this area, the only ones I am familiar with, they usually are single men, sometimes with a substance abuse or mental

> health issue; they just do not know how they come to an agreement to obtain the things they need. I am sure they sometimes are paying excessively for some of these things but folks do not often complain or discuss these things. (Interview, Professional #9).

This professional shares about the role of the crew leaders as being some sort of unwritten code whereby they are able to charge an amount that is acceptable based on "whatever they get away with." It seems, based on her response, these things are part of the informal process of finding and securing work in Western Michigan, crew leaders behave a certain way and migrant farmworkers cannot challenge their authority because "this is the way things work." She also reiterates the likelihood that these arrangements take place in cases where the crew leader, who often has a mental or substance abuse issue, is supervising single males who have no license, transportation, or experience working for anyone else. These sorts of informal agreements, where one party takes advantage of another, are an apparent part of the process of migrant farmworkers finding employment in Western Michigan.

While some professionals concede that the informal workings between the crew leaders and the migrant farmworkers do not get discussed much, another professional detailed how the process often works. In fact, according to legal advocates who work with migrant farmworkers, many farmers have moved away from using crew leaders because they can also be held accountable for crew leaders' actions which are often done without their consent. Nonetheless, there continue to be crew leaders who will recruit, transport, and contract with farmers in Western Michigan and, in the process exploit migrant farmworkers. One professional details how this process works:

> When I first started working, one of the things I heard about the crew leader system is that this individual (crew leader) would get a chunk of money to pay the workers and claim that the remainder was their salary. They are often managing the money and take a cut off of the top. We went on an outreach to a camp one time and the crew leader was pulling out large bills, just giving the cash and then distributed it based on how much folks make. They are supposed to get official pay receipts or check stubs but instead they get hand-written receipts. On the piece of paper their pay is written but nothing is written about the number of hours they work. (Interview, Professional #10).

In cases such as those mentioned above, professionals and even migrant workers recognize such arrangements as custom. As the previous professional stated, crew leaders often get away with "whatever they can." Such an arrangement, however, is illegal both in theory and in practice. Employers are obligated by law to pay into things such as social security, unemployment, worker's compensation, and other applicable taxes when these migrant farmworkers are under their employ. If the employer is not paying these taxes, it is difficult to comprehend how the migrant farmworkers will be able to draw social security when they are old enough, unemployment when they are out of work for part of the year, or worker's compensation if they are injured.

The lack of documentation also presents numerous issues. Without a paper trail, it will be difficult to determine whether or not the migrant farmworkers are paid appropriately with either the number of hours they have worked or the amount of fruit or vegetables they have picked. In cases like these it is hard to know whether or not the migrant farmworkers are being exploited by the crew leader, because there is no paper trail as to how much he was paid or given by the farmer or grower, how much he took for himself, and then how much the migrant farmworkers were paid. Moreover, it is difficult to discern if some families are making more than others, whether or not wages are being withheld (which has happened to some of the migrant farmworkers interviewed for this project), or if bonuses or other special arrangements have taken place. These complicating factors make it very difficult to measure or assess whether or not individuals are being or have been trafficked, but circumstances such as these warrant further investigation as to whether or not force, fraud, or coercion are present. Even if these factors are present, it is in these cases that migrant farmworker communities are often the most isolated, unfamiliar with how the process works, and working for camps which are not licensed. In each of these situations outreach members or professionals rarely interact with these vulnerable individuals, making them difficult to interact with.

More research needs to be done into these more isolated and marginalized communities of migrant farmworkers.

Migrant farmworkers also shared their experiences of how crew leaders had shorted them with regard to pay, if they were even paid, in the past. One of the migrant farmworkers, who had been part of a legacy of migrant farmworkers within her family, described how she and her sister, who had come to Northern Michigan first, worked for a crew leader who shorted them their wages for the entire summer. (Interview, Migrant Farmworker #3). While they had been part of a crew before, they had previously migrated with family and friends and often worked alongside them. In this more recent situation, they came by themselves as two women who were not familiar with the farmer, the location, and were taken advantage of. They did not want to report anything to Farmworker Legal Services because they had heard of previous cases where migrant farmworkers like them had no rights to protect. They also did not want to risk being blacklisted. In these cases migrant farmworkers are often at the discretion of the farmer, grower, crew leader, and others who are involved in the process of employing them. If they are people of good will, the workers will be treated accordingly. If they are people who are out to exploit and harm, they rarely have recourse other than to leave and hope they find work elsewhere.

In addition to these two migrant farmworkers, a couple that worked for the same farmer in Western Michigan also discussed how they had been taken advantage of several times. This couple had been shorted when they worked in Georgia caring for pine trees, "We took care of her pine trees and raked the needles, which she was selling. She kept saying that she could not sell the stuff. She owed us $800 and we only got paid $150." (Interview, Migrant Farmworker #14). In this case, they were desperate for work and had agreed to the job in order to make money. "We had to make fires, cook, and live in the woods. We had to panhandle. We had to ask others for money. This was all while this woman owed us several hundred dollars." (Interview, Migrant Farmworker #14).

They worked and begged, spending every little bit on gas in order to get to Michigan, where they had heard there was pretty consistent work from other migrant farmworkers on the road. Once they arrived in the Grand Rapids area, they were treated to dinner by some folks in a restaurant who had heard about their circumstances. Once they started working in Western Michigan, they were shorted by the first couple of farmers they worked for. (Interview, Migrant Farmworker #14). As with other migrant farmworkers, they then found out whom they should work for and who they should not, settling in with a farmer who now provides housing for them so long as they work for him. While many of these migrant farmworkers are very thankful for the housing they have, it often comes with strings attached. This sort of conditionality is very similar to the H(2)(A) Visa program in that migrant farmworkers must work for the farmer or grower who provides the housing, often for a much lower rate, for the duration of the time they stay in the housing. This sort of arrangement will be discussed at length in the second section of this chapter.

While migrant farmworkers may often be taken advantage of by crew leaders, they are often also intimidated by farmers and growers. As mentioned previously, some farmers and growers delegate many of their fiduciary responsibilities to crew leaders who, depending on their moral and ethical leanings, often take great liberties in paying, documenting, and managing the migrant farmworkers whom they may have even recruited. Legally, farmers and growers can be held liable for the actions of these crew leaders, who are acting in a managerial or administrative capacity on their behalf. This sort of liability has caused many of the farmers and growers to move away from employing crew leaders as a "middleman" and now hire paid staff to work in a human resources capacity to pay migrant farmworkers accordingly. This shift, although it does not happen in every case, does not prevent from the farmers or growers from intimidating the workers in other ways. As one professional who serves on outreach teams to migrant farmworker communities in Western Michigan commented:

> There was a case against a Michigan grower where the farmer would ride around on a tractor monitoring the workers' conversations. This was definitely a situation where the grower sought to create an atmosphere of fear and intimidation as the workers would no longer feel at liberty to talk about their working or living arrangements within this camp. (Interview, Professional #2).

This "silencing effect" happens when one of the supervisors such as a farmer or a grower constantly monitors or watches the workers. Many of the migrant farmworkers in their responses claimed that the best employers they had worked for allowed them the freedom to come and go, to pick the crops the best way they knew how, and did not dictate the hours they work, the pay they receive, or the means by which they get the job done. They repeatedly stated how thankful they were when farmers did not micromanage them. Given these responses, it is understandable how uncomfortable it must be for these migrant farmworkers to undergo constant supervision and intimidation by the farmer listed above. Furthermore, when the migrant farmworkers refuse to communicate with outside professionals who are coming to assist them, there might be more force, fraud, or coercion going on when there are not visitors to the farm. While these inappropriate actions taken by their superiors often lead to an increasing likelihood for vulnerability, migrant farmworkers also face other adversities when working on these farms such as shortages in work, inclement working conditions, and housing instability.

From a theoretical perspective, the presence of force, fraud, or coercion through whatever means serve as very strong indicators for human trafficking from a legal standpoint. In his description of the anatomy of injustice, Gary Haugen discusses how perpetrators often utilize coercion and deception as a means to utilize their disproportionate level of social power in order to exploit marginalized populations. According to Haugen, coercion can take the form of brute force, as in the case of a superior who is armed while he surveils the migrant farmworkers. It can also take less brute forms like when a farmer is constantly monitoring his workers while shouting at them about how to do their jobs. These forms of coercion allow those with greater levels of social power

the opportunity to exploit populations such as migrant farmworkers, who often find themselves marginalized because they may not be documented or speak the same language as their employers. These migrant farmworkers may also be victims of deception, Haugen's second element in the anatomy of injustice, when the farmers threaten to "blacklist" them based on any sort of whistleblowing about the farm or its operations. The ability farmers, growers, recruiters, or crew leaders have to utilize coercion and deception due to their disproportionate amount of social power they have over the migrant farmworkers allows them to exploit and potentially traffic these workers. This next section will address the working conditions themselves and the difficulties migrant farmworkers face which enhance their vulnerability on a number of levels.

Existence of Gaps in Employment

As with many of the responses, the professionals have a limited picture of what working conditions look like for migrant farmworkers in Western Michigan. They articulate some nuance, a dose of complexity, but primarily serve as a lens or framework in setting up the richer and more meaningful responses of the migrant farmworkers. Their responses help us frame and comprehend the perceptions of working on these farms, often from those who have worked on the farms before they were hired into their current professional positions. Their experiences are also limited by location because, as we have previously seen, the responses can be categorized based on county due to their increasing diversity based on the types of camps and workers attracted as a result. In looking at these responses, it is important to understand the rate at which the workers are paid, how their pay depends on the crop they are harvesting, the means by which they find work between crops or when they encounter inclement circumstances with their current employer, and how housing sometimes can dictate where they work, for how long they work, and how much they are paid. All of these circumstances are referenced in these responses by professionals and migrant

farmworkers, particularly as they relate to identifying indicators of human trafficking through "gaps" in the employment process of migrant farmworkers in Western Michigan.

As mentioned before, there are many difficult dynamics that farmers, growers, crew leaders, recruiters, and migrant farmworkers must navigate in order to have a successful business. As stated by one of the professionals, one of these dynamics involves what to do with migrant farmworkers when there is a lapse between crops during the growing season:

> Sometimes there is a farmer who has asparagus, then a cherry crop. There is a lapse, however, between the two crops, where the family cannot work. This is difficult for the family. This is their livelihood, they need to be paid. The farmer should at least have the decency to provide them work in the interim. One of the biggest problems in the county is that farmers work throughout the season and families get discouraged. Sometimes the weather does not give, the crops are not consistent. It depends on the weather, if it is cold and rainy, if we get another cold spell. The farmer will also tell them to come at a certain time, then in April it was cold. The workers were there, the families came up, asparagus normally comes in May, but with the cold, it is difficult, they are idle and do not make money. From what she can tell, they sometimes sit around for two or three weeks at the beginning of the cold season but then there is no work. They sit around and do not work. There is a gap between asparagus, cherries, and then peaches (three weeks, then two weeks later). If they come to farmers with a consistent crop, they are in better shape. Some have them doing odd jobs, others do not. They need to keep the workers there. Doing something is good. They need to keep them occupied better. (Interview, Professional #5).

This response articulates several different difficulties migrant farmworkers often face when working on these farms in Western Michigan. The challenge centers on how to keep migrant farmworkers busy in between crop cycles. As stated by this professional, there may be two or three weeks between crops where the migrant farmworkers are sitting around with no work to do. Several of the migrant farmworkers work for farmers who will allow them to go work for another farmer (farmers talk amongst each other in order to swap workers depending on which crops need to be picked). The difficulty comes in, however, when a farmer does not network with other farmers to allow the workers to fill these "gaps" in time with productive work at another farm. Furthermore, this situation can be complicated by the fact that, for farmworkers who have housing from a particular farmer, they are not allowed to work for another employer at all during that time or else they may

lose their migrant housing. Again, this all depends on the farmer. Certain farmers are very accommodating and allow their workers to work with other farmers during these "gaps" in the harvest, much of the time because it helps keep morale high and retain strong farmworkers from year to year. There are other situations, however, as referenced above by this professional, where these migrant farmworkers are not allowed to pursue other opportunities during these "gaps" and therefore do not make as much money as they had hoped over the duration of their employment.

Another difficulty for the growers and the farmworkers is the unpredictability of the climate and weather of the region. This difficulty has implications on the beginning of the season as well as during the season. As stated above, migrant farmworkers are often frustrated when the farmers or growers ask them to arrive early while the weather is still cold and they are not able to pick. According to the response of the professional above, sometimes it is difficult because they arrive two weeks early only to find the weather still cold. In this case they have no work to do since the weather is so cold. While migrant housing may be approved, the migrant farmworkers often get frustrated when they are told to be at the farm by a certain date, only to find out the weather is so cold that they cannot work and the crops may have been destroyed due to the cold weather. Even though this type of circumstance is highly unpredictable for both sides (farmers/growers and the migrant farmworkers), it would be difficult for any worker to show up to work for two or three weeks, to invest their time to move their families, find housing, and to buy groceries only to find that they will not be paid for several weeks. In these circumstances both sides are losing money and there is little they can do to insure or protect each other. Good farmers sometimes find odd jobs for their workers to keep them busy, but these employers are often few and far between.

A final challenge in circumstances like these occurs when there is inclement weather during the harvest after the migrant farmworkers have been working for some time. While these things do not happen often, it is not uncommon for there to be a cold spell in the late spring which either

destroys a crop or inhibits the growth of the vegetables or fruit in question. The amount of sunlight or rain also can serve to enhance or slow down the growth process of the fruits and vegetables these migrant farmworkers harvest. As in the previous situation, these circumstances are very precarious and, while some farmers will find work for their farmworkers, they are often the exception and not the rule. The decisions the farmers make as to whether or not will keep their workers busy during the "gaps" in employment is important and impacts whether or not they are able to retain a more qualified and skilled workforce. One professional articulated this dynamic by explaining the methods by which migrant farmworkers navigate where they work from year to year:

> It depends on the farmer. Often farmers take good care of their workers because they want them to come back and work every year. If they do not treat them well, how will they have the requisite number of workers year after year? How is something like that possible? Also, if workers, often these workers who are more nomadic, show up and have a farmer who does not take care of them, then they try to leave and find another farm where they can work. When they find this other camp to work in it is much easier because they can be treated better. The workers know how to navigate these camp situations with farmers. Sometimes, though, even if the farmer is not good, the workers will not leave. (Interview, Professional #13).

This professional does a good job of articulating the fine line farmers and growers must walk in caring for the migrant farmworkers they employ. A farmer who looks after his employees by finding other work for them to do between crops or as a result of inclement weather likely will have a stronger reputation as a farmer who cares for his workers. This decision to keep workers employed during these gaps would likely lead to higher retention on an annual basis and more stability for all involved. From the standpoint of the worker, however, they are likely to make decisions about where they work based on whether or not a farmer provides the amount of consistent work he or she promised. If there is consistent work and the migrant farmworkers are not idle, they would be more likely to return the following year. In addition, they might be willing to work harder for the farmer because he is taking better care of them, leading to higher productivity and profits for the farmer in the long run. The professional also comments on how sometimes migrant farmworkers

will not leave a particular farmer who does not provide consistent work. In these situations, the migrant farmworker, as has been discussed in previous sections, does not want to take a chance leaving one farmer without some form of guarantee of work elsewhere. It might not be favorable to be without work for a week or two between crops, but it would be much less favorable to be without work indefinitely or to find another job which was worse. The decision to leave, then, depends on the individual circumstances of each migrant farmworker. Increased movement in these circumstances can result in vulnerability amongst migrant farmworkers because if they do not have a consistent job then they are more likely to trust or rely on others with promises of stable work. The best case scenario for many of these migrant farmworkers is stable and consistent employment over the duration of the growing and harvesting season with a farmer who pays and treats them well.

From a theoretical standpoint, the gaps in employment many of these migrant farmworkers learn about is also a result of the model discussed in the last section. According to Haugen's approach, injustice is perpetrated by those with a great deal of social power against those who are often marginalized through coercion and/or deception. Based on his analysis, those who are able to employ others often have the ability to dictate terms of employment, even if these terms of employment are not synonymous with those initially agreed to by both parties. This form of deception is often used to secure the services of the worker by presenting an ideal set of terms upon which the migrant farmworker will have consistent work throughout the growing season, maximizing his or her earnings. The deception takes place, however, when the grower or contractor knowingly misrepresents the terms of employment to the migrant farmworker, who has no idea he may not have work for the entire growing season. As such, these "gaps" in employment, especially when they are known to the grower or an agent of the grower in advance, may be misrepresented to the migrant farmworker in order to secure services for employment. When this deception happens, the migrant farmworker is often bound by things like housing, future employment, and reputation,

to stay with the current employer. The migrant farmworker, even though deception has occurred, often has too much to lose to report the deception. The grower has used his disproportionate amount of social power to deceive the migrant farmworker as to the terms of employment. These sorts of arrangements serve as a nexus between theory and practice in relation to human trafficking.

Pay, Hours, and Working Conditions

The working conditions are also an important factor in understanding the vulnerability of migrant farmworkers in Western Michigan. In this section, working conditions will encapsulate the various rates of pay migrant farmworkers receive based on the crops they pick, the hours they work depending on the crop, how much land their respective farmer(s) has/have, and their access to transportation only as it relates to their ability to work. This analysis will describe the various arrangements in terms of pay, how their days look in terms of the number of hours they work, and whether or not they are able to drive themselves to work or if they have to rely on other forms of transportation. It is also important to remember, as part of this analysis, that sometimes housing may be included as part of the pay a worker receives. There are also sometimes bonuses which are given out at the end of a particular season. The housing and the bonuses are often meant to be retention incentives so that workers will stick around and finish the season. While the legality of such incentives is questionable, they nevertheless seem to be common practices amongst these farms in Western Michigan. The question of work breaks is also something that comes up as part of this discussion. All of these aggregate factors help to determine the level of vulnerability migrant farmworkers endure on a day to day basis and whether or not they are vulnerable to being trafficked.

There is some debate as to whether or not migrant farmworkers in Western Michigan know their pay rates, which often vary and depend on the crop they are picking. Farmers and growers often have varying levels of disclosure in terms of contracts (see above), communication regarding piece rates, and pay stubs, all of which, if implemented, would lead to a better transparency within

the industry. One professional articulates her understanding (or lack thereof) when it comes to the pay migrant farmworkers receive:

> I do not know the piece rate, but I do know that they are paid by piece rate and it is supposed to add up to minimum wage, but if the crew leader and worker are not keeping track of the hours, the workers are easily taken advantage of. (Interview, Professional #10).

Some of the more savvy professionals do their best to encourage migrant farmworkers to document the work they do, particularly in terms of how many baskets, buckets, pounds, quarts, or other quantities of produce they have picked. This sort of documentation, they claim, not only encourages accountability on behalf of those responsible for compensating the workers, but it also provides the migrant farmworker with proof of how much work they have done in the event of a dispute.

The response provided by one of the migrant farmworkers corroborated this notion that documentation, while helpful, does not always help to determine how much one is paid. In their case, they are paid piece rate and what they are paid depends on the crop they are picking, how long they work, and how much of the crop they pick:

> We get paid piecework. We do not think this is as much as the hourly wage. We are supposed to write down how much we pick and then it determines how much we make. Every time it comes out the same. We are paid differently depending on the crop and how it is measured (asparagus, apples, etc.). A normal day looks like about $148 for him. The fastest makes $200 per day. We go in to work at 7:30, stop for lunch at 12 noon, finish by 4. I am up by 6. There are no breaks for piecework. Asparagus they start at 6 a.m. and then are done by 10:30 at night. They get paid by the pound for asparagus. It is a bit harder but depends on the weather. Sometimes we make $158 per day with asparagus, when the weather does not cooperate they may only make $50 per day. Sometimes asparagus grows 6-7 inches per day. The long days are because the asparagus keeps on growing. Sometimes you have to go over the field a second time because of how quickly it grows. (Interview, Migrant Farmworker #1).

In the case of this migrant farmworker, it appears that documenting the quantity that they picked did not lead to any variation in pay. He also articulated how they are paid different rates based on how productive they are, which crop they are picking, and how long they work. For example, picking asparagus for sixteen hours a day will only net him another $10 per day, despite the fact that he is working nearly six hours more per day. These types of discrepancies are difficult to comprehend,

even though crops may be different than one another. It is also important to note that the migrant farmworker disbelieves that getting paid piece rate is equal to getting paid minimum wage, a tactic farmers often use to motivate and incentivize productivity amongst their workers.

While some migrant farmworkers argue that they are not paid at least minimum wage for the number of hours they work when they are paid piece rate, others believe piece rate allows them to make more. The reality is that for those experienced and skilled pickers (many of whom are a small minority of pickers) they may actually get paid at a rate which is higher than the minimum wage because they have a great deal of experience and time invested in picking over the years. One woman, who has been picking in Western Michigan for quite some time, argued that the one who picks makes more money than someone on an hourly wage:

> When you work for minimum wage you work hourly. When you work for piece rate, you can sometimes make more money. The one who picks makes more money than the one who is paid hourly. She makes $8.75 per hour. The minimum is $8.40. She works 8 hours per day in the factory, you can work whatever you want to work (in the fields). (Interview, Migrant Farmworker #3).

The one caveat she makes, however, is that the one who works in the field can work whatever hours he or she wants. Again, while she may make more money than her sister, who works in a factory for eight hours per day, she definitely works more hours, reducing her hourly pay to *less* than what her sister makes. While some workers want the opportunity to work more hours in order to get paid more on a daily basis, this does not mean they get paid more than the minimum wage (*el minimo).*

Other workers, however, are paid below the minimum wage because of a combination of factors including, but not limited to, their legal status, their ethnic background, their lack of education and training, and their inability to speak English. In one case, in particular, the worker did not want to leave because of the uncertainty involved in finding another form of employment:

> I normally make about $7.40 per hour, I cannot fight this because I do not want to have to look for work again. There is no contract involved even in the processing plant, it is "at-will employment." Sometimes I work 40, 45, 48 hours per week. I am able to make overtime in the plant but not in the fields. The farmer said he would not pay overtime for asparagus and

> then people said they would not work on Sundays because he did not pay for overtime. When people quit working Sundays, he changed his mind and decided to pay overtime so they could pick all of the asparagus. There was one time when some folks were making more money, about 15c more an hour. They got together and talked to management, who raised the wages. (Interview, Migrant Farmworker #5).

In this response, the migrant farmworker talks about his hesitation with leaving his current place of employment, even though he was paid well below the minimum wage, because he "does not want to have to look for work again." In fact, many of these workers are not able to look for other jobs because they cannot afford to go without income for any period of time. Furthermore, many of them still have debts to pay off from migrating to the United States, paying for transportation to their current employer, and for any other incidental expenses they accrue along the way. This migrant farmworker further states that, with his job in the plant (he works in the fields during the harvest season and the plant the rest of the year), his employment is defined as "at-will" and he does not even have a contract. In cases such as this, it is very rare to have documentation from the employer in terms of which taxes are being paid, how many hours are worked, what the hourly rate of pay is, amongst other things. And, in cases where these things are not documented, it is difficult to know whether or not workers such as this one are being exploited in terms of their wages, taxes, and other amenities. On the other hand, what sorts of protections do individuals have who work in the United States, are employed under these "at-will" contracts, who may not be legally documented? Is it their destiny to be taken advantage of while trying to forge a better life for their families in places like Western Michigan? How is it possible to seek justice in each of their cases when they are not recognized as having equal standing like any other worker under the law?

Another wrinkle that influences how much migrant farmworkers are often paid is whether or not they are currently staying in migrant housing while working for a particular farmer or grower. This migrant farmworker, however, is very fortunate because he is rather independent as his son owns a house where he lives during the six months that he picks produce:

> One of the farmers I worked for this year pays per piece for wages. Then he also pays only $3.25 per hour for those in his housing. If those in the housing say that they will not work for this little, then he tells them to get out of his housing….then they have nowhere to go. I am in a good position because I do not have to worry about staying in the housing and can get paid a higher wage because I am not dependent upon the farmer for housing when it comes to picking peaches or apples. The problem with the pay, especially with the peaches, is that it is difficult. This is the case especially when the farmer expects you to do 3 trees per hour and then does not pay you enough (to meet minimum wage) if you do less. A new worker, who picks one tree an hour does not get paid minimum wage. An experienced farmer, like himself, only can get two trees an hour. There is no way to make minimum wage under this arrangement. The skill set has to be there to earn the money. (Interview, Migrant Farmworker #6).

This experienced migrant farmworker makes two very important points, one with regard to the relationship between housing and pay and another about whether or not minimum wage equates to piece rate, particularly related to picking peaches. For his first point he juxtaposes his situation with the situation of a normal migrant farmworker. In his case, he does not need to stay in migrant housing at the farm where he works. This luxury allows him to get paid more per hour than the other migrant farmworkers, who apparently are only paid the equivalent of $3.25 per hour after housing. While it is difficult to know the specifics of this situation, it might be assumed that migrant farmworkers are being charged more than $4 per hour that they work *just for housing*. If they work even just a 40 hour week, which is very low for many migrant farmworkers, this would be over $600 per month for housing alone, not taking into account whether other farmworkers are staying with them, if they are working more than 40 hours per week, amongst other factors. Furthermore, when considering how farmers or growers are able to control the mobility of their labor forces through such housing (if you leave to find other work during a slow time, you will no longer work here), such an arrangement has the potential to severely exploit migrant farmworkers in Western Michigan. So, while many migrant farmworkers were thankful for the housing, it also can be used as a means to control and exploit them as part of the employment process.

The other point which this experienced farmworker articulated was the discrepancy between piece rate and minimum wage when it came to picking peaches. Based on his experience with

picking peaches for a particular farmer, the farmer would set an unattainable standard (three peach trees in one hour) as an equivalent for minimum wage. He mentioned that even he, as someone who has years of experience picking peaches, could only pick two trees in one hour, while those with less experience could only pick one and a portion of the second. Based on these circumstances, it is remotely possible to make minimum wage picking peaches for this grower, but the way things are set up, it is highly unlikely, making piece rate an improbable means to make even the minimum wage. Again, this sort of scenario does not prevent farmers or growers from paying a piece rate which will allow migrant farmworkers to make a minimum wage. It is illustrative, however, of the broader principle that the farmers or growers themselves set the standard for what piece rate looks like based on the crops their workers pick. The level of production obviously depends on the individual farmworkers, but the standard determines their level of pay and what is attainable as far as minimum wage goes. While piece rate may allow migrant farmworkers to make more than minimum wage, it often comes at the cost, we have seen, of working exceedingly more than a normal 8-hour workday. So, while the piece rate may allow migrant farmworkers to make more money, it often comes at the cost of working longer hours more days per week. Not everyone finds themselves in this sort of position, however. Some migrant farmworkers claim that whether or not they are paid minimum wage or piece rate does not matter.

One of the reasons why the debate between minimum wage and piece rate is so obscured is because often farmers, as noted above, will offer migrant housing in order to pay a lower wage or piece rate. Migrant farmworkers view this as a shortfall, mostly because many of them in their previous jobs were being charged exorbitant rates in places like Florida, Georgia, and other Southern states. How this rate is calculated, as mentioned above, is deceptive, however. While the migrant farmworkers perceive that they are coming out ahead in the end, what they do not realize is that the migrant housing they are provided is allowing the farmer or grower to pay them below minimum

wage, which is illegal. One of the ways migrant farmworkers get around these shortfalls is by working together as a family or as a group of farmworkers to spread the costs between themselves. One migrant farmworker family describes how this process works:

> We have spent 12 years working in Michigan and met here. We make decent wages in Michigan but the thing that is nice is that the cost of living is so much lower here. We often talk to people ahead of time in order to see how much work there is and what we will be paid before we make a decision. Some crops are going to pay more than others. Some farmers are going to pay more than others. It depends on your skills and experience where you can make the most money. We need to work together as a team to pool the money. You need to pick a lot of apples and other crops to make a great deal of money. (Interview, Migrant Farmworker #11).

The migrant farmworkers in this response mentioned that they appreciated the lower cost of living in Michigan as compared with other states. They also mentioned, as experienced farmworkers, how necessary it is to use their networks ahead of time in order to find out where the best work is. They also discussed in importance of specialization and working as a team. They reasoned that they would make the most money where their skills were best utilized and compensated. Then, they claimed, they would make the most money where they were able to work together as a team. One caveat they mentioned, however, stated that you need to "pick a lot of apples and other crops to make a great deal of money." This phrase harkens back to the responses of the previous migrant farmworkers who claimed that they were able to make a great deal of money, but they were only able to make this money when they worked a great number of hours.

Another example of an opportunity where a migrant worker was able to make a great deal of money working in the agriculture industry was a gentleman who worked for one of the processing plants. He had worked for one specific processing plant in Western Michigan for 24 years and had recruited family members to come up and work there as well. The hours he worked, however, were unbelievable. According to his response:

> I have worked for 24 years here. My hours vary considerably. Over the years, I have worked a lot of hours. One week I worked 112 hours. With my current employer, as opposed to my previous one, it has been less, maybe 80 hours per week. I am paid by the

> hour. I think I am paid a little more than minimum wage. It is not possible to get raises where I work. (Interview, Migrant Farmworker #8).

In this case, it is clear that this migrant worker makes a great deal of money but, yet again, he does so based on the egregious numbers of hours he works on a weekly basis. One thing he said that particularly stood out was that, because he was in sanitation, sometimes "I will be going to bed and they will call me in. I have no choice but to go in and work then." (Interview, Migrant Farmworker #8). While such an arrangement appears unorthodox, he also mentions that he believes he makes "a little more than minimum wage" but "it is not possible to get raises where he works." How is such a worker able to make more than minimum wage while not receiving raises for the duration of the 24 years he has worked there? How is it possible to work 112 hours in a week? Why does he feel so obligated that, when they call him and ask him to come in when he is getting ready for bed, he has to come in? In situations such as these, it appears that there is some sort of obligation to the employer which leaves the employee powerless. While he may make a great deal of money, he is doing so based on the fact that he is working otherworldly hours at the expense of his health and livelihood. He is not the only example of an employee who has worked so diligently that it often threatens his health. Another migrant farmworker who was part of this study also dealt with a severe threat to his livelihood as part of his work.

One of the migrant farmworkers who participated in this study had just graduated high school, gotten married to someone he had dated for several years, and they had just had their first child. When I visited them, in fact, the child had just been born only a week prior to the interview. He, his wife, and his newborn child lived in the living room of the migrant housing while his parents lived upstairs. He worked as a migrant farmworker by cutting grass in one of the cherry orchards. In fact, he had held several different jobs around the farms over the past few summers and had worked in a couple of the factories during the school year(s). As part of his response to my questions, he told me the story of the day he nearly lost his leg when he was cutting the grass:

> I cut grass for 7 days per week for the cherry trees. When I worked to cut the grass, I worked between 50 and 60 hours per week. Because of my accident, I cannot work right now. I forgot to tilt the bore of the wagon, I unloaded the wagon, and my friend was cutting the grass. I forgot to turn off the bar, fell, and then the blade cut me really bad. The bar should have been turned off. It took awhile for someone to see me. I lost so much blood. They almost had to amputate my leg. It took almost one hour for the medical people to arrive. The doctor wanted to cut his leg off but he said no. They transported me from Muskegon to Grand Rapids. The leg should heal through therapy. I am taking it easy but it has been hard going through therapy. The leg will not be the same but will heal somewhat. (Interview, Migrant Farmworker #7).

In this case, the farmer covered many of the costs of the injury not covered by a baseline insurance plan the farmer had taken out in the event that his employees were injured. While this young man did not work nearly the number of hours the previous migrant worker worked per week, he still worked a great number of hours cutting grass, before that driving a tractor, working in several factories, and other odd jobs. His pay started off at $7.25, which was below minimum wage, and then was moved up to $8.25, which was still a low wage based on the work he did. (Interview, Migrant Farmworker #7). As in previous cases, these migrant farmworkers work longer hours, particularly when they are paid lower wages, in order to maximize their earning capacities. This allows them to account for their cost of living, support their families, and provide for other necessities they may have. Working longer hours, however, is only one way that migrant farmworkers attempt to maximize their earnings.

Another way workers attempt to meet their needs is by seeking employment with other farmers during their "gaps" in employment with their primary employer. As mentioned before, some farmers are more flexible and allow their workers or, in certain circumstances furnish their workers with opportunities, to work with other farmers in lieu of their gap in employment with them. One of the migrant farmworkers gave an example of this sort of arrangement and how the pay worked out:

> The farmer does the math. It is not much difference between the piece rate and the hourly rate. During the season, we do not pay rent, just lights. After the season, we have to pay utilities and light but no rent. There are not enough crops for paying piece rate. If there

> were more crops, it would make sense to incentivize the crops because there are so many to pick. The asparagus season is only 3-4 weeks, it is decent for the crops. This is a steady, predictable wage. We sometimes go to other farmers to pick. They will match the $9 per hour rate if we work for them too. If his are ready, then we could pick his. But if his are not ready, then we can help with others' crops. (Interview, Migrant Farmworker #12).

In this scenario, these migrant farmworkers came to work for a farmer or grower expecting that they were going to have work throughout the summer. What they found, however, was that they only had work part of the time and that the farmer only grew certain crops such as asparagus, which was particularly profitable for them (again, because of the long hours and short time frame required to pick it). Based on the lack of work, they then were able to find work in other farms which allowed them to keep busy throughout the year. This sort of flexibility is often only present when the migrant farmworkers are not dependent upon their host farmer for migrant housing. In this case, the farmer was more flexible with the workers and allowed them to seek work elsewhere (including a three to four week hiatus to Minnesota where they picked for a farmer they gushed about). The flexibility exhibited by this farmer is hard to find in Western Michigan. Most farmers will not allow migrant farmworkers and/or their families to leave their housing to work elsewhere. In this case, it was likely done in order to retain them for the following year. In this case, these workers sought out other opportunities in light of the lack of work their host farmer had for them. In other cases, farmers or growers who want to retain their migrant farmworkers on an annual basis will actively look for farmers who can employ their workers during "gaps" in employment.

One of the migrant farmworkers who was part of this study praised their employer as someone who looked out for them by finding them work while they were waiting for crops to be ready. By the sounds of it, the farmer has gone the extra mile with these migrant farmworkers because they are hard workers and very productive in terms of the volume of produce that they pick:

> We work for a farm called 'Evans.' The first crop in April and May that we pick is asparagus. Then they do green and yellow zucchini. We work piece rate for these. We have also done tomatoes and also apples too. If it gets cold sooner then we lose some of the crops. This farmer has apples now, but not many. If Evans' apples are not ripe yet, then I

> can go and find work until they are ready. It has to be somewhat cool for the sugar to settle on the honey crisp apples. My boss needed us to pick tomatoes while waiting for the apples, so we got work that way. Our employer is really good. If there is not work by the hour there, he will talk to other farmers to see if they need help and then work together to make sure the workers have work if there is nothing we can pick at his farm. We normally work for piece rate by contract. We do not make overtime. Sometimes we are paid hourly for maintenance on the crops but normally the piece rate. (Interview, Migrant Farmworker #10).

In addition to the number of crops that this migrant farmworker picks, he also appears to have proven himself useful enough to be some sort of supervisor as he often speaks for a group of migrant farmworkers in addition to himself. He is also very fortunate that the farmer or grower he works for has such a broad array of crops, as it is much easier to find work when there are other crops on the farm to harvest. In addition to these circumstances, two things are clear in terms of this farmer. Firstly, he values his workers enough to actively look for work amongst his colleagues on other farms when he does not have work for them. Secondly, as is present in a few of the farms which were visited for this project, he provided other work for them to do around the farm (odd jobs, crop maintenance, etc.) when he was short on work. As such, migrant farmworkers not only work additional hours in order to supplement their wages, which then skews the amount they make in comparison to earning an hourly wage, but they also seek out and, for those who are fortunate, are presented with opportunities to work for other farmers or growers who sometimes keep them busy with other work during "gaps" in their employment.

While migrant farmworkers often claimed the piece rate pay arrangement allowed them to earn more money, at least in cases where they had more experience picking and could invest large amounts of time, it was evident from their responses that they earned more not because of the pay arrangement, but because they worked unreasonably long hours in the fields, particularly for certain crops. One professional, who used to work as a migrant farmworker, laments about the number of hours she and her family used to work:

> We used to work from 6 a.m. until probably sometimes midnight. This was in the Fall for the apples. During the Spring it would always be from 6 a.m. until 2 or 3 and then for cherries we would work until about 4, 5, or 6 p.m. Cherries, blueberries, raspberries, cucumbers could be rain or shine, any day of the week. We worked hard because we saw the suffering, we wanted to learn how to work hard. Every week was Monday through Sunday unless it was coming to the end of the season. Then they would get a weekend or Sunday off but normally just Sunday. They always get an hour lunch break, always allowed the break. Because the farmers housing was so close, they would go home and cook rice, beans, and homemade tortillas. Sometimes when we worked a little later, we would go when we wanted to go. We would get the Vienna sausages, work outside late, eat apples, produce. Peaches, if they decided they would stay there, Mom would make sure they had tacos and what they needed for the day or sandwiches, nothing out of the ordinary. (Interview, Professional #14).

Based on her response, she and her family did not mind working the long hours, they believed they had to finish the job and that it taught them how to appreciate what they had. It was clear that her family members relied on each other to persevere, provide for one another, and get the job done. Nevertheless, it is obvious even from this account that they worked exhaustingly long hours in the fields in order to make more money to support themselves. While it is important to learn how to work hard, persevere, and suffer in order to better appreciate what you have, the workers undoubtedly expected to be paid a decent wage which would allow their families to have a better future for themselves. This arrangement allows for them to work as much and as long as they want in order to maximize their income. This arrangement also depends on what their piece rate is and if it is reasonable given the crop and assumes that the individuals doing the picking are fast, efficient, and experienced.

Another migrant farmworker echoes the sentiments mentioned by the professional above. This migrant farmworker discusses the hours he and his family work, the crops they are paid to pick, and how much land they have to get through each day:

> We normally work from 7 to 5 every day of the week. We work until we finish the job. We had 30 acres of zucchini to pick and we picked 15 acres per day. Then we go on to the next field. The same thing for asparagus. In these camps we work many hours, as many as we have to. Seven days per week. If we keep picking then we make more money. It also depends on how fast you can pick. We normally have 30 minutes for a lunch break. There are no breaks for zucchini or asparagus because we want to be as productive as possible. It

> is really up to us how much we want to make based on how fast we pick. The crops grow so fast, we need to keep picking. (Interview, Migrant Farmworker #4).

This arrangement is akin to those in the two previous responses. In this response, however, we sense the gravity and amount of work the migrant farmworkers face with zucchini and asparagus. They are responsible for picking 15 acres per day and, due to how fast the crops grow, they must rotate 15 acre parcels as they go. In this case, the piece rate incentivizes the working conditions because the migrant workers "work until they finish the job," working 10 hour days for seven days every week. If they keep working, "they are paid more money." They are not paid overtime for working beyond a particular number of hours, they are not paid in line with how many hours they work, they are paid in terms of their production. This incentive is sometimes so important that they skip meals because they want "to be as productive as possible." While these piece rate models incentivize productivity and encourage migrant farmworkers to "finish the job" and "pick as much as possible," at what point do they force these workers to work 70 and 80 hours per week without any breaks, meals, or enough rest to properly take care of themselves? Would these migrant farmworkers be better served, particularly those who are less experienced or who have a farmer who is paying a lower piece rate, by an hourly wage, overtime, or bonuses in the right circumstances? The current arrangements no doubt benefit the most productive and strongest workers but, as we know from other comparable industries, these workers are few and far between. What about the other workers who also desperately need to make money in order to care for themselves and their families? This seems to be an impossible conundrum in which they find themselves.

Another difficulty migrant farmworkers encounter is inclement weather. How are they supposed to pick a crop such as asparagus or zucchini, let alone 30 acres or so of each, when it is raining? Do they attempt to work during difficult weather in order to make more money? Where is the line in terms of taking care of yourself but trying to spend every waking moment picking in

order to maximize your earnings? One migrant farmworker described the difficulty farmers and migrant farmworkers face under such adverse circumstances:

> It depends on the crop. We try to do 8 hours per day. Sometimes with crops like asparagus, you sometimes have 14 hours per day. They take breaks every two to three hours. They bring food and water with them. Sometimes we work really late. It also depends on the weather. Sometimes, if the weather is too harsh, they will send us home because they do not want us to get sick to go to the hospital. There is $9 per hour, no overtime. Sometimes they will work 70 hour weeks for the asparagus. 7 days a week, 10 hour days. They know we have to pick the crop, we want to finish the job. If we slack off one day, it is going to be much harder the next. They try to finish one section, start the other two tomorrow. (Interview, Migrant Farmworker #12).

The working conditions this migrant farmworker describes are comparable to many of the responses highlighted already. A normal day picking in the fields is around 8 hours, with the exception of asparagus and sometimes picking fruit. In their situation, they choose to bring food and water with them and work as late as possible with certain crops to pick more. In cases where there is inclement weather, the farmers send the workers home because they do not want them to go to the hospital (and hence lose them for longer than one day). Thus, while farmers may send the migrant farmworkers home for the day to protect them from missing more work, migrant farmworkers themselves, who are paid piece rate, are then not paid on that day. The farmers are trying to protect the migrant farmworkers and their health while the workers themselves would rather work in order to make money. The actions in these cases undoubtedly vary based on the farmers, growers, crew leaders, and migrant farmworkers in question. While the hours and circumstances at the farms are similar to the responses described above, those at the factories differ to some extent.

The responses of the migrant farmworkers above show patterns in terms of how they are paid, how long their hours are, what they do when there is inclement weather, and what they value in terms of their working conditions. There are some differences, however, in the working conditions migrant farmworkers experience when they transition from working in the fields to working in factories. One (former) migrant farmworker describes some of the differences below:

> When we worked in the fields, we would work from 7 a.m. until 6 p.m. When we were working for piece rate, we would work from 7 to 3. We got the crop done sooner when it was piece rate. When we were paid hourly, they take breaks. If you have a contractor, they will give you a 10 minute break; that is it. We only get two breaks now (in the factory). Our first one is at 9:30 and our second one is at 3. Right now I work 8 to 5 at the factory. I could get a 6th day for overtime if I talked to my supervisor. (Interview, Migrant Farmworker #6).

Based on the response above, as well as other responses from professionals and migrant farmworkers alike, while there is enough work in the fields, especially for those who can spend countless hours picking, factory work brings consistent hours and a greater chance for a year round job. Several migrant farmworkers would rotate between picking on the farms in the summer and working in a nearby factory (the factory jobs were few and far between though) the remainder of the year. As in this case, the factory jobs sometimes allow for overtime, even though the workers may not be paid time and a half, they still enjoy getting as many hours as possible in order to maximize their earnings. For those with families, particularly young families, who were looking to find consistent work so they did not have to migrate every year (especially those who had some sort of documentation), factories provided a more favorable, stable workplace. They do not come without their managers and supervisors who took advantage of people either, however. As with all vulnerable populations, the workplace changes but the treatment often does not.

Many of the migrant farmworkers often welcome longer hours so that they are able to make even more money. From a theoretical perspective, however, such an arrangement is often characteristic of "indentured mobility." While the migrant farmworkers are able to determine how long they work, they are often bound to pick for larger numbers of hours based on the crop and the amount they are paid per bushel. So, while they have the ability to work longer hours in order to make more, they are still bound by the crop they are picking and the amount the growers determine they will be paid. For example, if migrant farmworkers were paid more per hour, they would not have to work longer hours because they would be making the same amount by working a lower

number of hours. As such, migrant farmworkers will often discuss how they have the ability to dictate their own hours, often working as many hours as they possibly can to make more money, but the amount they work is necessitated by the low bushel prices and the labor-intensive crops they pick. These factors reinforce how their working conditions resemble "indentured mobility."

Breaks, Bonuses, and Housing

In addition to pay and hours of employment, the question of whether or not migrant farmworkers get regular breaks, enough water, and access to sanitary facilities is also important in analyzing how vulnerable they are to human trafficking. While breaks and access to water are mandated by law, this does not mean that they are rights and protections afforded to the majority of migrant farmworkers in Western Michigan. As stated above, the majority of migrant farmworkers are paid piece rate, a model which would discourage them from taking any breaks because they are not paid breaks. Furthermore, with crops such as asparagus and zucchini, which grow very quickly, these workers are at a disadvantage when they take breaks. As some of them mentioned, they often bring food and water with them so they can eat and pick at the same time. Since their productivity is incentivized they are not likely to take any sort of break, nor are they willing to take the time to drink adequate water or nourish themselves appropriately.

This sort of logic is supported by the responses given by professionals and migrant farmworkers as part of this study. One individual discussed the idea of mandated breaks and water, although mandated breaks would be difficult to implement under such a piece rate system:

> From what I have heard and understood, most of the camps have mandated breaks and are given a ton of overtime. Sometimes blueberry pickers are up from sunup to sundown. With a shorter season, the more they pick, the more they are paid. Employers often do give breaks, they do have water stations at the end of every four or five rows, bathroom facilities and hand washing. (Interview, Professional #3).

This professional responds that most of the camps have mandated breaks with a great deal of overtime. Of all of the migrant farmworkers who were interviewed in this study, none of them

reported having mandated breaks. In fact, they reported just the opposite – that they worked through any sort of break time in order to pick more and make more money. Furthermore, while they were able to work overtime, which meant that they could pick (and earn) as much as they wanted, they were not paid a special wage for working more than a 40-hour workweek. Some farms do have water at the end of every four or five rows, sanitation facilities, and hand washing stations but the majority of the farms these migrant farmworkers are employed on do not. One of the migrant farmworkers testified to this reality:

> We take 30 minute breaks. From the field to the house, 30 minutes, we need to eat a sandwich and take water. If we take longer, we are going to be later picking the asparagus. With asparagus, you keep working. You have to keep picking even though you may be sick. Unless you get real sick, they will let you go to the doctor if you need to. Workers also want to keep working. Owners do not say you have to. Workers desperately want to make the money. (Interview, Migrant Farmworker #1).

As mentioned in previous responses, the piece rate system, coupled with the nature of the produce they pick, discourage many of the migrant farmworkers from taking adequate breaks, a luxury many people associate with an 8-hour workday and a benefits package. While many migrant farmworkers may not take advantage of these breaks, the availability of water or other rights they are guaranteed under the law, the steps a farmer or grower takes to ensure these rights is often indicative of their concern for the well-being of their employees. Farms where the workers' rights to take a break, hydrate themselves regularly, or use the restrooms and wash their hands, are indicative of a workplace where these rights are not respected and, therefore, an indicator that the employees may be more vulnerable to things such as human trafficking.

Another aspect of the employment process for migrant farmworkers in Western Michigan is the bonus system which is instituted in some farms. This system is very comparable in some ways to the migrant housing arrangements whereas the farmer will often pay his workers a reduced amount for a certain crop (apples, for example) and then promise a "bonus" at the end of the season for those who complete the season (and, in some cases, pick a certain number of apples). While

legal advocates argue that systems such as this are illegal, this sort of practice is widespread on certain farms, particularly when the migrant farmworkers pick apples (Interview, Professional #2). The intent behind such a system is to ultimately provide incentives for farmworkers to stay throughout a particular crop cycle so the farmer can get everything picked. It provides the workers with a lump sum payment at the end of the season and ensures they will stay and not desert during the crop cycle. While this arrangement allows the farmer or grower to retain his or her workers, it often results in lower pay, even in the piece rate system and lowers the probability that the workers are being paid minimum wage (similar to the migrant housing reduction discussed above). Moreover, many of the migrant farmworkers argue that they are shorted on the bonus because instead of being paid a bonus based on a particular quantity of the produce that is picked, they are given a flat rate regardless of how productive they have been. In fact, there is rarely ever any documentation of the amount they picked, the rate at which the bonus is paid, or the amount of the bonus which is remitted to the workers. Such a lack of documentation makes it very difficult to track the legality of such a practice, which is suspect in the first place (Interview, Professional #2).

One migrant farmworker lamented about how these bonus payments were not dispersed until all of the work was done. He also explained how some farmers implement the bonus system while others do not, "For one of the farmers there is a bonus-type deal because they do not get paid much until they finish cutting all of the trees. We have not been paid until they trim all of the trees. This is the case with one of the farmers, but the other two or three do not do this." (Interview, Migrant Farmworker #2). Without the corresponding documentation, the implementation of such a system is difficult at best. This is the case especially when some farmers have such a process while others do not. Another migrant farmworker explained how these practices often change or are modified with time:

> Before they used to pay a bonus. They would pay him at the end of the season. But lately, there were some times when they did not pay the bonus, especially around holidays and

> other occasions. Instead of giving us $500 at the end, they would take out a bunch for the taxes. They always used to have paid holidays before too. Now we do not get paid for holidays unless we work. (Interview, Migrant Farmworker #6).

This migrant farmworker highlights how the landscape has changed as far as the bonus and holiday pay work. According to his recollection, the migrant farmworkers used to get paid a bonus for working through an entire crop cycle with a farmer (he mentions a hypothetical amount of $500) but mentioned that now they use the money to pay taxes and other costs associated with the worker's employment. He also mentioned how they used to get paid holidays but now do not. These sorts of changes in circumstances, while they no means signal force, fraud, or coercion, may also serve as indicators of human trafficking in these farming communities in Western Michigan.

In addition to the changes in the bonus system and the absence of paid holidays, the documentation of the bonuses is also going through changes in terms of its implementation. While these changes undoubtedly depend on the farmer or grower migrant farmworkers work for, the standards by which the farms operate can serve as indicator for other larger concerns. According to one migrant farmworker couple, the bonuses they receive are difficult to understand because they are supposed to be compensated $1 for each box (of apples) you pick at the end of the season. Instead, they are only paid a flat rate:

> Right now everyone seems to love this bonus thing. It is another $1 per box that you picked. When you get your last check, it does not say $1 per box. It says something like a certain rate times the number of bushels. It does not seem right how much we are paid with the bonuses because it is only $100 or something like that. (Interview, Migrant Farmworker #14).

In this case, the migrant farmworkers contend that they pick more than one hundred boxes of apples and, based on their agreement with the farmer, they should get a $1 bonus for every box of apples they pick at the end of the season. Instead, they received a flat bonus of $100 from the farmer. While they acknowledge that this bonus is insufficient based on their agreement and how much they picked, they live in his housing year-round and do not want to make trouble because they

"use food pantries around here because we do not make enough money." (Interview, Migrant Farmworker #14). Again, while these circumstances are not indicative of a farm where individuals are being trafficked, these signs may serve as indicators where trafficking may be present, especially when combined with other indicators.

In addition to the breaks and bonuses, another potential indicator of human trafficking within these migrant farmworker communities is the housing arrangement between the farmers and the workers. As mentioned previously, farmers or growers often arrange for their workers to stay in their migrant housing facilities, an arrangement that serves to retain workers over the duration of the growing season, but also one which sometimes lowers the rate of compensation below minimum wage. Migrant farmworkers often raved about how kind their farmers were for providing free (or, in many cases, reduced) housing so long as they worked for a particular farmer or grower. While this arrangement may seem fortuitous for both parties, and it can be, it sometimes is a way for the farmers to exploit their workers by greatly reducing their wages all the while providing "free" or "reduced" housing. These accounts of the living conditions of migrant farmworkers are illustrative of both sides of the debate, of farmers who take care of their workers and of those who exploit them due to their relative vulnerability. Some farmers use housing as a way to save money by paying workers less, regardless of the condition of the housing they allow them to stay in:

> He (the farmer) only pays $3.25 per hour for those in his housing. If those in the housing say that they will not work for this little, then he tells them to get out of his housing….then they have nowhere to go. I am in a good position because I do not have to worry about staying in the housing and can get paid a higher wage because I am not dependent upon the farmer for housing when it comes to picking peaches or apples. (Interview, Migrant Farmworker #6).

In this case, the migrant farmworker does not have to take the lower pay because he has secured housing elsewhere. For those workers who work on his farm, however, and are dependent upon him for migrant housing, they have are more vulnerable and, therefore, dependent upon him. Furthermore, since they are being paid so little, they are more prone to work the longer hours in

order to get paid as much as possible. Another farmer corroborates the notion that if you stay in migrant housing you are often paid significantly lower wages, "Sometimes people make less money because they now live in migrant housing that the farmer owns. We pay $40 per month for gas and lights in our housing, which is provided by the farmer." (Interview, Migrant Farmworker #13).

In cases like these, the workers are often very thankful for the housing, which can often cost them a great deal in other states (in Florida and Georgia workers often have to pay high rates for just a place to sleep on the floor, often in a trailer with several other migrant workers), while realizing that the farmer is paying them significantly less than others. For example, one group of four different migrant farmworkers had recently migrated from Georgia to Michigan to work during the Fall season picking fruit. They were amazed at how cheap the housing was in Michigan compared to Georgia:

> It is not common in GA to find housing. Right now they pay $20 per person per week. It is an $80 cost for lights and gas there. It is much more expensive to live in GA than it is in MI. Here it is good work and they have a place to stay. (Interview, Migrant Farmworker #15).

Again, in this case the migrant farmworkers are often impressed with their circumstances in Michigan which, by and large, are much more hospitable than in Southern states like Florida and Georgia. The tradeoff, however, is that the wages they are paid are often much lower than other states, regardless of the lower cost of housing. While not all of the camps in question lower their wages significantly in exchange for migrant housing, but those that do take advantage of their workers' vulnerability, a possible indicator of trafficking.

The other obvious tradeoff in these circumstances where the migrant farmworkers receive migrant housing is that their movement is restricted because they are not able to work for other farmers during "gaps" in employment without the permission of their hosts. Again, while migrant farmworkers and professionals alike sing the praises of these farmers, largely because the housing

the provide is at a lower cost than down South, this gain often comes in terms of the workers' availability to seek other employment when necessary:

> We live in migrant housing in the summer and work in the fields and then move into Shelby in the winter time and trim trees. We have a lot of confidence in this farmer, he lets us stay and work there in exchange for the housing. We do need to work only for him when he gives them the housing. He pays well, though, and the three of them work together. (Interview, Migrant Farmworker #11).

This set of circumstances is unique because these three migrant farmworkers are all family members who work together within their set of circumstances in order to maximize their earnings in light of any reduction in wages they may have based on their residency in migrant housing. So long as they have continuous work throughout the summer, this arrangement likely works out well (depending on how low their pay is, which can be negated by the fact that the three of them all work). But if there are significant gaps in employment, their inability to work for other farmers would hurt them based on their dependency on migrant housing. While the housing arrangement that farmers and growers negotiate with their migrant farmworkers is crucial in understanding potential indicators for human trafficking, equally important is the relationship between habitable housing and the vulnerability of migrant farmworkers in Western Michigan.

Another area of concern with the housing arrangements centers around the status of the housing in terms of its cleanliness and habitability. For those camps which are registered, migrant housing is inspected every year in the early spring to make sure it meets the codes and regulations set forth by the Department of Housing through the State of Michigan but, for those camps which are not registered, there are no scheduled inspections. The conditions of these camps often vary with the farmer, the location, and the workforce. This section will focus on the experiences professionals and migrant farmworkers have in some of these camps and how the conditions may serve as an indicator of vulnerability for human trafficking.

Many of the professionals who were interviewed for this study have spent time in the camps either as migrant farmworkers at some point in their lives or as part of outreach teams who go out

to the camps to see if there is anything they can do to assist the migrant farmworker population. One of the professionals discussed how the cleanliness and habitability of the migrant camps differs depending on the location of the camp:

> Some of the camps which are not licensed have a lack of washrooms and bathrooms. Camps are normally well kept in Ottawa County. For the most part there is a shared laundry facility. There are also camps which do not have these amenities. There are mobile stations throughout the farms. The Department of Housing also goes through and does inspections. They see the facilities and mobile units but do not inspect them. (Interview, Professional #3).

Based on her work in Ottawa County, there seem to be shared laundry facilities, washrooms and bathrooms, and mobile stations. She does mention, however, that there are migrant labor camps without these amenities. Furthermore, it is sometimes difficult to gauge how well the Department of Housing is able to do the inspections. When speaking with one of the professionals who often goes on outreach visits to the migrant labor camps, there are only a handful of workers who are able to do the inspections each year, each of which must visit multiple labor camps in a short period of time. Given this sort of workload, it is understandable how some labor camps have not even posted their most recent certificates endorsing them as licensed labor camps. In these cases, while the law helps to protect these workers, it is nonetheless difficult to enforce, leading one to question whether or not the law has much of an impact on protecting the migrant farmworkers by improving their living conditions.

As previously mentioned, many of the professionals visit the migrant labor camps of their own initiative through outreach groups. These groups are often made up of legal advocates, health professionals, and social service workers, as well as church members, and other concerned individuals from the community where the migrant labor camp is located. One of these professionals who frequents the camps with outreach groups described the living conditions she has witnessed:

> We have a list of licensed camps that we know of. I have also seen a lot of camps which are not licensed. These unlicensed camps are a part of it, as far as their outreach, they are supposed to be visible, framed up, and licensed. Some camps post licenses but they are not current licenses. I know that some camps are not even on the maps, these are little farmers who do their own housing, they are set up illegally, they are on the grounds where the trailer is tipping over, etc. There are so many more on their list that they just never find out about. There is unsafe housing, working conditions, etc. We should be able to go to these camps too. (Interview, Professional #6).

Based on this professional's extensive experience with migrant labor camps, both licensed and unlicensed, it is evident that, while there are codes and standards for how housing should be (visible, framed up, and licensed), many of them are not followed. Moreover, there are several camps which are not visible, others which do not display up to date licenses (if they even have them), and yet another group which are not even on the map at all. In these situations, it is difficult to monitor all of these camps in their totality, let alone figure out where those unmarked camps are and follow up with them. While the living conditions often vary from county to county, they undoubtedly also vary within the county as well.

One professional who works in Cass County shared a little bit about her knowledge of the conditions of the migrant labor camps based on common knowledge of some of the camps and the lack of presence there. She pointed out two of the camps in Cass County that she knew were not providing adequate housing:

> They do have a grower in Cass County who is notorious for NOT providing adequate housing in Cass County. There is a greenhouse in the southern part of the County which had bad conditions too. Not much of a presence in these camps in recent years, something they are working on. (Interview, Professional #11).

One important relationship this professional pointed out was that between presence and adequate housing conditions. Based on her observations, there is not much of a presence in the camps in Cass County, the absence of which ceases to lead to the type of accountability necessary to protect the rights of the migrant farmworkers, particularly in terms of migrant housing. The previous professional discussed the outreach groups which go to the camps to tend to the needs of migrant

farmworkers. It seems as though these outreach groups either do not function or do not function often enough within these migrant labor camps in Cass County. This perceived relationship between presence and the level or quality of migrant housing is important also for cases of human trafficking. If there is no presence of those monitoring the migrant labor camps, it is possible that there is a lack of accountability for not only migrant housing, but also for those who are vulnerable or at risk for being trafficked.

Migrant farmworkers, on the other hand, do not stay in migrant housing all year long. Normally the Department of Housing approves the camp for a period of six months or so when the migrant housing is deemed "habitable," allowing the migrant farmworker(s) to stay there for the six months in order to work (while the structure is in good shape) and then they are expected to leave the structure upon the completion or termination of their employment when the season is over. The migrant farmworkers, then, come on an annual basis to stay for this five or six month block of time to work (normally in late April until early or mid-November). Some of them choose to return to their nation or state of origin, others attempt to keep working in the same or a different job in the area, requiring them to move several times between various rental properties. One of these migrant farmworkers, who also works in a factory during the "off-season," describes how he and his family often have to move based on the availability of not only housing, but the availability of quality housing:

> This is the third house we have lived in since April (6 months ago). Originally, we were renting from another lady. But when her family came, there was not enough room for us. The second place we stayed in, the pipes broke. We could not live there any longer. Now we live here. We are very content with our job(s) in Shelby. It is a much safer environment than in Guatemala. (Interview, Migrant Farmworker #5).

In typical migrant farmworker fashion, this migrant farmworker from Guatemala lauds their living conditions in Western Michigan even considering how much they have to move because it is much safer for their family than Guatemala was. Their first move was precipitated by the arrival of their

landlord, the second by the bursting of pipes in their residence, and now they live in a dilapidated house in a small town in Oceana County where they had settled in the last few months. While their housing may change yet again, they continue to persevere in their hopes of building a better future for themselves and their family.

From a theoretical perspective, it appears that the living and working conditions migrant farmworkers endure on farms in Western Michigan lead again to a state of "indentured mobility." While the migrant farmworkers maintain that they enjoy the independence to pick and exercise their own choices on the farms in which they work, they are still bound by the housing they stay in, for H(2)(A) Visa holders the employment contract they have signed, as well as the threat of blacklisting if they were to speak up against any adverse conditions on the farms. As such, the workers themselves choose to migrate to work in the farms, in the best of circumstances they even choose when they will pick (often the hours depend on the crop), but they are also often bound by their employer for things like housing as employers allow migrant farmworkers to stay in their housing as long as they want so long as they work for a particular farmer. Bonuses also reinforce this structure as they serve to "retain" workers just as housing does by offering a payout later.

Indicators of Human Trafficking

This chapter reviewed various aspects of the working and living conditions of migrant farmworkers in Western Michigan in order to further analyze these aspects as possible indicators of human trafficking. In the first section, the use of fear, force, or intimidation used by farmers, growers, crew leaders, and others was discussed as a possible indicator of human trafficking. Examples were analyzed from the interview data which showed that, while these aspects might serve as indicators of human trafficking in certain circumstances, they are not signs of definitive proof of human trafficking. Furthermore, many of these aspects have become institutionalized or now are

seen as "normal" in terms of how migrant farmworkers are treated on some farms in Western Michigan.

The second section of the chapter focused on the vulnerability of migrant farmworkers during "gaps" in employment. These gaps included periods where their host farmer or grower did not have work for them, times of inclement weather when they were no longer able to harvest or pick produce in order to continue their gainful employment, and other durations where migrant farmworkers were no longer continually working in a gainful manner. The actions and motives of farmers and migrant farmworkers were analyzed in this section to better determine their intentions and potential vulnerability to being trafficked within these gaps.

The third and fourth sections analyzed the intangibles within the workplace such as pay, hours, breaks, bonuses, and housing in order to assess and determine their relationship to human trafficking amongst migrant farmworker communities in Western Michigan. The two major analyses with respect to these intangibles were the use of housing and bonuses to decrease the piece rate wages paid to migrant farmworkers and whether or not this practice could serve as an indicator of human trafficking. A third analysis which was equally important was to what extent host farmers comply with the regulations, codes, and other standards for their migrant housing and whether or not this level of compliance could serve as an indicator of human trafficking within these camps.

CHAPTER 7: THE EXTENT TO WHICH MIGRANT FARMWORKERS HAVE CONTROL OVER THEIR CIRCUMSTANCES

In addition to breaks and bonuses, it is also important for migrant farmworkers to have access to transportation in order to be able to seek medical attention, get to work on a regular basis, and visit grocery stores or laundry facilities. While some farmworkers have transportation themselves, others rely on friends, family members, and crew leaders to transport them to different venues they need to visit while they work in Western Michigan. The difficulty in determining how "free" migrant workers are to travel from their employer to another venue, however, surrounds their desire to work as much as possible to boost their earnings. Furthermore, it is important to determine whether or not migrant farmworkers are restricted in their movements while they are employed at a certain farm in Western Michigan. Are they able to leave one employer if the living and working conditions are undesirable? Are they able to visit the doctor or clinic if they have health or medical problems? Are they able to go shop at a local grocery store or supermarket? Are they able to go to church on Sunday or visit a laundry facility to wash their clothes? If migrant farmworkers are not afforded reasonable transportation to these amenities, it may serve as an indicator of human trafficking as their movements are being restricted or severely limited.

The other side of the argument, however, is that many migrant farmworkers in Western Michigan choose not to leave the farm or their employment very often because they want to spend as many hours as possible working and making money. Are those migrant farmworkers who desire to leave their place of employment "deserters" who are not able to do the work they committed to? Do migrant farmworkers choose not to visit doctors or clinics because they would rather work with their injury than go seek help in a medical system they are not familiar with or out of fear of deportation? Would migrant farmworkers rather have the groceries, church services, or other services brought to them on the farm in order to work as much as possible to support their families over the growing season? This chapter will examine these very difficult and complex questions as

there is definitely a tension in those situations where a farmer, grower, or crew leader is holding workers captive on the farm and in migrant housing and those situations where the migrant farmworkers themselves rarely leave the camps because they want to pick as many crops as possible. Some of these questions are central as well to the relationships between the farmers and the migrant farmworkers which often become nuanced from farm to farm, county to county, and region to region. These answers should provide evidence regarding the indicators of human trafficking amongst these migrant farmworker populations in Western Michigan.

General Restrictions on Social Mobility

The majority of the professionals testified that migrant farmworkers are able to move from place to place reasonably well. In certain counties, the majority of migrant farmworkers who come to work are families who are very well connected and who have worked previously in the area for several years. In their cases, they have consistent, reliable transportation. In those cases where they do not have access to transportation, there seem to be other agencies and entities which will help provide transportation. While there appears to be relatively easy access to transportations, there are also limitations such as deadlines for the crop harvest and workers who desire to work as much as they can. This professional outlines these details in her response:

> In the cases that I have experienced, many of the workers have transportation because they were able to use transportation to come to their respective farm where they are employed. So, yes, the overwhelming number of families I have seen do have access to some sort of transportation. If they do not, then they often rely on a family or friend to help them get from place to place. And there is also InterCare and other social service agencies which are able to help transport them from place to place in order to make their medical or other visits. Sometimes it is difficult because some farmers are stricter about letting workers go during peak harvesting seasons, which makes it more difficult to get to places when they need to. These restrictions happened more in the past, but they still do now. So, sometimes workers are working such long hours that they do not have the time, although they have the mobility, to leave the camp to do things that they might not enjoy doing or need to do. (Interview, Professional #13).

In this case, then, the majority of migrant farmworkers she has encountered have access to transportation themselves, through family, or through social programs which help with

transportation for their basic needs in Western Michigan. She does mention, however, that there are times when farmers or growers are more stringent about migrant farmworkers leaving the farm. These times include, but are not limited to, "peak harvest seasons" when the crops are fully grown and need to be harvested in time for their shipment and in cases where workers indeed have the mobility but do not have the time to travel, such as in cases where they want to pick as much as possible to earn greater amounts. While admitting that these "restrictions" happened more in the past, the professional implicitly acknowledged that some of these limitations still attached in modern times as well. Some of these restrictions may be more subtle, such as in those situations where the migrant farmworkers rely on their crew leaders to transport them to work.

Another example of "restrictions" occurs when there are demands on the job which make it prohibitive to leave the place of employment. These sorts of demands are described by one professional as the following:

> Many of the families can leave the community with their vehicles, but they have high expectations that they have to put in the time and do the work. The farmer cannot just kick them off of the camp, but they are no longer being employed. The demands on the job make it difficult to leave the camp. It makes it hard to leave the camp when there are these types of demands on the job and on the workers. (Interview, Professional #9).

Just as the previous professional stated that it was difficult for the migrant farmworkers to leave before "peak harvest seasons," it is also difficult to leave based on "demands on the job," which may be referring to the number of hours farmworkers are expected to work, the amount of produce the farmworkers are expected to pick, the amount of inclement weather during a particular harvest, or just simply the amount of money the farmworkers would like to earn in a season. Any of these "demands" would make it incrementally more difficult for migrant farmworkers to transport themselves or seek other transportation to a doctor's appointment, the grocery store, or the laundry facilities to do their laundry. While these terms are rather vague, based on the responses of other professionals, as well as migrant farmworkers themselves, it is not uncommon for migrant

farmworkers to work long hours, to be paid very little to increase their picking, or to encounter other adverse circumstances to increase the level of "demand" on their jobs. In addition to the demands placed on them at their jobs, there is also sometimes hidden costs in finding adequate transportation (or being forced to take certain transportation) to their respective workplaces.

As mentioned before, these situations are often nuanced and very complex. While peak seasons and other "demands" sometimes prohibit migrant farmworkers from leaving their place of employment as much as they would like to, the situations are not easily ascertained. One professional explains these complexities over time in the county she works in:

> In our county, about 98% of their workers have transportation. I know of only one case where the workers do not have transportation. Family friends sometimes take them. They do not have money to have transportation sometimes. Many of the farmworkers work all of the time, back in the day farmers would be more strict, but not there is leniency in terms of leaving. There are now organizations which can give them rides and be available. I have seen where families or individuals could not leave, when they first came to Eau Clare, they would not allow her parents to leave, even when he was really sick, but then they moved farms and then met a new farmer who they now call "Grandmother." I know of situations where there are camps where they cannot leave or they will lose their housing and other benefits. (Interview, Professional #14).

This professional explains the complexity in her county where the overwhelming majority of migrant farmworkers have access to transportation while situations exist whereby they will lose their housing and benefits if they leave their workplace. She even mentions that some of the migrant farmworkers, assuming that they spend all of their money to reach their place of employment, have no more money to spend when it comes to daily transportation. She also explains how, historically, farmers and growers have become much more lenient in allowing migrant farmworkers to come and go as they need to. This multiplicity of factors which describe in detail how the majority of families come having some form of transportation but how, once they have arrived they often find themselves without money. Once they arrive, they may find themselves in circumstances where they have no choice but to stay, partly due to a lack of resources which would allow them to move, partly because if they move, they will lose their housing and other benefits. These complex situations help

us better understand the dynamics of social mobility migrant farmworkers often find themselves attempting to navigate once they find their place of employment in Western Michigan.

The experience of another professional, however, paints a different story. According to this professional, those migrant farmworkers she knows normally do not have transportation. Based on her understanding, the migrant farmworkers she works with are dependent on crew leaders and others to bring food to the camps, take them to bus stations, or other places they want to go. Her understanding is that the migrant farmworkers she works with have very little agency in decisions concerning mobility:

> Normally the workers do not have transportation. Some of the farms, someone will bring food from the stores, some of the things the families need, they are fearful of the police, getting lost, so they just stay where they are. As far as she knows, most of them will have a recruiter or someone else who will take them to bus stations or other places to come and leave. Some families will not even know where or when they are going. She has seen some cases where the families will have, for example, books from the library, and sometimes they will ask for someone to return the books…they say they have no time to return them. They work a lot of hours, there are churches that offer the services, they will be moving the dates, moving the times, it is because they do not know when they are going to be off work. Families cannot show up on time because they are working so much. (Interview, Professional #15).

While the majority of professionals have stated that the migrant farmworkers they work with do have access to transportation, this professional states the opposite. Based on her understanding, the intermediaries (crew leaders, recruiters, or others) bring food and provide other services to the migrant farmworkers. She also points out that they are also afraid of the police and, as a result, do not leave the farms very often. While these points have been echoed by other professionals, likely the most profound statement this professional made was that "they (the migrant farmworkers) do not know when they will be off work." This statement implies that someone else controls when the migrant farmworkers begin and, more assuredly, when they stop working. While one sign of vulnerability is not having access to transportation and, therefore, not being very mobile, it is increasingly alarming when the migrant farmworkers have to rely on others exclusively for

transportation, food, laundry services, and to tell them when they are done working. This set of circumstances points strongly to serving as indicators of human trafficking.

In addition to the responses of the professionals, migrant farmworkers also struggle with their ability to choose where they can go and their desire to make as much money as possible. For these migrant farmworkers, it is often difficult to leave their place of employment, even if they do have transportation, because they feel obligated to work as much as possible in order to honor the farmer and make as much money for themselves as possible. One of these migrant farmworkers explained her situation and experiences with leaving her place of employment for the hospital or some other sort of emergency:

> Now farmers will allow their workers to leave for the hospital or emergencies. Before, they did not allow us to. We know which farmers treat their workers badly because they can no longer keep a crew. These workers will tell new workers where to work and where not to work. They can easily be taken advantage of if you do not tell them. Many times people are not literate and have no idea someone is taking advantage of them. There are persons who cannot go to the church or hospital. They need to go to the clinic, but they cannot because they work. The workers want to go more, but they cannot go to get help because if they go they will not be paid. Some farmers say "no" you cannot go. Most of the time, however, it is the decision of the worker because they do not want to miss work (or the pay). (Interview, Migrant Farmworker #3).

While this response does not draw any definitive conclusions regarding whether or not migrant farmworkers are able to leave of their own accord, it does also draw on the complexity and nuance discussed before, albeit from the perspective of a migrant farmworker. In this case, she argues that there is a lot more flexibility for migrant farmworkers to leave to go to the doctor or the hospital if they need to now than there was before. She does acknowledge, however, that certain farmers will not let their workers leave to attend church or visit a hospital. Based on her account, she believes that unless migrant farmworkers understand their rights and advocate for themselves, they will likely have to stay in their present circumstances and not leave. While there are some circumstances where employers will not let their employees leave, she admits that the majority of migrant farmworkers will not "go" because they want to work more and earn more at the end of the week.

The same migrant farmworker, however, concurs with the last professional above in stating that the majority of migrant farmworkers at or around her camp do not have access to transportation. While this likely has to do with them spending the majority of their resources on traveling to their place of employment, according to this migrant farmworker it also has to do with another circumstance, a recent change in the law perhaps, which greatly impacts the ability of migrant farmworkers to transport themselves to different places as well as their ability to become socially mobile:

> The majority of people do not have transportation. They have to pay for gas. I help to transport people around and charge gas money. Before people could get a driver's license without an ID….now people have to get a Social Security Card to get a driver's license to be able to drive. This makes it more difficult for vulnerable populations. (Interview, Migrant Farmworker #3).

Even though this professional admits to being one of the supervisors who is able to transport others around and seek reimbursement for her troubles, she points out an even more important distinction as far as the recent changes in the law impact the social mobility of migrant farmworkers. In the past, migrant farmworkers were able to secure a driver's license without an ID. Now, migrant farmworkers must have an ID (normally in the form of a social security card) to get a driver's license. While this change in the law might have appeared to make things safer or to protect the rights of "Americans" to some, it also severely restricts the movements of the migrant farmworkers in this study (and the rest of Western Michigan), making them more susceptible to being exploited or trafficked. This change in the law, as well as the change in how many migrant farmworkers are able to occupy each square foot in migrant housing, are both understandable changes in some aspects. But, on the other hand, they also have far-reaching ramifications in terms of how much more vulnerable these populations have become after the enactment of these laws to various forms of exploitation such as human trafficking.

There are theoretical underpinnings for these behaviors on a number of levels. Firstly, for reasons already stated, these migrant farmworkers fit into the framework of having indentured mobility. On the one hand, they are restricted by their respective circumstances (especially those who are undocumented, speak another language, have to work long hours to make more money, cannot leave their place of employment), while also empowered by the work they do have (as a means to further their family's standard of living). On the other hand, general restrictions in social mobility also align with the illicit migration as a business phenomenon whereby this particular informal social process also acts like an instigating factor from which other informal social processes emerge. For example, illicit migration leads to informal networks of transportation, falsified identification, groceries and other necessary goods, as well as other informal social processes. When the means to become part of a formal social process cease to materialize, informal or illicit routes often emerge, leaving migrant farmworkers at a greater risk of human trafficking through these processes.

Role of Employers and Crew Leaders

One case in which migrant farmworkers would desire to move would be in the event that they were not satisfied with the amount of work they had for a certain employer. It is common for workers to move from employer to employer, but there is always a level of risk involved, particularly when it comes to human trafficking. This sort of transition involves breaking contracts, negotiating with crew leaders, and other circumstances. One professional described how this works in areas which are familiar to her:

> There is an opportunity for people to move from farm to farm. It is difficult to break a contract but it is possible for the crew leader to contract with another farmer. The crew leader's function is to keep them employed. They could risk losing them to another crew leader while it is difficult moving them from camp to camp. The less connections migrant farmworkers have, the more vulnerable they are. The new arrivals that have very few connections, the undocumented, depending on the crew leaders, are most vulnerable. It is a convenient distance for farm owners to have crew leaders in order to protect themselves from the farmworkers. (Interview, Professional #1).

This response details how migrant farmworkers are able to move from employer to employer but in order to do so, you need to break your current contract and then have an intermediary, such as a crew leader, who is able to contract with another farmer. For those who are not connected to some sort of intermediary or do not have the human networks or connections, it becomes very difficult. It also mentions how those without these connections are most vulnerable and the intermediaries are in a position to assume the risk if a farmer or grower terminates employment.

Another migrant farmworker discussed how he and his colleagues were able to leave a place of employment because of the level of work expected of them and the very low pay they received. It is sometimes common for farmers or growers to pay the migrant farmworkers by the bucket or bushel but then set the wages low in order to get them to pick more. This set of circumstances was very much like that and the migrant farmworker shared how they responded:

> One time we worked at an apple orchard in Mason County and we were getting upset because we were falling behind and not getting paid more. When the supervisor got after us for falling behind, we said we were going to leave because we were being treated differently and not paid more. We were not blacklisted and we were able to leave and look for work elsewhere. (Interview, Migrant Farmworker #4).

While the farmers and growers can effectively "blacklist" workers by talking negatively to other farmers about workers who "underperform," in this case the workers were not blacklisted. Instead, they were able to leave their employer and look for work elsewhere. Although they did not describe in detail how they left their employer or whether or not they had adequate work with another farmer, this example shows that migrant farmworkers are able to leave their employers without necessarily being blacklisted as a result. Even though it may be acceptable to move from farmer to farmer to find better work and pay, there are also other benefits that often keep workers employed at their current farm.

According to a third farmworker, migrant farmworkers are able to go from farm to farm at will. She also mentions, however, the importance of housing and bonuses in the process as tools farmers and growers often use to retain their farmworkers:

> Workers are free to go from farm to farm, as long as they tell the farmer. They might lose their bonuses, some of the workers do not even tell the farmers. They just leave in the night. The crew leaders have to make up for their absence and promote other families. She is sure they do not have some of these problems so long as they have the housing. Many families when they come up are renting because they do not have anywhere to stay. They do not want to get blacklisted. (Interview, Professional #6).

Based on this response, the migrant farmworkers who decide to move from farm to farm just need to give the farmer notice. For those migrant farmworkers who do not inform the farmers, however, they often lose their bonuses (the extra $1 per basket they pick or acre they harvest when they finish the season) when they leave their employer or, in some cases, migrant farmworkers lose their migrant housing, which is guaranteed at a lower or reduced rate only as long as they work for their employer. When they leave, then, they often forfeit any bonus they have vested with the farmer and any reduction on their migrant housing, if that applies in their situation. It is possible, too, that workers will be blacklisted by other farmers and find it much more difficult to find work if they break a contract and leave a specific farm. There are procedures in place in camps where the workers leave, however, as crew leaders or other intermediaries are expected to promote other families who are good workers.

As far as leaving for a doctor's appointment goes, many of the migrant farmworkers testified that, despite how farmers or owners used to not let them go to the doctor, today they allow them to go when they need to. Even though they admittedly lose the pay they would have made had they stayed to work, migrant farmworkers often find ways to compensate for such losses, particularly when they come together and work as a family. One of the families that was interviewed early on shared how they worked together to overcome any deficiency which might arise as a result of a visit to the doctor:

> It is possible to leave. Since we are a family, we are paid as an individual. If someone has an appointment, we try to help each other out. If one of us has an appointment, the others step up and assist to pick more. We need a group of six, one driving the tractor, and five picking. If we pick 40 boxes, we divide it between the six of us. We are a team which works together. (Interview, Migrant Farmworker #4).

In the case of this family of migrant farmworkers, if one of them needs to go to the doctor for a medical appointment, they just pitch in and help each other out in order to pick as many as they would have with the missing member. Since they are paid as a unit, they split the amount they make between all of them. As such, they can choose to help out the individual who went to the doctor's appointment, as well as pick more and work longer hours to compensate for the lack of progress they made that day because they were one worker short. While this sort of arrangement can work well for those who come as part of a family unit, it may not advantage those who come by themselves and lack the social support to fall back on.

It is possible, then, for families to compensate for one worker to take some time to go to the doctor's by working longer hours and boosting their collective productivity. But the process by which this worker requests time off can change from farm to farm, whether or not he or she is there working as part of a closer knit family unit or by him or herself. According to one migrant farmworker, in order to have time to visit the doctor, his employer must be given the appropriate notice:

> When you need to go to the doctor, you need to communicate to the supervisor to give him notice. They need to know ahead of time so they can arrange it. As long as they let them know a day or two ahead of time, there is not a problem. Either in the field or in the factory, if you let them know, there is normally no problem. (Interview, Migrant Farmworker #6).

Based on the response above, the appropriate supervisor must know at least a day or two ahead of time in order to find an appropriate substitute or fill-in to work that day. According to the migrant farmworker listed above, so long as the employer is given sufficient notice a day or two ahead of time, there should be no problem with going to the doctor or some other necessary function.

Another migrant farmworker who works in a factory some of the time while working in the fields other times, states a similar process for leaving for a doctor's appointment. As part of this process, however, there is a permission slip which needs to be submitted in order to keep track of the documentation needed for the absence. According to this migrant farmworker, you are not able to be paid unless you work (whether or not it is a doctor's appointment or a national holiday):

> In the factory where we process asparagus, you need to tell them three days before you have to leave because they want people to be there and work all of the time. You need to submit permission slips. They do not pay the holidays (laughs), you need to work. If you work the holiday, you are paid. If you do not, you are not paid. (Interview, Migrant Farmworker #7).

In the case of this migrant farmworker, who also works in the factory, the formal process is that notice needs to be served three days before the desired day of absence. This is because it will be easier for the supervisors to find someone to cover for the employee who needs to visit the doctor in order to cover their position on the line. He also states that you only get paid when you work. In other words, there are no paid holidays (he chuckled when I suggested they might get paid holidays) or paid days off. For those who work piece rate, you only get paid when you pick or harvest. As he stated, "If you work the holiday, you are paid. If you do not, you are not paid." Based on this migrant farmworker's experience, then, there is a formal process in place for visiting the doctor. His employer does not expressly prohibit leaving the farm for such visits.

Another migrant farmworker, who also spends some time working in the factories in Western Michigan, discussed the protocol for missing work with his current employer. According to this migrant farmworker, his employers are relatively flexible and have worked very well with his wife during her battle with breast cancer:

> If you give them 24 hours notice, there should not be a problem. Even with my wife, who has breast cancer, they have been good at working with her for treatment. If she needs to take a month off, they would be supportive in doing this. I am 73 years old and have been coming for a long time. My wife is twenty years younger than me. She is in her early fifties. (Interview, Migrant Farmworker #8).

Based on the policy the employer put in place at his place of employment, this migrant farmworker states that when you need a day off, as long as you give the employer 24 hours notice, they can find someone to fill your position. He also uses his wife's battle with breast cancer to support this notion that the employer is understanding and flexible with workers by saying, "If she needs to take a month off, they would be supportive in doing this." While this migrant farmworker is aware of these policies, he also works nearly 80 hours per week some weeks and admits to having never taken a day off in all the years he has been there. So, again, while there is often a policy in place for individuals to take time off for things like doctor's visits, it is difficult to know how many of these migrant farmworkers, based on their circumstances, lack of pay, resources, or hesitation to leave their camps, actually take advantage of these opportunities. In fact, while these policies exist, so many of the migrant farmworkers have cast doubt on the possibility that they would ever use such policies that it seems unlikely they leave their work for many doctor's appointments.

One migrant farmworker discussed this possibility of having an injury on the job. His assessment, while limited, was that employers will allow them to go to the hospital if they need to. In his case, he was able to go to the doctor when he fell off of a ladder:

> If we have an accident, today, we can go to the hospital. Much of the time these accidents or injuries are covered. We normally wait until the next day to see how we feel. And then we will determine whether or not to go to the doctor. When I fell off the ladder, the farmer paid me money to go to the doctor. (Interview, Migrant Farmworker #12).

Based on his experiences, then, most migrant farmworkers will wait a day or two to see if they need to go to the doctor. In these situations the migrant farmworkers are trying to see whether or not their injuries warrant a visit, the possibility that they might lose their income for a day or two to go to the doctor, and even the possibility that, if the injury is serious enough, they may not be able to work again. In many of the cases when they do determine they must go to the doctor, the medical costs are covered. This sort of coverage normally takes the shape of some sort of insurance policy the farmer has on the migrant farmworkers.

One migrant farmworker shared about her and her husband and how it is difficult to secure health insurance sometimes. While farmers or growers sometimes take out insurance policies on their workers in case of injuries, it is common for only certain workers to be covered under the policy. Furthermore, the legal status of particular migrant farmworkers also complicates the process as it restricts their ability to apply for and secure insurance:

> My back is hurt from the work that I have done in the fields. I go every week to get help for my back, which causes me great pain. I am able to go all by myself, workers can go as long as they ask ahead of time. I was lifting and threw something out. Insurance pays for the chiropractor. He (her husband) was paying a form of health insurance, but he does not get workman's comp because of his legal status. He is the only one who has health insurance, others do not. Normally the workers are covered as far as insurance goes, by the farmer. When we get hurt, the farmer will take care of us. We as a collective, however, do not have health insurance. This coverage is very uncommon. The family is the farmworker's clinic. (Interview, Migrant Farmworker #13).

The wife of this family, who worked for many years in the fields, hurt her back by lifting something. Apparently her husband, who is a migrant farmworker now, has some sort of insurance now which covers the two of them, particularly her chiropractor visits. They admitted that they were the only ones who were covered by an insurance policy within the sphere of workers they know. They also reiterated how they are "normally covered under insurance" but that the coverage was also "very uncommon." They expressed confidence in the fact that, if they were to get hurt on the job, the farmer would take care of them. So, even though it is not common practice for migrant farmworkers to be covered under any sort of insurance policy, particularly given their legal status or lack thereof, they felt confident that their famers (employers) would care for them if they were to be injured on the job.

There was one interview where the interviewee recounted how a migrant farmworker was injured on the job and the employer took care of the cost and transportation involved. In this case, there was a difficult tension between caring for the employee and making sure the fruit was picked, but it seems like the farmer went above and beyond in caring for the employee:

> There was a pretty big woman who broke her ankle. The boss drove her to the hospital. She came out with crutches and they helped her to get up on the truck with a stool. They took her to the first couple of appointments but then they got behind on apples. They said that if she could not find a ride, then they would take her but they had to get the apples picked. It was her first year working there, but they took care of all of the medical costs. She had flimsy old shoes, it was wet out, she should have known she was going to slide off of the steps. (Interview, Migrant Farmworker #14).

In this situation, the employer transported the woman to the hospital and took care of her medical bills. They were able to take her to her first two appointments but then got behind on picking. While they had to allow her to find her own transportation for the rest of the doctor's appointments, her employer paid for the costs of the injury and transported her to the first two appointments. According to the migrant farmworker who told this story, this was above and beyond what any employer had ever done before. Especially in a situation where they considered the migrant farmworker somewhat negligent in what she wore to pick. Based on these circumstances, it is fair to say that several of the employers of these migrant farmworkers, while not providing insurance policies necessarily, took good care of their farmworkers even when injuries may have taken place due to some degree of negligence on behalf of the employee. While this does not mean that every employer tries to take care of his or her employees to this extent, it does prove that some attempt to care for their workers in a humane manner.

In some counties, the majority of the migrant farmworkers have adequate transportation either themselves or through family, friends, or other acquaintances. This access to transportation allows the migrant farmworkers the flexibility to travel with their friends and family members at minimal cost. There are circumstances, however, where the crew leader requires the migrant farmworkers to ride with him:

> People are able to leave the camps. The workers are able to leave with their families and sometimes they are able to carpool with the crew leaders. Sometimes the crew leader will have all of the guys jump in to go to the fields. There definitely have been some cases where the crew leaders abuse their power. He will then charge more for transportation than it costs him to transport them. Sometimes the workers do not know how to trust. (Interview, Professional #3).

In this case, while the professional acknowledged that the migrant farmworkers are able to leave the camps, she also told about situations where they must pay to ride with the crew leaders instead of using their own vehicles. She also brought up how circumstances such as these made it more difficult for the migrant farmworkers to trust intermediaries such as crew leaders, farmers, and growers.

Another professional pointed out circumstances even more dire. While there are those cases whereby crew leaders charge those who may already have transportation by mandating them to use their (the crew leader's) transportation to get to the workplace, in some situations migrant farmworkers may spend all of their money coming to the place of employment itself, only to have their terms of employment change. In these cases the migrant farmworkers find themselves particularly vulnerable:

> Another issue of mobility, in addition to transportation, is where those [migrant farmworkers] with vehicles who have to spend their money to get to the employer's camp, even though the situation is not as it was promised to be, they have no choice but to work under their circumstances because there are no other options. How do they drive to another camp or seek other opportunities…they do not have enough money. They also do not have mobility, not being able to afford housing not linked to their employment, no gas money to look for alternative housing, safer conditions. (Interview, Professional #2).

This set of circumstances is exceedingly more difficult than the previous set. In this case, the migrant farmworkers are much more vulnerable because, while they may have been able to secure transport to their place of employment, they have exhausted all of their resources in doing so. They are left with no other choice but to pay exorbitant fees for transportation and rely on those offering it. These individuals are more likely to be exploited into human trafficking because they are less likely to have their own transportation and have few resources or social networks to fall back on.

Another one of the professionals stated the importance of relying on crew leaders as an indicator of human trafficking. As in the previous cases, there are times when crew leaders misuse their power in their relationships with migrant farmworkers. In those cases where the migrant

farmworkers are unable to transport themselves or must rely on crew leaders to transport them, it is sometimes common to see the crew leaders sell necessities on the farm at "inflated prices." These sorts of signs are indicative of cases of human trafficking:

> Sometimes they have mobility. Much of it depends on location, some parts are so remotely rural, not passable in some locations. The mobility depends on where you are located. If they are rural, if they have a crew leader which will drive them to go get groceries, it is kind of difficult to know about their mobility. One thing they train people on in terms of human trafficking is mobility. If they are completely reliant on crew leaders, it is a red flag in terms of trafficking. Sometimes employers will set up a store in the camp to sell stuff to the workers but often at very inflated prices. If someone makes food in the camps and charges, it could be for inflated prices. They may not have access to goods. The interesting ones are access to kitchen. What about a cheap hotel where there is a grill out front? In the end, how much are they charging? Are they trying to take advantage of the situation? (Interview, Professional #10).

In this case, this professional, a veteran who has worked with many migrant farmworkers and who has visited a large number of camps, brings up the issue of location and access. According to her, those camps which are difficult to access based on their location are much more likely to have crew leaders transporting migrant farmworkers for their basic necessities. They could even have circumstances where the crew leaders are bringing goods to the camps and selling them at inflated prices. She has even seen cases where crew leaders are selling food and other necessities at high prices in order to take advantage of the migrant farmworkers, who cannot drive themselves. These sorts of signs in camps are strong indicators of human trafficking based on the complete dependence of migrant farmworkers on the crew leaders for their every need.

The role of employers and crew leaders very much follows Haugen's model concerning injustice. The employers themselves, since they have a great deal of social power (in terms of the ability to provide jobs, pay adequate wages, determine the hours migrant farmworkers work, etc.), they can either use it to treat others with human dignity (justice) or exploit them to benefit from their objectification (injustice). There are certain cases such as the one listed above, where owners or growers used the social power they possessed to dignify migrant farmworkers. There are other

cases, however, where owners or growers use their social power in order to coerce or deceive migrant farmworkers in order to benefit themselves. It is important to distinguish these two ways to utilize social power within the role of employers to assess potential indicators of human trafficking.

Reluctance of Marginalized Populations

In addition to the role of crew leaders as intermediaries whom some groups of migrant farmworkers become increasingly dependent on, there are sometimes other explanations as to why certain groups of migrant farmworkers are less likely to have access or utilize their own means of transportation. While this does not eliminate dependency upon crew leaders as a prime indicator for human trafficking, it may serve as a mitigating factor as to why reliance on crew leaders is not determinative of human trafficking. For example, migrant farmworkers who come alone are also likely to be caught in circumstances such as these:

> In Allegan County, I would estimate that approximately half or just under half of the migrant farmworkers have access to transportation. When you see camps where there are single workers, the chances are they have a crew leader and do not have transportation. Nearly all of the families have their own vehicles or mode of transportation. If you go to the camps in Allegan, you would see the single workers. They are likely undocumented. (Interview, Professional #8).

This distinction between families and single workers is interesting because it parallels previous findings based on the relationships between the existence of social networks and the indicators of human trafficking. According to this professional who works with migrant farmworker populations, those who have come with family almost always have their own vehicles or other mode of transportation. Those who come by themselves, however, are more likely to come with a crew leader and have no transportation, making themselves more vulnerable to human trafficking. She also hypothesizes that this population is more likely to be undocumented. This distinction, particularly in Allegan County goes to prove, based on whether not a migrant farmworker came with family or alone, there is more social mobility when one comes with a family than alone.

Another statement made by this professional also deserves more discussion. Are migrant farmworkers who come alone more likely to be undocumented? Are migrant farmworkers who come alone less likely to be socially mobile based on their coming alone or their undocumented status? One professional attempted to answer these questions by discussing the likelihood that undocumented migrant farmworkers are less likely to leave their place of employment:

> As far as I know, migrant farmworkers are able to move from place to place. I never heard of camps where they cannot leave. They may be restricted in the sense that they do not have the adequate documentation necessary to travel. They do feel scared that if they leave then they will get caught without documents. They sometimes have to rely on someone with a license, WIC appointments, doctor's appointments, or else they will not go. It is sometimes possible for them to take advantage of the taxi service (publicly funded) so that they can go from place to place much more easily, sometimes maybe make several appointments in one day. (Interview, Professional #4).

In the case of those who are undocumented, this professional argues that they are very nervous and even afraid to leave their place of employment should they get caught. Instead of driving themselves to important appointments or other venues, they will choose to use a publicly-funded taxi service or ask a friend or acquaintance to drive them. They also attempt to make multiple appointments in one day to save time and resources. So, while those who have come to work alone (*solos)* may be at a greater risk for being victims of human trafficking, their status as someone who is undocumented has possibly as much or even more impact on their vulnerability for being trafficked. Furthermore, their undocumented status could also be the main cause for why they do not leave their place of employment unless someone else will transport them, as opposed to them being victims of human trafficking.

According to another professional, undocumented migrant farmworkers are very tentative and will likely not go anywhere because of their fear for being caught and transported back to their native countries. In addition to the thousands of dollars they have spent to migrate to the United States, they would likely not want to go through the migration process again only to have to start over and find more money and resources to do so. Moreover, there are stories of raids where law

enforcement have been profiling Hispanics as opposed to Whites, another factor which impacts the decisions migrant farmworkers make in utilizing transportation networks:

> Some of the migrant farmworkers are not necessarily reluctant to drive, but if they know that so and so got stopped, then they are afraid if they do not have a driver's license. They know they could end up in Battle Creek or White Cloud after they go to the local jail and then whenever they have enough, they transport them back to their country of origin. If you have out of state plates, or have a party going on, it is more likely they will be targeting the Hispanics than the Whites. There have been several of these raids near Grand Rapids, Ludington, other areas, which make migrant farmworkers nervous and not come outside anymore. When things calm down, they end up going out again. (Interview, Professional #5).

These rumors of "raids" in certain places in Western Michigan are another factor in the decision-making process of migrant farmworkers when thinking about transportation. Instead of risking it by driving and being caught, and apprehended if one is undocumented, migrant farmworkers would rather play it safe and ask someone else to drive them where they need to go. While this cautious behavior may serve them well in some ways, it also makes them more vulnerable in others. Nevertheless, while a lack of social mobility as to a particular place of employment is definitely a strong indicator of human trafficking, a migrant farmworker who has migrated alone and/or who is undocumented may mitigate such risks.

Another situation where migrant farmworkers find it difficult to leave their place of employment is for medical appointments. According to a health care professional, the work schedule migrant farmworkers have and their lack of transportation constitute considerable barriers in receiving adequate health care. She explained this difficult dynamic in her response:

> Transportation can often be a difficult barrier to receive care. Many of the migrant farmworkers need to be in the fields to work as opposed to attending to medical needs. Intercare provides transportation for the clients to come into the clinics to receive care. Sometimes they wake up with a sick baby. I believe that the majority of families have their own transportation but if they need to travel to pick, then that might leave others at home without the transportation. So it could be 6, 7, 8 or later before they could access the clinic. I can also recall that the clinics were much busier on the rainy days because the migrant farmworkers were not able to work on those days and could consequently come in. (Interview, Professional #7).

This health care professional points out the difficulty they often face when attempting to provide care. While many of the migrant farmworkers may have urgent medical needs, they (and their superiors) often prioritize their work over visiting the clinic or a doctor's office. In many of these cases, the migrant farmworkers are able to take off time, but in doing so they forfeit hours of work during which they could be making a great deal of money. Since they are being paid piece rate, the time they spend at the clinic or the doctor's office is not compensated time. As such, they are losing money they could have made otherwise. Moreover, since the families have limited transportation, if one of the workers needs to go to the doctor, the other family members are left with no transportation should they need it. Furthermore, based on their work schedules, many of the migrant farmworkers would only have time after 7 or 8 to go to seek medical care. There were several of the migrant farmworkers who had nagging or chronic injuries but refused to see the clinic or the doctor to have them treated. As the professional pointed out above, however, when the migrant farmworkers had a day off, such as when it rained and they could not work, the clinics were normally very busy.

In addition to the circumstances listed above, it is also possible to either be denied an opportunity to go to a clinic or doctor's office, or for it to be strongly discouraged. While farmers or growers may not deny the worker the right to go to a particular medical visit, they may not necessarily approve of the decision. As the same professional commented, "I can remember a case where the baby of migrant farmworker parents needed to go to the clinic. Since Mom could not drive, Dad had to bring the baby. I remember the boss not being happy about that." (Interview, Professional #7). Based on these responses, it can often be difficult to go to seek medical attention even though the farmer or grower does not expressly prohibit the practice.

Another aspect which makes it difficult for the migrant farmworkers to seek medical attention is that sometimes the medical clinics are not open later on in the evening, forcing the

migrant farmworkers to either miss work (and make substantially less) or deny themselves the necessary medical attention. According to one of the migrant farmworkers who has been working in Western Michigan for the majority of his adult life, this happens quite often:

> We are able to go to the laundromat, church, or the hospital but often times we do not have the money to go to the doctor. There is a clinic in Shelby, we go there all of the time. The clinics are only open during certain hours so they would have to skip work to go to the clinic. It is difficult to go because it is not open after hours. If it is serious, they would have to go to the hospital. He and his Grandpa had to go to get shots, the worst time ever in the hospital. (Interview, Migrant Farmworker #2).

There are several factors this response. Firstly, the migrant farmworker states that receiving adequate medical attention is cost-prohibitive. He argues that many times they do not have the money to go to the doctor. In addition to the clinic being costly, he also states that they have a difficult time going because the hours of the clinic would require them to miss work (and a possible day's wages) because the clinic is not open "after hours." He also commented on his only experience with the doctor, which was where you were supposed to go if the clinic could not help you, "it was the worst time ever." These are several prohibitive factors he and his family think about when they consider going to the doctor.

From a theoretical perspective, the actions of the migrant farmworkers with regard to leaving the camps where they work can be termed "bounded rationality." In these circumstances, the migrant farmworkers are often limited by what they know. So, for many of them who may need to go to the grocery store, the clinic or doctor's office, or see another professional for health reasons, they refuse to go because they may not know the place where they need to go or the people whom they need to see. Furthermore, based on the feedback they have heard from other migrant farmworkers, they may not view these venues as safe or acceptable. In this sense, their options are fewer because they do not allow themselves to entertain other possibilities. This thought process, while very limited, is also rational in the sense that they do not know any different. As such, by limiting themselves and their options, it is possible that migrant farmworkers become more

susceptible to forms of human trafficking such as bonded slavery. These possibilities diminish as migrant farmworkers become less reluctant and more aware of their surroundings. Nevertheless, reluctance of migrant farmworkers to leave their place of employment often remains an indicator of human trafficking.

The Complete Lack of Mobility in the H(2)(A) Visa Program

Many of the examples listed above are based on the professionals' work with migrant farmworkers who have come to the United States or migrated from state to state without the assistance of the H(2)(A) Visa program. In fact, only a small percentage of the number of migrant farmworkers who migrate to Western Michigan do so as part of the H(2)(A) Visa program. Based on the data above, those who have come to work alone, are undocumented, and/or who work alongside of intermediaries to provide their needs are more likely to be victims of human trafficking than others. Those who do not fall into any of these categories are likely to have more mobility in general. Based on the responses of professionals who work closely with H(2)(A) Visa holders, however, those who are H(2)(A) workers are nearly restricted altogether from any sort of movement:

> If a worker is here under H(2)(A), they are specifically tied to one employer, when the terms of the employment end, they must leave the U.S. three days after employment ends. If they are transnational migrant farmworkers, they are often moving place to place, their housing is given by the employer, if they quit employment, their mobility is limited because the farmer owns the housing. There is usually a foreman (contractista or mayocomo) who is a supervisory figure in the camps and who is in charge out in the fields. There can be many of them depending on the size of the farm. The one human trafficking case being prosecuted now in Michigan is where the foreman required workers to come with him to visit banks, then forced them to give up some of their pay to him through the process. The employer reported the foreman in this case. In some camps, the migrant farmworkers are afraid of the foremen, in other camps, they are not. (Interview, Professional #2).

Based on the response of this professional, both H(2)(A) Visa-holding migrant farmworkers and non-H(2)(A) Visa-holding migrant farmworkers are particularly vulnerable but for different reasons. The degree of vulnerability, however, is somewhat exacerbated in H(2)(A) employment

arrangements, however, because the employee must only work for one employer. Should the employee vary from the terms of employment, staying near where the employer is located, or other material deviation from the agreement, the migrant farmworker has broken the terms of the agreement and can be deported to their home country. These types of restrictions as part of a formal governmental work program actually promote restrictive practices in terms of mobility. If an employee works for an employer who exploits or takes advantage of them, they have very little recourse.

To further complicate things, those who attempt to work with H(2)(A) workers and advocate for their rights often have a difficult time locating the migrant farmworkers hired under this program. One legal advocate who has worked with migrant farmworkers in Western Michigan explained how difficult it is to locate the migrant farmworkers under the H(2)(A) Visa program:

> I am not sure about reality, but the order H(2)(A) is for one employer, one job for how many ever months the work order is approved for. They (the workers) are supposed to stay in one place. People we have visited have stayed in one place. There was one case where there was someone there for four days, but then they were moving after that time. The worker's expectation is that they are working on one case for three months, it is hard to track. We visit repeatedly based on the housing on their work order. It is difficult to find the housing because there are many times where the address is not the address where they are living. Then we find out the employer was lying about where they were living, the house was labeled wrong, they were supposed to be providing them with legal access to their rights, when they are not living at the house provided by the farmer. The H(2)(A) orders are not publicly accessible now. This is a group that is difficult to find because of the accessibility of the information and the lack of ability to track down H(2)(A) workers. (Interview, Professional #7).

Several different aspects of the response given by this legal advocate are especially troubling when it comes to locating indicators of human trafficking. Firstly, her response concurs with the previous response, particularly in making the point that H(2)(A) workers are required to stay with the same employer for the duration of their agreed-upon contract. Secondly, it is difficult for these professionals to sometimes find the migrant farmworkers under the H(2)(A) Visa because they often list an address which is false or wrong. For example, when these professionals attempt to find and

seek out these migrant farmworkers, they often cannot find them. Furthermore, whereas the records of the H(2)(A) migrant farmworkers used to be public information, it is difficult to locate their information any longer because the information is no longer public. Therefore, many of the professionals who once were able to serve these communities in several different capacities are no longer able to do so because they are much less accessible. As with those farms which are predominantly rural in character and unreachable by migrant resource councils, these arrangements with H(2)(A) workers are suspect and raise considerable red flags. There must be changes made to assure full disclosure moving forward in order to protect the rights of this class of migrant farmworkers.

As has been mentioned before, the H(2)(A) Visa program is the antithesis of illicit migration as a form of business for the very reason that the program is "formal" in the sense that it has a process which has been legalized by the United States government. Even though it is a formal process, however, does not mean that it is without its flaws. In fact, the H(2)(A) Visa program has been used to coerce and deceive Visa holders because it binds an employee to a particular employer, even if the employer is exploiting or trafficking the employee. Furthermore, it can be argued that migrant farmworkers under the H(2)(A) program are more indentured than those who are not documented because they have contracted to work with only one employer, whereas non-H(2)(A) Visa holders can change employers. The H(2)(A) Visa program then adheres much more closely to the model of indentured mobility than non-H(2)(A) Visa holders do, largely because those who are bound to one employer, while they have definite terms of employment, are much more restricted than those who are not, leading to greater risks of human trafficking as a result.

Indicators of Human Trafficking

This chapter discussed the extent to which migrant farmworkers have control over their particular sets of circumstances and how this level of control can help identify indicators of human

trafficking within these populations in Western Michigan. It gave a broad overview on the general restrictions inherent in terms of being a migrant farmworker, articulating the difficult dynamic many migrant farmworkers face as they travel hundreds, if not thousands, of miles to come to work in places like Western Michigan. While many of these migrant farmworkers are seeking a better lifestyle for themselves and their families, they often are taken advantage through trafficking networks of when they first begin to work in the United States, as well as in Western Michigan. On the one hand, migrant farmworkers desire to have agency over what they do, where they travel, and related to how much they make. One the other hand, their employers often have safeguards in place to make sure migrant farmworkers are rarely able to leave, let alone make as much as they had hoped. For example, while migrant farmworkers should be able to leave to seek gainful employment, their housing situations are often such that, if they leave, they no longer have anywhere to live.

Furthermore, migrant farmworkers often lack the resources to transport themselves from one employer to another, let alone from their migrant housing to their jobs, leaving them vulnerable to traffickers. Thus, the role of employers and crew leaders are often pivotal, as are the social networks migrant farmworkers have in their particular geographic region of employment, in determining whether they are at risk for being trafficked. Another particular issue of concern is the H(2)(A) Visa program, which is unduly restrictive in terms of the mobility of migrant farmworkers. While those migrant farmworkers recruited for the H(2)(A) program have more assurance in terms of a contract, duration of employment, and other specifics, they are bound to their specified employer and are sometimes prohibited to travel anywhere else. These sorts of concerns amongst the sections of this chapter outline some key indicators of human trafficking depending on the particular set of circumstances a particular migrant worker or group of migrant workers is living in.

CHAPTER 8: EXPERIENCE WITH HUMAN TRAFFICKING

In the previous chapters, the data which were analyzed and presented addressed several different aspects of the migratory process such as the decision to migrate, the social networks involved in the migration process, the living and working conditions migrant farmworkers often encounter, and the ability of migrant farmworkers to leave their place of employment for doctor's visits, laundry needs, or other personal appointments as indicators of human trafficking. Each of these specific areas was addressed extensively from the perspective of both professionals who work regularly with migrant farmworkers, as well as the migrant farmworkers themselves. Those research subjects who agreed to be interviewed were selected randomly in the sense that they represented a cross-section of their respective populations but yet also conveniently in terms of the resources available for the research project itself.

This final chapter in the findings portion of this project will focus on the cases of human trafficking that these professionals and migrant farmworkers perceived or encountered during their experience working in their current capacities. It will focus primarily on those responses which reflect either cases of human trafficking or those cases where indicators of human trafficking are present. In doing so, this section will address the final research question, which asked the research subjects, the professionals and migrant farmworkers alike, whether or not they knew of any cases of human trafficking during their time either working with migrant farmworkers or in their current capacity as migrant farmworkers. Even though many of the research subjects did not admit to being trafficked themselves, several did mention experiences that they "knew of" where individuals had been trafficked or indicators of trafficking had been present. While these cases are not personal accounts of what happened to them, their validity, whether present in recounting someone else's life experiences or even rumors, have their own element of inherent validity. This chapter will parse through the different ways in which these instances can be characterized in light of the answers to

this particular research question. The chapter will be divided up into four different sections, those cases of human trafficking by force, those by fraud, and those by coercion. The final section will address the responses where the research subjects were skeptical of the term human trafficking and unsure whether or not it actually happened where they were located.

Cases of Force

One of the primary aspects of certain cases of human trafficking is force. Since human trafficking must contain either force, fraud, or coercion, some of the responses given by the research subjects undoubtedly outlined force as one of the primary elements of exploitation in these cases. In other words, the responses given in this section described force as the primary factor in each particular case or suspected case of human trafficking. For example, one professional discussed what she had learned from other professionals who often visit the labor camps through the outreach councils:

> I cannot say firsthand, but I have heard stories (about trafficking). I have heard from other agencies at the outreach council. The forceful treatment can often occur after hours. Those who go out at night see much more of this. Sometimes at all men's camps they bring prostitutes out to service the men. Other times, they bring women back and do not treat them well. Sometimes they (farmers, crew leaders) will bring women all the way from Grand Rapids. (Interview, Professional #3).

Based on the response given by this professional, there seems to be, at the very least, stories of cases where, after hours, individuals are being induced by force to do things against their will. One example occurs when women are brought to the camps by farmers and crew leaders. While it is difficult to tell if these women are brought to the camps by force or not, it is possible that they are in an exploitative relationship with a pimp who makes a great deal of money off of them. Furthermore, the professional surmises that in some cases the women are not treated well by the migrant farmworkers, a circumstance that would definitely be possible given the horrible treatment of "prostitutes" and "sex workers." As such, it may be possible for a case of domestic violence to also be classified as human trafficking under the aforementioned conditions. Finally, one of the

members of the outreach council in Western Michigan also reported observing a man with a shotgun supervising a group of migrant farmworkers near her office. Even though it is rarely definite that these cases are iron clad examples of human trafficking, the indicators are present which warrant further investigation into circumstances such as these.

In addition to the case listed above, there are also examples whereby instances of domestic violence and/or sexual abuse may be part and parcel of a case of human trafficking. Again, not every one of these cases of domestic violence, sexual assault, or other forms of intimate partner violence constitutes human trafficking. However, it is widely known women are treated very poorly in migrant labor camps and it is not unrealistic to surmise that either supervisory figures or the migrant farmworkers themselves would take advantage of women forcefully for their own material gain. In these cases women are often more vulnerable if they are "undocumented:"

> I can think of times when there were partners who were abusing their significant others in cases such as sexual abuse, rape, in these "safe relationships," etc. There are questions that we ask when getting into these cases. The information was, at times, that their current partner was taking advantage of them. They were undocumented and did not have the transportation to escape the violent relationship they were in. We would talk to them about safety plans, healthy relationships. It was not a lot but sometimes we would find cases where the Moms would report the practice. Sometimes the men would force themselves on the women, rape them, hit them, sometimes they had been drinking. Typically these cases are intimate partner violence. Women feel there is no recourse, they feel that this is something that they have to deal with, if they even share it with them at all. (Interview, Professional #7).

In the circumstances listed above, the professional who responded likewise discusses the difficulties of addressing domestic abuse, sexual assault, and intimate partner violence in the migrant labor camps. Based on her response, women who work and live in these migrant labor camps often feel they have no voice or ability to reach out for help. Given that many of them may be undocumented, their ability to speak out is minimized based on their personhood being wrapped up in their "legal status." Therefore, if they decide to seek action against their spouse, another farmworker, or even a supervisor, they may be sent back to their home country regardless of the

violence perpetrated against them. So, as a result, many of the abuses they have suffered go unreported.

In other cases, social service workers also see other signs of force when working with migrant farmworker populations in Western Michigan. These signs of force can vary depending on the situation, but she provides a good overview of those she looks for when working with migrant farmworker populations:

> Some of the possible signs can be if the crew leader or someone else is talking for the migrant farmworkers, for someone involved or applying at DHS, if they have to do an income verification and the crew leader does not want to do an income verification, if they are getting paid cash from the crew leader, looking for signs of abuse on men or women, workers being severely isolated or if transportation is severely limited. I did see a documentary on the single women farmworkers and the harassment they go through. We normally try to build trust the best we can so that if someone is vulnerable they feel like they can talk to us. (Interview, Professional #8).

The signs she identifies as part of her work are interesting when considering other social service professionals around the state and their jobs. While she focuses heavily on the relationship between the crew leader and the migrant workers themselves, particularly in the cases of crew leaders speaking on behalf of migrant farmworkers, refusing to provide documentation of income for migrant farmworkers, or paying the migrant farmworkers only in cash, other examples include the proximity of the camp to any form of village, town, or city, and whether or not transportation is accessible to migrant farmworkers. This sort of response indicates that this professional is aware and cognizant of some of the indicators of human trafficking amongst migrant farmworker populations in Western Michigan.

Another professional, this time a public health worker, articulated her suspicions about the types of activities that she believes she has encountered before in migrant farmworker camps in Western Michigan. Like many of her colleagues who work regularly in migrant labor camps, she is often viewed as an outsider to many of the migrant farmworkers, who seek her out only when there is some sort of pressing need or troublesome situation. As with the other worker who has

encountered cases of domestic violence, sexual assault, and other forms of intimate partner violence, she reluctantly refuses to call anything trafficking for she has seen relatively little. In fact, the only experiences she has in cases such as this are limited to those in which she gets a sense something is wrong but has trouble identifying what it is exactly is:

> I hear about these situations, I cannot say personally I have met or been made aware of any incidents, I have my suspicions, sometimes you will encounter people in a camp, you might encounter especially like a male and female, you just get the feeling that something is not right. It may not exactly be trafficking but it may be that the one person is threatening, abusing, or not allowing them to have the freedom to speak with others, go out on their own. Over the years, I have seen occasions where people have been taken to the women's shelter on the bus to get away from abusive situations. It is not trafficking, per se. Recently in the last few years she has seen more Guatemalans, Hondurans, Salvadorenos, this difference in circumstance, reality, but not necessarily trafficking. There are also suspicions that there are Chinese in the camps now. (Interview, Professional #9).

These cases where she has suspicions that force, fraud, or coercion are being used to abuse particularly women are based on the stories she has heard and her direct experiences working with migrant farmworker populations whereby women have been taken away to domestic violence shelters. While she is hesitant to call these situations trafficking, she still suspects that there is more going on than meets the eye. Again, none of her response may stand alone as definitive proof that trafficking is happening, but cause for more investigation and sensitivity in certain camps.

Another professional, however, was very direct in telling a story about a young woman who tried to come to the United States for work when she was only 13. She, however, was taken advantage of by a coyote and raped. The young woman spoke Mixteco, an indigenous language, and had a child as a result of the rape. The professional shared about her interaction with this young woman about her experiences:

> When I started at Telamon, second year, young girl was 13 years old, spoke Mixteco, something went up, made her aware, I asked "what was wrong with her," she was so young, did not know what to do with the baby, crossing to come to the United States and the coyote raped her. There was the language barrier, I did a book with her so they could understand each other. She was 14, a couple took her in because they felt sorry for her because she needed to work. I worked with her that year. She always told me "thank you" for believing in her. By the time she finished she was able to grow as a parent. I was also

> through a similar set of circumstances, so I always observe in the fields and with the workers and feel that there are others who have been through circumstances like this. There have been cases of domestic violence where I can pick up on the abuse right away. It takes time for people to open up about this, though. (Interview, Professional #15).

In this case, the advocate, who works for Telamon, shared about how she was able to empathize with the young woman because she had been through similar circumstances and could tell something had happened to her. She claimed that, even though she had been through a set of terrible circumstances like this young girl had, she utilized those experiences to be able to detect and assist other young women who were suffering through being sexually assaulted and raped. In order to do so, she gained her trust by persisting in talking with her about any struggles she was going through, ensured her confidentiality by asking other workers to leave or by securing a private place to talk, and invested in her by creating a book to better understand the language barrier.

The sort of empathy this social service worker showed is exemplary and allowed the young woman to trust her and share her story with her. Furthermore, based on the circumstances in the life of the young woman, it is very likely that she was trafficked based on the rape, which the coyote may have used as payment or consideration for the services he provided. The young woman was unduly vulnerable, not of her own accord, but because she was extremely young, part of an ethnic minority group, and was doubly marginalized based on her language and lack of understanding of the circumstances. The coyote chose to use force and take advantage as a result of his indispensable role in her migratory process. Examples such as this one serve as a litmus test for which indicators have been present in cases of human trafficking, however indubitable they seem to be. As a result, when it is possible to triangulate these indicators in a set of circumstances which appears to be, more likely than not, human trafficking, such a process likely proves the veracity of these indicators moving forward.

One response from a migrant farmworker who agreed to take part in the study discussed a case or situation where force was used in a previous employment environment in Florida and

compared it to their current situation in Michigan. While the example used is from Florida, it is obviously not being used as an example of human trafficking among migrant farmworkers in Western Michigan, but rather is being used to illustrate a case in which migrant farmworkers had their movement forcefully restricted:

> There are cases where crew leaders and others would use threats or physical force. The crew leader in FL that we had was terrible. He would allow us no bathroom breaks whatsoever. The conditions down there were forceful. People could not leave. Here it is difficult, but there are breaks, transportation, and ability to come and go as needed. We do not feel forced to stay here. The owners are very nice. (Interview, Migrant Farmworker #10).

In this situation, the migrant farmworker referred to crew leaders who used "threats or physical force" to intimidate them. One example listed was the removal of bathroom breaks for the migrant farmworkers during their time working for him. As opposed to their time in Florida, which was by the sounds of things, grueling, their work in Michigan is difficult but they are able take breaks and move along freely. From a theoretical perspective, the element of force is very similar to Haugen's use of coercion in his anatomy of injustice framework. Based on Haugen's analysis, those with an inordinate amount of social power utilize coercion in order to force those who are marginalized to comply with their will. This coercion utilizes force, whether physical, psychological, or another form, to assert power over another. This process normally reinforces the ability for the perpetrator to exploit the victim, through force, in a way which treats the victim as an object instead of a human being. This objectification of the victim allows the perpetrator to distance him or herself from the victim in a way which furthers the ideology of injustice. With time, cases of exploitation through coercion and force become less and less deviant and more of the norm, resulting in the institutionalization of exploitation. In addition to force, the element of fraud is often present in cases of human trafficking. At this point, the types of responses which are analyzed and discussed will be much more likely to have an element of fraud present than that of force.

Cases of Fraud

The second element of human trafficking, in addition to force, is fraud. In this section, the multiple cases of fraud will be discussed, particularly those cases where farmers misrepresent the terms of employment, the living conditions on their farms, or deceive the migrant farmworkers in any other way. According to one attorney who was worked on cases of human trafficking involving migrant farmworkers in Western Michigan, there are several different forms human trafficking may take. While it is often debatable as to whether or not each of these instances constitutes a clear cut case of human trafficking, they deserve mention as the responses of these research subjects are analyzed:

> Workers are often being told that they are provided transportation, free housing, and then deductions are being taken out for these things. There are times when deductions on the paystubs are understandable, other times they are aware of these things. These cases when these other expenses are being taken out without their understanding (housing, recruiting fees, etc.) are violations of the Fair Labor Standards Act (FLSA). There are occasionally recruiting fees being taken out of their paystubs, as in a current case of human trafficking. This definitely happens in other ways too as they sometimes are forced to pay cash for these things and it is not reflected on their paystubs. There are also cases where there is bait and switch when they come. This is the largest, most prevalent form of human trafficking. (Interview, Professional #2).

Based on the testimony of this legal advocate, the "most prevalent form of human trafficking" is a "bait and switch" technique where workers are told they will be "provided transportation, free housing, and then deductions are taken out of their paystubs for these things." In these cases, migrant farmworkers travel long distances without being reimbursed for their travel costs just to come to a particular place of employment where they may not be paid what they originally agreed to. As was previously mentioned, there is no organized system for contracting migrant farmworkers outside of the H(2)(A) Visa program so that there can be more clear-cut expectations on behalf of all parties involved. In the case of this "bait and switch," migrant farmworkers have been fraudulently tricked into believing they will receive certain terms of employment only to find they will not. Furthermore, employers even take money from the migrant farmworkers' paychecks for

things like migrant housing, recruiting costs/fees, and other inappropriate costs. As opposed to Social Security, disability and other applicable taxes, which are often not deducted, it is illegal to deduct these fees from the paychecks of the employees. In fact, the migrant farmworkers are supposed to be paid and then pay for their housing, recruitment fees, and other applicable costs. These cases of human trafficking listed above are all too prevalent in the lives of migrant farmworkers in Western Michigan.

These forms of human trafficking are often echoed by other professionals who work regularly with migrant farmworkers in Western Michigan. According to one professional, the reason why employers get away with taking illegal deductions out of the checks of migrant farmworkers is because they do know or understand their rights:

> It is not necessarily about taking money. They (the employers) are charging illegally. Some of the employers are taking out housing or utility money out of their (the migrant farmworkers) wages automatically. They are supposed to let the person cash the check and then pay the money individually, but then they said it is illegal to take the housing cost, utility cost, they are not supposed to take these costs out of their check. Farmers still do this, though. Farmworkers do not know about this law and they figured it was easier for them. If workers do not keep their check stubs, then they do not know they are doing it right. (Interview, Professional #6).

This professional corroborates the response given by the legal advocate above by discussing how the employers (farmers or growers) were taking out all of the costs automatically instead of allowing the migrant farmworkers to cash the checks and then pay them for their housing and other costs. According to the law, employers are not allowed to do this. The farmworkers, on the other hand, are likely not used to having laws like this which protect them from being taken advantage of. How much is being deducted per month for the housing? What is the going rate for migrant housing per month? Is there a standard deduction for the housing regardless of camp, based on the size of the housing, location, etc.? This lack of accountability on behalf of the employers and of awareness on behalf of the employees creates a situation where the party with a disparate amount of social power often uses that power to take advantage of the vulnerable party. It is virtually unthinkable in any

other industry or jobsite whereby employers deduct housing allowances out of their employees paychecks.

Another area where fraud takes place is through the calculation of wages, whether based on an hourly minimum wage, piece rate, or some unorthodox combination of the two. The same professional from above also discussed the possibility that the piece rate migrant farmworkers earn often does not add up to minimum wage:

> I have also seen cases where piece rate does not add up to minimum wage. Sometimes they (the migrant farmworkers) are paid less than minimum wage based on piece rate. They pick a ton of berries, apples, etc., but when it is added up, it does not amount to minimum wage. The office does the paperwork, they put the "pruning vines" down and the rate per vine, then they also combine hourly rates with piece rate, then combine them together. They do so many funny things with the check stubs that it does not add up to minimum wage. The majority of the people are shocked at the miscalculation but they do not do anything about it. They enjoy the atmosphere and opportunity to work and do not want to make trouble. (Interview, Professional #6).

Based on her evidence, it sounds like that the piece rate can get combined with the hourly rate and the calculation sometimes does not allow the migrant farmworker to make minimum wage. There is also the practice of "being shorted" where the migrant farmworker reports a certain number of bushels or kilos of fruit but then is paid for only a fraction of the amount picked. When one migrant farmworker confronted the employer, he faulted the secretary in the office for the error. The majority of migrant farmworkers, however, do not choose to inquire as to why they were short, why their wages were not calculated accurately, or if there was some sort of mistake along the way. Instead, they often put their heads down, continue to work hard, and accept responsibility for anything that goes wrong, regardless of who was at fault. They are thankful for the opportunity and do not want to burn any proverbial bridges which might lead to future employment and a better lifestyle for themselves and their families.

One of the migrant farmworkers who agreed to participate in the survey discussed how some of his colleagues, although not himself, had been shorted both in the construction and in the

agriculture industries. According to his response, the supervisors behaved fraudulently in a couple of different circumstances he was aware of:

> I know a lot of contractors who will take people to work and then not pay them. These contractors tend to be in construction. This farmer in Oceana also mistreated farmworkers. He treats them bad, runs them off, he has heard it but it has never happened to him. He is able to have his own housing, so he does not get paid less given he stays in camp housing. (Interview, Migrant Farmworker #6).

Based on his response, the contractors hired migrants but then refused to pay them (either at all or adequately) after they worked for him. In the case of the farmer in Oceana County, there were cases where migrant farmworkers complained of checks which were issued and would bounce when they tried to cash them. He also mentioned the common practice whereby the farmer illegally deducts housing costs (in some cases at very inflated rates) from the employees' paychecks in lieu of paying them and allowing them to pay for their own housing. This testimony provides numerous examples of fraudulent practices committed by supervisors of migrant workers.

There are other fraudulent practices which often take place in the lives of migrant farmworkers in Western Michigan. As was mentioned in the example above, one of the farmers in Oceana County had farmers working for him but when he went to pay them, the checks were not able to be cashed because the farmer did not have the funds necessary to pay the migrant farmworkers. This particular migrant farmworker worked for a few different farmers who were not able to pay him:

> When we came our first year, we worked for a difficult farmer in Oceana County. He does not pay the people, his checks are cashed as insufficient funds. We have worked asparagus for him. There is another farmer who would not pay us either in Oceana County. We changed the year right after these farms, went to work for other farmers. We learned of this other job, lived in their housing and cleaned it up (there were bottles everywhere, dirty diapers, trash everywhere). This is the second year we have stayed in this trailer and we like it. The farmer treats us well. (Interview, Migrant Farmworker #10).

In this instance, each of these farmers contracted with the migrant farmworkers, who worked for him for a designated period of time, but when it came time to receive their paychecks, they could

not cash them because they were declined based on insufficient funds. This instance is an example of fraudulent practice because the farmer and the migrant farmworkers had an agreement which did not come to fruition. The migrant farmworkers were not able to leave the year in question in each of these cases because of things such as blacklisting, so they stayed throughout the summer, being strung along by promises that the farmer would be able to pay. Unfortunately, he rarely fulfilled this promise and, in each case, the migrant farmworkers left and found another employer the following year.

Migrant farmworkers are often victims of fraud through other practices such as the giving of bonuses at the end of a particular harvest season. Farmers often institute bonus systems in order to promote retention of employees until the end of the season. For example, migrant farmworkers will be paid a piece rate based on a particular number or quantity of fruits or vegetables that they pick. This piece rate will be lower based on a number of factors, often including the amount which is taken out for migrant housing, as well as for things such as bonuses. Workers are often "guaranteed" a bonus which will be paid to them at the end of the season at a flat rate based on the number of bushels or kilos they pick. While legal advocates talk about this practice being illegal, it often persists in order to retain workers:

> Last year they gave bonuses to the tractor drivers. But you have to work holidays. To the apple pickers and the tractor drivers they did get a bonus but then the taxes were taken out of the bonuses. They were paying $18 per box with a $2 bonus. But they only pay the $2 bonus if you stay until the end of the season. But this is not a written contract, it is only spoken. Common practice is to pay a bonus at the end of the year. I think that for asparagus it is the same thing. (Interview, Migrant Farmworker #7).

In the case mentioned above, the migrant farmworkers who were working as apple pickers and tractor drivers were entitled to a bonus per box of apples picked at the end of the season. The problem was that the taxes and other deductions were taken out of the bonuses, "shorting" the migrant farmworkers, who had nothing to rely on other than the spoken word (as opposed to a written contract) of their supervisors. While this "short" does not necessarily add up to much over

time, every little bit helps these migrant farmworkers and the example nonetheless is fraudulent in practice. Examples of fraud such as this are very similar to the concept of "deception" used by Haugen in his anatomy of injustice. According to Haugen, those who are attempting to exploit others often use their credibility, trust, or other form of social power, to convince those who are marginalized to do things against their best interests. For example, it would be relatively easy for someone to assure migrant farmworkers that their wages are fair, even though they are being shorted on a "bonus" if they are undocumented, illiterate, or even unaware of business practices in the United States or Western Michigan. For those who are not used to how the employer-employee relationship works, they are bound by what they are used to in their home country, resulting in an opportunity for exploitation on behalf of those who have the power to do so.

Cases of Coercion

The third element of human trafficking, in addition to force and fraud, is coercion. While every case or suspected case of human trafficking need only have one of these three elements present to prove human trafficking, any number of them would also suffice. As opposed to force, which is when an individual uses his or her physical or mental capacity or the threat thereof to convince an individual to do something against his or her will in order to obtain something material of or value and fraud, which is manipulating a situation or the facts of a situation to attempt to convince someone to do something against his or her will in order to obtain something material or of value, coercion could be referred to as using a particular circumstance or threat of a circumstance to keep an individual in some form of bondage. The most common example with regard to migrant farmworker communities is the threat of reporting undocumented farmworkers to law enforcement or the threat of blacklisting a migrant farmworker within the community of potential employers. Coercion, then is the third prong of the test for human trafficking and can be manifest in a variety of scenarios which are partially represented in this section. These responses given by the research

subjects, both professionals and migrant farmworkers, articulate how migrant farmworkers in Western Michigan may be coerced into situations where they can be trafficked.

In the cases involving coercion, the party (normally the employer, but this party could also be a supervisor under the employ of the farmer or grower) with more social power often utilizes their social power in a way which dehumanizes the less powerful party (often the migrant farmworkers). Throughout the time spent interviewing both the professionals and the migrant farmworkers, it was clear that most of research subjects knew who the farmers and growers were, as well as the crew leaders and recruiters were, that coerced their employees. The unfortunate part is that, while the majority of these research subjects knew who these employers were, not all of them were "in the know." These subjects were often approached in an anonymous manner:

> There is a farmer in the area, I am not sure if he has cleaned up his act, who would tell people that they had to leave, and then would turn off their electricity. It was a registered camp but there were no cases of physical force there. I think that the conversation about force and reality is a conversation which needs to take place more regularly. It needs to take place, the conversation around force, more regularly especially with workers from the employment office. I do also know about cases with single males where they bring Anglo girls out to the camps. These girls know there are certain camps where there are only males. (Interview, Professional #5).

While this professional mentions the bringing of Anglo women out to camps with single males, which may employ force and/or coercion, she also discusses the need to start conversations with the workers from the employment office, who likely place migrant farmworkers at camps where force, fraud, and coercion are used. She seems to suggest that there is quite a disconnect between the employment offices, who may not know (or not want to know) some of the forceful and coercive practices of some of the farmers. In other words, employment officers may be willingly or unwillingly sending workers to employers who forcefully mistreat them. She also mentions a case where a farmer forcefully evicts his workers by turning off the electricity. While farmers have the right to evict migrant farmworkers from their property, as we have seen before, sometimes there is not a clear understanding of how long migrant farmworkers are expected to work and have access to

migrant housing. These discrepancies and misunderstandings could be cleared up by more formalized contracts which properly outline the terms of employment and duration of time in migrant housing.

Another professional also outlined a set of coercive circumstances but in this case the set of circumstances was not indicative of trafficking, in this case it was trafficking. Since this professional is a legal advocate, she was able to share examples of human trafficking cases her office had seen or investigated in the past. In doing so, she outlined how, in many of these cases, the victims were being coerced into human trafficking:

> The cases we actually have come across seem to be in different industries. We are not sure if we have seen the cases where there is physical violence (screaming, throwing things maybe) but not physical contact with people. There is the more coercive aspect of things. Many of the workers are kept in their circumstances by fraud, but the coercion side, threatening MIGRA, blacklisting, etc. We have had one in a meatpacking factory, some in plant nurseries, general farms, where they are harvesting food. A couple of clients directly, the rest of the ones who they have been able to identify but it is difficult to get ahold of people. One could be a worker incurring a lot of debt to someone in the recruitment process and then the housing and the food being added on to the debt, then not getting paid at all and they keep working until the debt is paid off but it keeps accruing. Another is working on a farm and being housed somewhere, someplace which is so rural that they cannot interact with the camp, get groceries, or other necessities. They do not know where they are at, do not know how much they are paid. The crew leaders also sometimes hold folks' documents. This is coercion. Taking documents against their will and holding them is textbook coercion. They cannot get them back until after working. (Interview, Professional #10).

While this legal advocate gives a great number of circumstances in which they have dealt with human trafficking, this analysis will focus on the coercive element of trafficking and those cases in which it has been manifest. First of all, it is important to note that she highlights the coercive nature as being the more prevalent of the three prongs, particularly in the cases they have dealt with. Secondly, she gave examples of coercive measures employers utilize with migrant farmworkers such as MIGRA, blacklisting, and other manipulative practices. In these cases, the migrant farmworkers, because of their lack of social power, do not ask questions, do not demand answers as to why they are being underpaid ("shorted"), why there are so many deductions from their paystubs, or why they

are not paid what they were told when they were recruited. They instead keep things to themselves and work as hard as they can so as to not upset their superiors. Furthermore, they comply with the commands of the crew leaders and consent to their actions as well.

Debt bondage can serve as a third example under the coercive prong of human trafficking. In cases where migrant farmworkers incur a great deal of debt through the process of migration itself, their employers sometimes calculate and miscalculate their debt in order to keep them employed and working for relatively little. This form of coercion is often furthered by the low level of education and language barriers faced by the migrant farmworker. It is not uncommon for migrant farmworkers in Western Michigan, the United States, or in other parts of the world, to be working off a debt years after it was initially paid off. While these calculations should be made public and part of the paycheck the migrant farmworker receives periodically, this is not always common practice. These cases almost always serve as definitive proof of human trafficking. Finally, this professional advocate also mentions an example of coercion which has not been mentioned throughout the entirety of the present study. She mentions how, in some cases, it is common practice for employers to hold the legal documents of their employees. Regardless of the type of trafficking, this is a very strong indicator for human trafficking because, without their documentation, the migrant farmworkers cannot go anywhere, apply for anything, or represent themselves accordingly. This allows the employer, or an agent of the employer, to fully manipulate an individual or group of individuals into carrying out any actions against their will which benefits the employer. Again, this possession of the legal documents of a particular individual or group is not direct proof of human trafficking but can serve as one of its strongest indicators. This response by a professional advocate for migrant farmworkers is indicative of the many faces of coercion and how they can serve as fairly strong indicators of human trafficking.

Another professional discussed, in her response, how coercion may take form with regard to the relationship between the crew leaders and the migrant farmworkers. While this was discussed briefly above, the response given by this professional provides a better understanding of the dynamic involved between these two parties. She begins by using examples of how force and fraud are present but quickly gets to the essence of coercion between what the relationship may look like between crew leaders and migrant farmworkers:

> The examples, I listed above, the workers who cross the border and are held in situations where they owe a lot of money, or are raped when they cross by the coyotes, or are in other dire circumstances, they are at risk. The other situation where this can often happen is with the recruiters, who often can keep their wages or other belongings when they recruit them but then the farmer does not know anything of it, these are the circumstances where human trafficking can exist and has in the past. It can also happen in other situations and I know it happens, but I just do not see it enough. Sometimes it is difficult for these people to discuss if they are not aware of what it is. (Interview, Professional #13).

This professional is fairly confident that situations exist whereby the recruiters or crew leaders may keep the wages meant for the migrant farmworkers without the farmer even knowing anything of it. In other words, as the recruiter or crew leader, who serves as the middleman between the farmer and the migrant farmworkers, is paid by the farmer, he or she then takes a cut of the wages meant for the migrant farmworkers. While this phenomenon has been discussed previously in other chapters, it is equally important in this chapter because it is evidence of coercion. This coercion often takes place because the crew leaders recruit the migrant farmworkers to work for a specific employer. If the migrant farmworkers offend or accuse the crew leader, they may be at risk of losing their jobs. Therefore, the crew leader may take an acceptable amount of their wages, regardless of what they agreed to be paid, because the alternative is that the migrant farmworkers leave, putting them in a position of extreme vulnerability as then they are severed from what may be their only social network. In this sense, coercion often happens in these social networks where individuals know and help one another achieve a certain end. The unfortunate sense is, however, that when disparate amounts of social power exist between the parties, it is possible for the stronger

actor to manipulate and exploit the weaker one, particularly absent rules of conduct and enforcement measures which are meant to prevent it.

This coercive treatment by the crew leader was also evident in the response of one of the migrant farmworkers. According to this migrant farmworker, the crew leaders often use the ignorance of the migrant farmworkers, who often do not understand how the process works. So, when the crew leaders are paid by the farmers, it is not necessarily uncommon for the migrant farmworkers to then be "shorted" by the crew leaders. This professional addresses how crew leaders can use coercion to manipulate these situations:

> The majority of these cases happen when these people speak some dialect, no Spanish, no English. For some of these farms, they stack 6, 7, 8 in a room. They charge $100 per person to live in a house. A crew leader will bring up a crew, he will go to a farmer, 20 people to work. He will get the check from the farmer, the poor people have no idea about how much they will make. It used to be that people could come up freely, now it is different because you have these middlemen, these crew leaders, who brought up a Haitian crew as well. This is one way of not needing to deal with all of the paperwork, the administrative side of things. And the farmer can deny responsibility (legal, illegal, healthy, not healthy, etc.). If someone wants to report what the farmer or crew leader is doing, they just blacklist the worker and no one else will hire them. Many of the farmworkers know based on reputation who is good or bad and who is taking care of their workers. If a farmworker knows that a farmer is not taking care of his workers, he will leave. (Interview, Migrant Farmworker #3).

This sort of form of coercion is an example of how the threat of blacklisting is used against the migrant farmworkers who, while they do not understand the entirety of the situation, understand that something is wrong but do not want to mention anything because of their relative state of powerlessness. Furthermore, these arrangements with crew leaders, while they by law do not protect the farmer or the grower, often allow them to put the onus of the responsibility on the crew leader for these incidents. The allegiance for the farmworkers, however, lies with the crew leader, who recruits them and secures their employment. If they decide to break that allegiance, they are no longer under the employ or protection of the crew leader, who then replaces them with another willing farmworker. As many migrant farmworkers willingly admit, they typically cannot afford to

leave their place of employment or take time off looking for other jobs, thus making the threat of being blacklisted all the more imposing. As a result, most migrant farmworkers will not disclose (thereby they are being coerced), examples or instances of abuse within their workplace because of this fear of being blacklisted.

Another migrant farmworker, who has worked with her spouse in multiple states, concurred that the farmers they have worked for in Michigan are much more humane than those in Florida and Georgia, where she claimed they were "treated like slaves." Based on her experiences in Michigan, she found that the likelihood of working for a contractor was much less prevalent. As opposed to Florida and Georgia, where contractors shorted workers all of the time, she claimed the dynamics were much different in Michigan:

> Here in Michigan much of it is the language. If someone knows English, they are able to have control and know what happens. That person will translate for the workers. They then have power over those workers who do not work directly with the farmer. Many times there is no Social Security. They normally take this money out of their checks as the contractors. If you do not know English, the rancher, if they do not know what is going on, they will allow the contractors to take advantage of them. There were no breaks, no overtime, the contractors took from them. They would only get short lunch breaks because the contractors would not make more money if they did not pick a great deal. (Interview, Migrant Farmworker #14).

The experience of this migrant farmworker reflected how important it was to speak English, another potential indicator of human trafficking. According to her time working as a migrant farmworker in Western Michigan, she found that those migrant farmworkers who could not speak English were more likely to have a crew leader or contractor. Based on their lack of experience in the culture and speaking the language, the contractors were able to manipulate them, take some of their earnings, and control them. This happened particularly in cases where the farmer was not aware of the practice. As such, many of the migrant farmworkers who were not able to speak English were fraudulently coerced into taking less money and receiving fewer rights and protections based on their necessary relationship with the contractor.

Another interesting connection in terms of coercion is the overlap between farmers and law enforcement in Oceana County. In other words, in some cases farmers also work as full-time law enforcement and/or politically elected officials, particularly within Oceana County. Even though it seems like this is an interesting dynamic for the purposes of this study, which it very well might be, there seems to be mutual respect between the farmers and the migrant farmworkers in these situations:

> We do not know of any forceful actions that people have taken in their jobsites. The farmer told us that the day we decide not to come, he will take the crops out. He does not want to plant any more. They are very straight people and honest. Sometimes the farmworkers claim to work more hours. We cheat the owners too. There are farmers who are also police or sheriff's officers. They get and mobilize political support sometimes through the farms. There is this interesting connection between farmers and police/sheriff's officers. (Interview, Migrant Farmworker #13).

The farmworker in this case discussed how sometimes the exploitation was reciprocal. In some cases the migrant farmworkers are "shorted" but in other cases, according to this migrant farmworker, they also report more hours than they actually worked. And, while some migrant farmworkers may appreciate the circumstances they find themselves in, especially when they have a good employer, those who are part of law enforcement who also have farms might also be in a position to exert a disparate amount of social power over those who are undocumented. Again, this may not be true in all of the examples given, but it is worthy of consideration when these positions overlap (employer and law enforcement). Based on this reciprocal relationship which benefits both parties, the migrant farmworkers often find themselves in a position of indentured mobility. For example, while they find themselves with a particular employer and unable to leave based on their housing arrangements and the fear they have of being blacklisted, they also take certain liberties where they are able to benefit themselves. It is important to distinguish how it would not be accurate to generalize regarding all migrant farmworkers based on only this particular case, the case is nonetheless illustrative of the concept of indentured mobility, whereby the population which finds

itself bound to a particular set of social circumstances is also able to take advantage of those circumstances to advance its long-term ends. In essence, migrant farmworkers have the opportunity to work long hours in circumstances potentially dangerous to their health in order to further the livelihoods of themselves and their families.

Suspicious of Human Trafficking

Even though there were many responses by each group of research subjects, both professionals and migrant farmworkers, it is important to acknowledge that there were some research subjects which remained suspicious of what human trafficking is and if it really happens in their own communities. While this is something that every researcher undoubtedly encounters in their line of research, it nevertheless befuddles the mind how individuals work in a particular field or area of society without fully understanding some of the dynamics involved. This lack of understanding or awareness is, of course, out of no fault to the individual research subjects, but instead serves as an opportunity to continue to educate, raise awareness, and inform those who are not aware of phenomenon such as human trafficking. This section will outline and analyze the responses where the research subjects were either suspicious of the term human trafficking or had not encountered it in order to better understand how these research subjects, both professionals and migrant farmworkers, were able to experience the phenomenon itself.

The first professional who responded did so as a result of her lack of knowledge of human trafficking, including its elements of force, fraud, or coercion. She seemed to have very little experience with anything even remotely associated with human trafficking:

> I have not heard of any case whereby there is any sort of force, fraud, or coercion at the workplace. I have not heard of women being transported to the camps for males, but I may not be hearing of these things because her husband is a reserve officer in the local police. I am not sure if that goes on. Migrant farmworkers are definitely afraid to talk in terms of blacklisting but I have never heard about cases where individuals are being trafficked. (Interview, Professional #4).

Based on her experience, she had never heard of any cases where force, fraud, or coercion had taken place, nor had she ever heard about cases where individuals have been trafficked. In cases like this, it is important to not get frustrated but to realize this as an opportunity to educate someone about what these things are. While this professional stated that she may not hear about these things because her husband is a reserve police officer, it may also be true that his position as a reserve police officer would afford her the knowledge of situations like this. Her assumption that she may not be told certain things by migrant farmworkers because of her husband's role seems to limit her role as an advocate in some ways. On the other hand, it is not surprising that even those in a local police capacity would not be aware of these situations. Regardless of whether or not either the wife, the respondent in this case, or the husband, the reserve police officer, know about the phenomena of human trafficking, despite what common sense might dictate, it is not uncommon for social service workers or law enforcement to not be aware of human trafficking, particularly in small, rural parts of Western Michigan. It is in these localities that people often idealize their life's circumstances and those of their fellow community members. Often their mistaken belief is that "this does not happen here."

Another response by a professional pondered the potential response to cases of human trafficking, if they existed in Western Michigan. She outlines the difficult question of whether or not it would be better to let a violent system persist or to speak out against it and potentially put its victims in an even worse predicament. This professional oscillates between wrestling with these difficult questions and inquiring as to whether or not such atrocities even exist:

> Populations are so vulnerable that often you do not want to put them in harm's way. It is difficult because you do not want to let a violent situation persist, but you also do not want to make the situation worse for those who are vulnerable. There is a Chinese family who is living in a house, working in a restaurant, the police or immigration get involved and the next thing you know they are gone. It is possible that there are situations like this, she would be surprised if that happened in this county, but further south it could be a reality. There are huge conglomerations who own farms. She has heard about people from churches, FLS,

> will get together to visit camps, stopped from entering, providing literature, other factors. She does not think these things happen up in Oceana County. (Interview, Professional #9).

The questions this professional asks are appropriate. It is difficult to know whether or not speaking out against a particular abuse will actually be resolved and help alleviate the situation or only backfire and make the situation worse. These consequences become more dire in the example of the Chinese restaurant where the workers are being mistreated but law enforcement, instead of sticking up for the rights of the workers, instead chooses to view them through the lens of their legal status only, deciding to deport them before even understanding their respective situation(s). Based on such an analysis, it is completely conceivable that deportation is a higher priority than understanding the dynamics behind illicit human networks which abuse people. At the end of her response, however, she acknowledges that there are groups who do outreach and spend time with migrant farmworkers in Western Michigan, only to then remain skeptical that this phenomenon takes place in the county where she works and lives. Even though these types of statements are frustrating, they show how important awareness of particular social problems is amongst even professionals who work with potential victims of human trafficking.

Another professional addressed a different difficulty in addressing the problem of human trafficking amongst migrant farmworker populations in Western Michigan. In addition to the need to develop awareness of human trafficking amongst migrant farmworker populations with farmers, crew leaders, migrant farmworkers, and the professionals who work with them, it is difficult to address a social issue such as human trafficking when it may have become "normal" within a certain population. Based on the response of one professional, it has become rather normalized amongst the migrant farmworker community, many of whom feel as though they could be replaced with ease:

> It was like I was saying already. If there is something that you know is wrong, it is also part of the system. People have rights, they will be working in tandem, you tell them the law and their rights, children are too little to work, but at the end of the day, they make their own decisions. It is difficult to enforce these things. It is frustrating to me because these families are valuable for, they practically live with what they know and have, there can be human

> trafficking but if it is what they know then it is difficult to get anyone to speak out against it. If it is a learned behavior and if it is something people do, then they learn and repeat the behavior over and over again. One thing that has been in my heart and in my mind is that I think that they need to offer more educational programs so they understand something is wrong with their families. Offer them services so that they are not falling on what their parents have taught them or lived out. Whatever I have heard if I make this case is that they can replace her with someone else if they need to. (Interview, Professional #15).

This professional brings up several important points worthy of analysis. Firstly, it is completely plausible that migrant farmworkers have accepted their condition and are willing to persevere through it in order to make a better living for themselves and their families. This normalization process permits them to not act in ways which would allow them to better their positions and ensure their rights were being respected and protected. This lack of action then leads to a sort of paralysis with regard to the issue of human trafficking because if it exists but no one is willing to speak out against it, there will be no change because law enforcement lack the witnesses and testimony to string a case together. Secondly, since there is no speaking out against a particular issue such as human trafficking, it is difficult to mobilize resources in order to address it. Without the resources to address it, victims have very little incentive to leave a particular situation or set of circumstances in which they are inevitably trapped. Finally, the professional brought up a situation where she had encouraged an individual to step up and share something about an abuse which was being perpetrated within the camp. The response was that, since she could be so easily replaced, it would not be smart to speak up about a particular situation where she was exploited or else she might not have a job. Based on the social power implicit in these employer-employee or supervisor-worker relationships, it is difficult to convince those who are being exploited that they matter, their experiences are important, and they should not be taken advantage of.

Indicators of Human Trafficking

This chapter has provided a look at how many of the responses given by research subjects, both professionals and migrant farmworkers in Western Michigan, identified elements of the three

indicators of human trafficking: force, fraud, or coercion. This chapter has also taken some time to look at those responses which were skeptical of whether or not human trafficking took place in their particular localities and why. Based on the responses in this chapter, it is evident that the presence of force, fraud, or coercion is not strictly determinative of human trafficking. While the presence of any of these prongs of human trafficking immediately make a situation or set of circumstances more likely to constitute a case of human trafficking, in many cases such a presence warrants more investigation. The presence of a multiplicity of the prongs immediately raises flags for obvious reasons, as the existence of multiple indicators brings to light the imbalance in the power dynamic between the various actors involved. Again, the presence of these prongs or, even further along, a number of the indicators involved does not necessarily determine human trafficking, but its probability therefore multiplies. Each of these cases is inevitably different *sui generis*. These different scenarios and situations inevitably must be tested against existing precedents, other current cases, and potential concerns accordingly.

The section on suspicions of human trafficking is also equally important. Many of the professionals, as well as the migrant farmworkers themselves live in a normalized culture whereby exploitation and human trafficking are part and parcel of the process of migration between nation-states. Within these normalized circumstances, acting in a way which disrupts the status quo is taboo, especially when the power dynamic is so completely out of balance. What incentive does a migrant farmworker have to speak out when their economic well-being depends upon submitting to the set of circumstances they find themselves in? Why would a migrant farmworker approach law enforcement personnel when, in the minds of those who are there to help protect their rights, their identity is wrapped up first in their legal status as opposed to their humanity? Are not these circumstances highly preferable to those they faced in their home countries? Questions like these inevitably form in the minds of those who are in positions where they face continual exploitation

without many forms of relief and assistance. Still others question why they would even try to advocate for better circumstances for migrant farmworkers in Western Michigan when intervening might even make their situation even worse. While the history of struggle shows that things take time, the absence of such a sustained struggle on behalf of many of those involved with migrant farmworkers and the farmworkers themselves begs the question. What are the next steps in advocating for the rights of migrant farmworkers in Western Michigan in the years to come? The final chapter of this study will seek to answer this question.

CHAPTER 9: CONCLUSION: MOVING FORWARD

Overview

The purpose of this study was to identify indicators of human trafficking amongst migrant farmworker communities in Western Michigan in order to contribute to the literature on labor trafficking, particularly within smaller localities within the United States. In order to uncover these indicators, this study sought to examine five distinct points in the migratory process of transnational migrant farmworkers in Western Michigan in order to identify where they are vulnerable to human trafficking: their impetus for migration, their journey to secure employment, their living and working conditions within this employment, the extent to which they have control over their circumstances, and the experiences in which they have endured exploitation. In order to identify potential indicators of human trafficking, the responses given by the research subjects in this study, professionals who work regularly with migrant farmworkers and migrant farmworkers themselves; were coded and organized thematically and placed within one of these research categories. Once they were placed into research categories, they were organized again within these sub-categories and ordered accordingly.

As such, the first three chapters of this study constituted the first section of the dissertation as the first chapter gave an introduction to the study, the second chapter presented a review of the literature and the theoretical framework, while the third chapter described the research methodology and the means by which the data were collected. The second section of this dissertation consisted of the five chapters of the findings section. These five chapters (4 through 8) corresponded with the research questions presented in this study. The first chapter in this section addressed the initial stages of and the impetus for migration on behalf of the migrant farmworkers. The second chapter of the findings section examined the journey migrant farmworkers undertake in order to secure their employment. The third chapter of the findings section addressed the living and working conditions

of migrant farmworkers in Western Michigan. The fourth chapter addressed the extent to which the migrant farmworkers were able to freely leave and go to doctor's appointments, laundry facilities, grocery stores, and other venues. Finally, the fifth chapter of the findings section explored the experiences migrant farmworkers had or had heard about which fit the requisite elements of human trafficking based on force, fraud, or coercion. The final chapter of this dissertation, then, serves as the concluding chapter by providing an overview of the findings of the study and providing recommendations for moving forward in addressing human trafficking amongst migrant farmworker communities in Western Michigan.

Summary of the Findings

The purpose of this section is to summarize the major findings of this study in order to provide a better understanding of which indicators of human trafficking exist within each one of these research areas as they pertain to the lives of migrant farmworkers in Western Michigan. The first of these areas, entitled the impetus for migration, covered the violence migrant farmworkers often faced in their sending (home) countries, the networks they formed in order to navigate the migration process, particularly as they crossed the border into the United States, and the opportunities that awaited them in the United States as they sought to make a better life for themselves and their families. Per the literature review, Logan, Walker, and Hunt (2009) identified poverty, gender, age, social isolation, language barriers, and cultural differences as risk factors from a macro-level approach while the lack of documentation, formal education, and the presence of substance abuse serve as risk factors from the micro-level perspective.

The Presence of Economic, Physical, and Family Violence

The first chapter of the findings section utilized the responses given by both sets of research subjects, namely the professionals and the migrant farmworkers, in order to investigate the push factors that ultimately lead to migration to the United States in the pursuit of better living

conditions. Factors that emerged are the violence inherent in the sending countries where many of the migrant farmworkers come from, the role economic and social networks play in the migration journey, and the process by which migrant farmworkers realize opportunities to work in the United States as a means to identify indicators of human trafficking. This section provides an overview of the major findings reported in each of these areas as they relate to the migratory process of the migrant farmworkers and how this process relates to their vulnerability in terms of human trafficking.

The first important finding in the first chapter was that the majority of migrant farmworkers in Western Michigan came to the United States to find work in order to flee some sort of violence. While the violence referred to in their responses was classified into three separate categories (economic, physical, and family), these categories are not exhaustive. Migrant farmworkers often seek to migrate because of the lack of economic opportunities provided both by the governments of their home countries, as well as the utter failure of the market where they live. This economic violence is caused by several factors such as globalization, corruption, and the lack of vitality of the free market system in more remote areas of the "Global South" which result in large flows of migrants to other parts of the world looking for economic opportunities. Nearly all of the migrant farmworkers interviewed identified poor economic conditions or a lack of economic opportunity as their primary motivating factor for migration to the United States. This lack of economic opportunities also led to an increased likelihood of physical violence in these sending countries.

In those situations where there are few economic opportunities, there are likely to be higher rates of physical violence as well. In order for effective law enforcement, social service agencies, and other aspects of civil society to be present and effective, there needs to be an effective public (and national) infrastructure. This infrastructure is often funded by the public sector which raises money through taxation and other means. In localities where there are very few economic opportunities

because of increased globalization, mature free market economies, and a lack of government accountability, individuals may get away with deviant acts due to the lack of such a public infrastructure which not only deters deviant acts, but also holds those who commit them responsible. Many of the migrant farmworkers who migrated from areas of the Global South not only cited a lack of economic opportunities, but they also claimed their governments did not provide programs to help assist those who needed work. In these cases, since there are very few economic opportunities, the government has very little opportunity to tax the people in order to provide systems of public infrastructure in order to protect their citizens. As a result of the lack of such programs, the citizens in a particular country without police protection, programs to help support those without jobs, and other amenities, individuals are able to exploit the relative state of lawlessness in order to perpetrate violence to meet their own ends. These forms of physical violence also impact and overlap with family violence.

Many of the migrant farmworkers interviewed also discussed the violence they faced within their families, whether through things such as domestic violence or through other forms such as when families often are torn apart for economic reasons. These forms of family violence are often inextricably linked to physical and economic violence because many of those who find themselves victims of these forms of violence do not have the support they need to work through it. Instead, they search for other opportunities to better the circumstances they endure along with their families. This realization leads them to acquaint themselves with the economic and social networks necessary to take the first step on the path to migrating to places such as the United States and, for the purposes of this study, Western Michigan.

While the role economic, physical, and family violence plays in the decision of individuals to migrate to the United States provides a great deal of context into the motivation behind why individuals migrate, the process of migration can only take place through already established

economic and social networks. These economic and social networks provide the conduits through which migrant farmworkers find their way into labor markets such as the one which formed the basis for this study in Western Michigan. Even though individuals may be trafficked within their own countries because of the violence present there, often the indicators of human trafficking emerge as they enter these economic and social networks which act as a conduit through which these prospective migrants enter. There are several different economic networks available for prospective migrant workers as they seek to obtain funds in order to leave their home (sending) countries. Those prospective migrants who are able to secure the necessary amount through family and friends tend to be in the best position moving forward as these sources can be flexible with the terms of repayment. They are unlikely to exploit an individual based on the amount of money they borrow and often serve to loan money to get them to the border, as well as to get them across the border to their particular place of employment. For example, one migrant farmworker discussed how his family in Mexico supported him to the border while his family and friends in the United States supported him once he crossed. Those who do not obtain loans from these traditional channels, however, often find themselves more vulnerable as they are not as familiar with the terms of their loan, the rate at which it has been loaned, or the method of repayment. In these cases, individuals sometimes borrow money from criminal elements, business leaders, government officials, and other persons they may not know. They have fewer assurances in these cases of their safety, as well as the safety of their families.

Social networks are as important or, in many cases, even more important than economic networks. Those prospective migrants who join human networks with which they are already familiar are much less likely to be involved in cases of human trafficking. Several of the migrant farmworkers interviewed for this study knew of persons who had been smuggled through their home countries and into the United States through already established channels. This is important

for several reasons. Firstly, these individuals are more likely to know those who they travel with both in terms of other prospective migrant farmworkers as well as those who are part of the smuggling network. Secondly, these individuals are more likely to understand the process by which they are being smuggled through their home country and to the United States and be able to detect or spot actions or practices which threaten their safety and security. This level of familiarity not only with the individuals who are part of the network but also the process itself decreases the likelihood of trafficking based on the responses recorded in this study. While no connection to the network guarantees the safety of a prospective migrant, the more familiarity he or she has with the individuals involved and the process by which they are smuggled is more likely to avoid being trafficked.

The final section of the first chapter of the findings section discusses the realization of opportunity that migrant farmworkers experience when they enter the United States and seek employment. The data collected from the responses of professionals and migrant farmworkers alike conveyed that while some migrant farmworkers had secured employment through family and friends before leaving their home countries, many others entered the United States without knowing exactly where to find work. The difference between those who had a place of employment already arranged for them, particularly amongst the non-H(2)(A) workers, and those who still had to look for employment serves as a key indicator for human trafficking. While there were migrant farmworkers who arrived in the United States with the contact information of family and friends who they would later connect with in order to "realize" their employment, there were a great number who had no idea where to begin looking for work. The former were more insulated from exploitation because they again had a "reference" point, a support system, whereas those who were coming without the necessary benchmark, without a strong support system were more easily exploited and, of course, more susceptible to being trafficked. As such, this susceptibility took shape in some cases on behalf of those doing the recruiting in both the common areas outside and inside the United States, as well

as through the place of employment, as we will see later in some of the testimonies of the migrant farmworkers. In each of the cases of the migrant farmworkers, those who had a greater familiarity with the appropriate economic and social networks, as well as the process by which migration happened (through stories, firsthand accounts, etc.), were less likely to be trafficked than those who had little familiarity. Although this conclusion regarding familiarity does not hold across the board, it tends to be the case generally.

There are three primary indicators of human trafficking with regard to the initial process of migration that make migrants vulnerable to trafficking. These indicators coincide with (1) the presence of economic, physical, and family violence in the sending country in which the migrants originate, (2) the lack of familiarity migrants have with the process of migration itself (through family, friends, or other human networks), and (3) their relative lack of resources or social capital to secure employment opportunities prior to the initiation of the migration process.

The Tenuous Road to Employment

After migrant farmworkers make the journey from their home country to the United States, their first task is almost always securing employment. In securing employment, however, it is important to understand that many migrant farmworkers enter the United States with very little money to their name. While there are some instances where they know someone in the United States who has pledged to transport them to their place of employment, this is not always the case for many. In the case of the majority of migrant farmworkers, they need to first find a way to pay for transportation costs, then determine whether or not they will be able to secure transportation to their place of employment, and then, finally, they need to work out their terms of employment. The first two sections in this chapter deal with two very different issues with regard to transportation. The first section deals with how to secure transportation from the border or an area close to the border, to a place of employment, while the second section deals with securing everyday employment to work. The final section, the nature of contractual arrangements, provides the topic

of discussion surrounding one of the strongest indicators of human trafficking. Each of these areas leading up to employment has its own risks and challenges and can provide a context for identifying indicators of human trafficking.

The role of transportation costs from the border or just inside the United States to a place of employment is very important because by the time many migrant farmworkers reach the United States they have already spent somewhere in the neighborhood of $4,000 to $5,000 just to get from their residence across the border. As such, many migrant farmworkers have no idea how to then pay for transportation to a prospective job. It is also at this point that they are often recruited, sometimes by farmers or growers, other times by crew leaders, in order to work for a particular employer. It is at this point in the process of migration that migrant farmworkers often need to borrow money in order to pay for the transportation they need to their place of employment. This money can be repaid when they begin working, but often the terms of repayment are not discussed, disclosed, or negotiated beforehand, leaving many of them vulnerable to be trafficked. Some of the migrant farmworkers who were interviewed had no real knowledge of the transportation system they utilized. They just paid and trusted it would work out.

Another thread of the conversation surrounding transportation costs involves which party should have to bear the costs of transportation. In the majority of cases, the migrant farmworkers paid for their transportation from whichever state they found themselves in to their place of employment. There was no discussion of relocation costs, no reimbursement for their expenses (this is mandated under the H(2)(A) program but how many times it happens remains to be investigated), and often no assistance is provided at all as far as travel goes. While there were some cases where employers fronted the transportation costs or paid to fly migrant farmworkers home to see loved ones who had passed away, such costs had to be reimbursed immediately upon return or arrival. In essence, these migrant farmworkers had to pay thousands of dollars just to come and

have a chance at finding a job. While there were opportunities to take advantage of these workers as part of the transportation process, none of the migrant farmworkers interviewed reported any suspicious behavior at this stage in the migration process. They would, however, report they had been promised a certain wage or amount of work only to find that they had been deceived upon arrival. This "bait and switch" technique will be discussed later.

In addition to the role of transportation costs, migrant farmworkers also had to worry about securing consistent transportation to work on a daily basis. Many of the migrant farmworkers who were interviewed had their own transportation, especially in counties where the majority of migrant farmworkers consisted of families who had been consistently coming to farm on an annual basis. In those counties, there was almost always one member of the family, if not multiple members of the family, who were able to drive each other to work every day. In other counties, however, there were either large groups of single workers or there were individuals without families who were not able to drive. In these cases, the migrant farmworkers had to rely on another party to drive them to work every day. While some migrant farmworkers reported that they were getting affordable transportation from supervisors, others claimed they were being charged too much for their transportation. In terms of the conversation surrounding transportation, those who had consistently come to Western Michigan with family were more likely to have transportation to get there, as well as transportation to work every day. Those who were not part of a family or group of friends; were less likely to have transportation to work every summer as well as a consistent ride to work every day. These two factors may serve as potential indicators of human trafficking as transportation may serve as a means by which individuals are forced against their will to work in certain farms. As such, the ability of those with larger amounts of social power to dictate the movements of others without transportation can serve as a key indicator of human trafficking, particularly migrant farmworkers

who did not come with their families nor those whom lack familiarity with a particular region and its set of employers.

The final section of this chapter discusses the nature of the contractual arrangements between migrant farmworkers and their supervisors, whether those are crew leaders, recruiters, farmers, and/or growers. Negotiating the terms of employment is another point in the employment process where migrant farmworkers may be vulnerable to trafficking. While many professionals reported that migrant farmworkers are able to negotiate their terms of employment before they travel to another state to work, the responses of the migrant farmworkers in this study suggest differently. One group of responses suggests that migrant farmworkers learn of the terms of their employment upon arriving at their destination. Another group of responses suggest that migrant farmworkers rarely know their terms of employment even after they have been working for some time. In either case, one of the complaints legal advocates often hear is that the terms of employment many of the migrant farmworkers hear when they are recruited are often quite different from those they realize when they begin working. For example, it is quite common for recruiters to promise a particular wage, a certain standard of housing, and a specific length (whether in hours per week, months of the year, etc.) of work only for the migrant farmworkers to find out differently after they have been working for some time. While migrant farmworkers want to avoid being "blacklisted" for speaking out against their employers for these "bait and switch" tactics, the employers are hardly held accountable for such practices. Furthermore, while the actions of agents of the employer such as recruiters and crew chiefs have been ruled binding on the employer, and verbal contracts made at the time of recruitment can serve as binding on the employer, there is relatively little documentation of such terms of employment in the form of a contract which makes it difficult to prove the agents of the employer or the employer himself fraudulently deceived the migrant farmworkers.

Some of the responses given by migrant farmworkers seemed to indicate that, while in some cases employers had an orientation and training at the beginning of the season, other employers failed to ever inform the migrant farmworkers of their terms of employment. As such, employers failed to specify how much migrant farmworkers were paid, what deductions were being taken out of their paychecks, which crops they would pick and for how much, and other critical terms of their employment. These omissions left migrant farmworkers trusting their employers good will, something certain farmworkers could not do as they were frequently shorted, not paid, or without work for long periods of time. While the terms of employment for H(2)(A) workers were spelled out better on the one hand, on the other hand farmworkers working on an H(2)(A) Visa often did not have their transportation costs reimbursed, nor were they permitted to travel to locations other than to their permanent place of employment.

There are several potential indicators of human trafficking as migrants seek to secure employment. One indicator of human trafficking is the ability of migrant farmworkers to access to transportation from the border to the place of employment in Western Michigan. Another indicator of human trafficking is the limited knowledge that migrant farmworkers have of their contractual arrangements or terms of employment prior to arriving at their workplace. Furthermore, the degradation of the terms of employment between the time a migrant farmworker learns of an employment opportunity and the time they arrive may also serve as an indicator of human trafficking. The limited access migrant farmworkers have to everyday transportation to and from their place of employment can also serve as an indicator of human trafficking.

Living and Working Conditions

The third chapter of the findings section, entitled "Living and Working Conditions on the Farms of Western Michigan," explored the difficulties migrant farmworkers endured as they lived and worked on their respective farms in Western Michigan and how these difficulties could uncover indicators of human trafficking. This chapter was broken up into four separate sections. The first

section was termed "the use of fear, force, or intimidation" and explored the how those in authority positions misused their social power in order to take advantage of migrant farmworkers. The second section was called "gaps in employment" and discussed how difficult it was for migrant farmworkers when they were not able to work through the season. The third section was entitled "pay, hours, and working conditions" and examined how migrant farmworkers were paid, how many hours they worked per week, and the weather and other adverse conditions they worked in. The fourth section was formulated as "breaks, bonuses, and housing" and elaborated on the use of bonuses and housing to distort the wages migrant farmworkers often make or do not make. This section of the conclusory chapter addresses the findings in each of these sub-sections in turn.

The first section of this chapter dealt with the use of fear, force, or intimidation on the part of farmers, growers, crew leaders, and recruiters in order to spur productivity on behalf of the migrant farmworker population in Western Michigan. The use of force, which was also discussed in a previous chapter, is one of the elements used to prove a case of human trafficking, so this section is essential in identifying potential indicators of human trafficking. One of the more brazen examples of force in Western Michigan was provided by a social service worker who observed a supervisor carrying a shotgun around one of the fields where migrant farmworkers were picking. Another example would be a farmer driving a tractor around the fields; yelling at migrant farmworkers about the particulars of their job responsibilities. Other examples would include the taking away of lunch breaks, the lowering of pay rates, especially when migrant farmworkers are being paid a piece rate, and the case of working longer hours or for more days of the week without additional pay. In each of these cases, the authority figure uses a show of force in order to intimidate the migrant farmworkers and to force them to be more productive.

Other, more common examples, involve cases where crew leaders would use their role as "middlemen" to force migrant farmworkers to fall in line. In these cases, instead of paying the

migrant farmworkers themselves, the farmers or growers choose to pay the crew leaders, who then distribute the money to the migrant farmworkers. There are several examples of cases where the crew leaders would either keep all of the money for themselves or they would "short" the migrant farmworkers when they thought they did not work or pick enough. Furthermore, since the crew leader is often the individual who makes contact with the farmer or grower, the migrant farmworkers are not allowed to speak anything badly of him or her for fear that they will not be asked to come back and work again the following year. As such, many of the migrant farmworkers refuse to speak up regarding these shows of force imposed on them by their supervisors.

The second section of the living and working conditions chapter discussed the frustrations workers had with "gaps" in employment and how these gaps could serve as potential indicators of human trafficking. First of all, gaps in employment occur due to inclement weather, in cases of a bad crop, or because the farmer misrepresented how much work he had to do that season. Migrant farmworkers expressed frustration in cases where they were led to believe that they would have work all summer only to find out there were several weeks in between crops where they could not work, losing out on wages they had planned on earning. Furthermore, in some cases where they are being charged for housing, they can actually be in a worse position financially when there is no work. In a best case scenario, an employer would have a "sharing" arrangement between himself and other farmers whereby when a crop ended he would send his workers to another farmer to help with another crop. Other farmers would put the migrant farmworkers to work doing other things around the farm by repairing housing, detasseling corn, or even by doing household chores. This would allow the migrant farmworkers to work continuously and not miss a beat financially. Many migrant farmworkers expressed extreme gratitude for farmers who did this for them and, for the farmers, such a practice served as a tool for retention to keep the farmers around both during the current year and in years to come. Other farmers, on the other hand, because the migrant

farmworkers had no choice but to stay with them based on the fact that they were living in their migrant housing, would not allow the migrant farmworkers to leave. This practice happened particularly on farms where the majority of the migrant farmworkers were single males and where they had a lack of access to transportation. On these farms, not only were the migrant farmworkers upset because the farmers or their agents had misrepresented the terms of employment, but also because now they were sitting around idle without earning anything. Again, however, with migrant farmworkers who were reliant on the farmers or growers for their migrant housing, they had no choice other than to stay. If they left, they would face a great deal of uncertainty securing alternative employment.

The third section of the chapter addressed the pay, hours, and working conditions the migrant farmworkers dealt with while working and living in Western Michigan. This chapter addressed another main concern when analyzing a potential case of human trafficking, the element of fraud. In many cases, the migrant farmworkers were being paid after there were deductions taken out. While it is completely legal to deduct for payroll taxes, unemployment, disability, social security, and other standard deductions, many of the migrant farmworkers were missing some of these standard deductions (all of which are important in the lives of migrant farmworkers) while being docked for their migrant housing. It is not common practice to deduct housing costs from a worker's paycheck and the legality of such a practice is questionable at best. Migrant farmworkers should be paid and then expected to pay their employers a reasonable rate for migrant housing. Otherwise, they could be paying outrageous amounts, and some of them were, for their housing. Another interesting aspect of the payment process was that so little of the process was documented. While some of their employers had a payment process established, others did not and there was no proof they were being paid adequately. Furthermore, it was doubtful these workers were paid minimum wage, whether they were paid hourly or not. After deducting for housing and other

questionable costs, how could an employer establish a worker was making minimum wage? How could a migrant farmworker who was being paid piece rate show he or she was being paid minimum wage? Based on the responses of the migrant farmworkers, only the most productive pickers would be making minimum wage, another potential indicator of human trafficking based on fraud.

Another area of concern was the number of hours these migrant farmworkers worked. Based on the responses given by the majority of them, they worked as long as they could and for as many days as they could to earn money. It was hard to determine whether or not they were forced to work these hours. Many of them admitted that they wanted to work as long as they did to earn more. If they were paid minimum wage would their long hours continue? If they were paid overtime or according to law would they choose to work as much as they did? It is hard to know whether or not they felt pressure from their supervisors to pick for so many hours or if they chose to do so themselves but the hours they worked and the conditions they worked in made it difficult to discern whose choice it was. Moreover, it is difficult to say generally when there are cases where farmers or crew leaders are forcing workers to work longer hours for less pay and others where migrant farmworkers work indefinitely to provide a better living for themselves and their families.

The final section in the chapter on the living and working conditions of migrant farmworkers in Western Michigan pertains to breaks, bonuses, and housing. The same set of circumstances for the number of hours migrant farmworkers put in applies to the breaks they take. Migrant farmworkers look at breaks in the same way as idle time. Instead of taking breaks, they could be making money picking or harvesting. So, even though they may be guaranteed breaks as part of their employment, it is difficult to discern in which cases they take them, in which cases they do not, and how much choice they have in the matter. As with the hours, there is likely influence on both sides as some employers likely prefer they work indefinitely while others wish they would take more time to rest. Future research might need to focus on whether or not farmers and other

supervisory figures allow them to take breaks and whether or not this might be an indicator of human trafficking.

Another area of contention amongst migrant farmworkers is the use of bonuses. Based on the responses of migrant farmworkers and those of the professionals, farmers will often use bonuses to entice their workers to stay for the entire season, as well as to encourage them to be as productive as possible by offering them a "bonus" at the end of a particular season for picking at a high rate. The legality of these bonuses, however, is suspect because sometimes migrant farmworkers are promised a certain amount for the bonuses but are not paid accordingly, other times they have deductions subtracted from the bonus amount, and other times the farmer does not pay the bonus at all. Migrant farmworkers responded with skepticism about the phenomena of bonuses because they were unsure as to whether or not farmers would do them from year to year. Furthermore, the use of bonuses calls into question whether or not, like housing deductions, farmers were using bonuses as a reason to pay migrant farmworkers less of an hourly or piece rate during the normal season. Based on the responses by the legal advocates who participated in this survey, the use of bonuses is legally questionable at best.

Each of these sections contains indicators for human trafficking. The first section provides responses by both professionals and migrant farmworkers which detail the use of implied force by authority figures. While this potential use of excessive force does not definitively prove human trafficking, it does provide a warning sign that something is going on which warrants further investigation. The content regarding "gaps" in employment inevitably speaks to the question of fraud if the employer has misrepresented the frequency or duration of employment, particularly if the employees are unable to seek work elsewhere. Fraud is element which is often indicative of human trafficking and the fraudulent representation of the duration or frequency of employment should also be a cause for further investigation. Another area in which fraud may be present relates

to the system and method of payment for the migrant farmworkers. If the standard deductions are not present or if housing is being deducted then there is also cause for concern. Are the migrant farmworkers aware of which deductions are being taken out? Are the deductions accurate? Given the pay rate, the cost of migrant housing, and/or the promise of bonuses, do the migrant farmworkers earn the equivalent of minimum wage?

These factors all serve as potential indicators of the presence of force and, in some cases coercion, given how housing is being dealt with as part of this equation. Finally, are workers being forced to work longer hours or skip their breaks? While it is highly unlikely to find an answer to this question in every case, there were migrant farmworkers who reported that they were not allowed to have breaks while working in the past. There is a tension between making as much money as possible and taking care of oneself. While it is difficult to generalize as the each case is different, these factors listed above are almost all present in cases of human trafficking. Furthermore, the presence of force, fraud, or coercion should be paid attention to at an even deeper level, warranting further investigation and understanding, as these elements are present in every case of human trafficking. While it is highly doubtful that human trafficking is going on in each of the cases outlined above, instead of assuming the best in a particular set of circumstances, it may be best to ask additional questions and further investigate to ensure human trafficking is not happening instead of assuming it is not. Even though this section outlines the use of fear, force, or intimidation, "gaps" in employment, pay, hours, and working conditions, and breaks, bonuses, and housing, the analysis in these sections is not complete without first looking at the extent to which migrant farmworkers are able to have control over their own circumstances.

There are other potential indicators which are related to living and working conditions. One of the potential indicators of human trafficking within the living and working conditions of migrant farmworkers is the presence of force, fraud, or coercion on behalf of an authority figure. Another indicator of human trafficking within the migrant

farmworker community is the presence of gaps within employment during a given harvest season, particularly if farmers or growers do not allow their migrant farmworkers to seek temporary work elsewhere. The low pay, the excessive number of hours which they work, and poor working conditions within their place of employment can also serve as indicators for human trafficking. The frequency of their breaks, the presence of bonuses within the pay structure, and the presence and condition of migrant housing can also be indicators of human trafficking.

Control Over Their Circumstances

The fourth chapter in the findings section explored the extent to which migrant farmworkers had control over their circumstances and whether or not such a level of control helped to identify indicators of human trafficking. In order to categorize the responses of the research subjects, in this case professionals and migrant farmworkers, this chapter addressed five major areas: general restrictions on social mobility, the role of employers, crew leaders, and other supervisors in limiting the movement of migrant farmworkers, the reluctance of marginalized populations to leave their places of employment, and the role of the H(2)(A) Visa program in restricting mobility. This section addresses each of these areas or categories in order to identify indicators of human trafficking amongst migrant farmworker populations in Western Michigan.

The first section of the chapter addressed general restrictions on the social mobility of migrant farmworkers. These restrictions include, but are not limited to, anything that prevents the migrant farmworker from leaving his or her place of employment in order to visit the grocery store, seek medical attention, attend church services, or locate a laundry facility. The first restriction on the movement of migrant farmworkers was access to transportation. Based on the passing of a recent Michigan law, migrant farmworkers could not obtain a driver's license without a recognized form of identification such as a social security card. Whereas before migrant farmworkers were able to obtain a driver's license with any form of picture identification, the law had restricted access to a driver's license amongst this population, making it much harder for migrant farmworkers without a

proper form of identification to obtain a driver's license. This results in them needing to rely on others, whom they may or may not know, for transportation. This result, while in itself does not ensure trafficking, puts some migrant farmworkers at the mercy of others with transportation such as recruiters, crew leaders, and other supervisory figures which could then charge them exorbitant fees or exercise other forms of leverage over them for a "ride." As such, those who are economically vulnerable, without much social capital, and with limited information are often those who are most vulnerable to human trafficking.

In addition to governmental policies which restrict the movement of migrant farmworkers, employers such as farmers and growers also sometimes make decisions or enact policies to restrict the movement of migrant farmworkers. Based on the responses of professionals and migrant farmworkers, employers sometimes choose to restrict the movement of migrant farmworkers by allowing them to visit the doctor or other necessary appointments but without pay or time off. Many of the migrant farmworkers admitted that their employers had policies in place whereby they could take time off by going to see a doctor. They did not always have, however, ways to make up their income, cover the costs of the doctor's visit, or take paid leave for small amounts of time in the summer. Migrant farmworkers did not receive holidays off and were left in a difficult predicament when they did not work. If they needed to attend an appointment, wanted to take time off for a holiday, or needed to do something else "personal," they would have to choose to either attend the event or earn money.

This situation begs the question whether or not migrant farmworkers could "afford" to take time off or if they were not being paid enough to be able to take time off. In other words, do migrant farmworkers have an option to take time off? Must they always work eight to ten hours every day (even more depending on the season and crop) and seven days per week during the harvest season? Or is there time for them to leave the camp and go to the doctor, take their kids to

the park, or do something else they may enjoy? Based on the responses given by the migrant farmworkers in this study, it appears that many of the migrant farmworkers choose to work the long hours, nearly every day of the week in order to earn as much as possible. It did not seem, based on their responses that they had a great deal of free time to rest, enjoy time with their families, or do something for they might enjoy. In fact, there were several cases where a worker probably needed medical attention but chose to hold off because he or she needed to work. These sorts of circumstances call into question the ability of migrant farmworkers to leave the farm and do other things with their free time by limiting and restricting their movement, a potential indicator of human trafficking.

Crew leaders also sometimes make decisions which impact whether or not migrant farmworkers are able to leave their place of employment to tend to their personal needs. The responses given by several professionals and farmworkers seemed to indicate that crew leaders often restrict the movement of the migrant farmworkers working for them in order to provide some of the services they need themselves. This ability to provide these services can lead to more income for the crew leader at the expense of the migrant farmworkers in his employ. Much of the time this likelihood depends upon the location of the migrant camp. For those camps which are located in more remote areas, particularly those where there are single male workers, crew leaders have been known to bring in food and other services for the migrant farmworkers to purchase, often at higher prices than they would find in the supermarkets.

But, again, the demographics here are very important. Those who have come to work with families are more likely to have stronger support networks, understand how the process of employment works, have access to transportation, and thus the ability to leave the camp to secure these services or needs. Those who are not well connected to family or friends therefore lack knowledge, transportation, and the ability to leave. These sorts of populations are much more likely

to rely on crew leaders as their reference point for "reality" in terms of their employment, to lack social networks, transportation, and the ability to leave the camp. In these camps the migrant farmworkers are not only more susceptible to being sold goods and services at higher prices, but they are also at a higher risk of being trafficked.

Another factor which impacts the mobility of migrant farmworkers in Western Michigan is how reluctant many marginalized populations are to leave their respective camps. These populations, largely because of their lack of knowledge and experience at the camps, are terribly afraid of being caught by law enforcement or others without the proper identification or documentation. As such, they tend to keep to themselves and only leave when it is an absolute emergency. It is hard to tell, then, whether or not these populations are having their prospective mobility restricted by their employers, crew leaders, or other authority figures, or if they are deciding on their own not to leave their camps. While these distinctions are not easy to make, those camps in which the migrant farmworkers rarely leave warrant concern and further investigation based on their location, the population within the camp itself, and their lack of social mobility. Those who rarely leave their camps to visit other places (banks, doctor, grocery store) are largely at risk of being trafficked and these camps should be investigated further. As one legal advocate responded, "one of the strongest indicators of human trafficking is living in a remote location without access to the outside world." (Interview, Professional #12).

The final section of the chapter on the social mobility of migrant farmworkers in Western Michigan focused on the H(2)(A) program. The nature of the H(2)(A) program is such that the Visa is a binding contract between the migrant farmworker and the employer. As has been mentioned previously, this arrangement allows for the migrant farmworker to be paid travel costs to get to the place of employment but, as was documented in at least one interview response, this is not always the case. In the H(2)(A) Visa program, the migrant farmworker has very little ability to negotiate, let

alone leave, if the employer has changed the terms of agreement or altered any of the other material parts of the agreement. Based on the responses of the professionals and migrant farmworkers as part of this study, their impression was that the employees under the H(2)(A) Visa program had very little social mobility as far as their movement went or their need to leave work. As such, based on the evidence gathered as part of this study, while the H(2)(A) Visa program offers a small number of migrant farmworkers a guaranteed contract, it does so while restricting their employment and the terms of their employment to one employer, regardless of the living and working conditions involved. Furthermore, while migrant farmworkers may have the right to be reimbursed for their transportation costs, there are cases where this does not take place. H(2)(A) Visa programs often leave even documented workers vulnerable to human trafficking because they are bound to a particular employer and at risk of being deported if they speak up against any harm or abuse.

There are many different indicators of human trafficking based on the responses utilized in the chapter on the social mobility of migrant farmworkers in Western Michigan. The transportation of these migrant farmworkers has been adversely impacted by recent legislation requiring more specific forms of identification, leading to greater vulnerabilities based on the lack of access to transportation. Furthermore, based on these new changes employers, crew leaders, and other supervisory figures may be more likely to provide access to certain services themselves, albeit at higher rates, which then set migrant farmworkers back financially. Moreover, it is difficult to determine whether or not migrant farmworkers can actually voluntarily leave work or their respective camps because many of them forego doctor's visits and other necessities because they feel compelled to work constantly to make money. While it could be that they want to make as much money as possible during the harvest, it may also be possible that if they were paid adequately, they would be able to take better care of themselves and enjoy taking time off to spend with their families, tending to their mental and physical health, and engaging in activities they enjoy as well.

The reluctance of marginalized populations to engage in social mobility is also important to consider when looking at indicators of human trafficking. Those populations which may come from remote areas of their home countries, speak indigenous languages, travel alone or with other singles, not have any training as far as operating a vehicle goes, these populations are at a greater risk for being trafficked because they are often more reliant on their supervisors than others are. Finally, the H(2)(A) Visa program comes with some certainties for migrant farmworkers but it also tends to restrict the movements of the migrant farmworkers who are a part of them as well.

There are several potential indicators of human trafficking present which address the level of control migrant farmworkers have over their respective circumstances. Firstly, the recent change which prohibits migrant farmworkers who lack proper identification from securing a driver's license heightens the likelihood a great number of migrant farmworkers will be dependent on some form of transportation, a potential indicator of human trafficking. Secondly, the limited or restricted ability migrant farmworkers have to see the doctor, visit a clinic, or attend church may also serve as indicators of human trafficking. Another indicator of human trafficking is their limited ability to leave a particular employer. Finally, the extremely structured and exclusive nature of the H(2)(A) Visa program encourages increased trafficking in the form of bonded slavery.

Experience with Human Trafficking

The final chapter of the findings section addressed the experiences the professionals and the migrant farmworkers had with situations they perceived as human trafficking. The responses which addressed these questions were categorized into four subsections within the chapter. The first three subsections dealt with responses which fit into each of the three elements present in cases of human trafficking: force, fraud, or coercion. Thus, the first subsection included cases where migrant farmworkers were victims of force, the second cases where migrant farmworkers were victims of fraud, and the third cases where migrant farmworkers were victims of coercion. While these responses which were classified do not form definitive proof of cases of human trafficking, they

serve as examples of situations where further investigation is necessary to see if human trafficking is, in fact, taking place. The fourth subsection of the chapter outlines some suspicions and questions professionals and migrant farmworkers have when dealing with human trafficking in light of their professional responsibilities the inherent risks involved there. This section analyzes the indicators of human trafficking present within these subsections of the last chapter of the findings section of this study.

The first element to be discussed in this section is that of force. The element of force is often present in cases of human trafficking but its presence is not a necessity in proving human trafficking. The cases which were mentioned before where a professional witnessed an individual with a firearm supervising workers at a camp, a farmer was driving around on a tractor shouting orders to a group of migrant farmworkers, or crew leaders utilizing their position to compel migrant farmworkers to do what they tell them to do are all legitimate examples of force. Force can take place by the use of physical force, but it can also happen through other means as well. Farmers, growers, crew leaders, recruiters, or other authority figures could also verbally threaten individuals under their control and still be using force to achieve their means. As was mentioned before, the existence of force does not necessarily always imply human trafficking, but it does serve as a strong indicator human trafficking may be present, especially depending on the degree of force being used. The existence of force in cases where there is an unequal balance in power should be cause for further investigation.

Fraud, on the other hand, manifests itself quite differently than force, although the two sometimes work in tandem. Fraud is also a strong indicator of human trafficking, even though its existence is not definitive proof of human trafficking. The cases of fraud which came up most in the responses of professionals and migrant farmworkers included the "bait and switch" tactics often used by farmers, growers, recruiters, and crew leaders whereby a migrant farmworker looking for a

job would agree verbally to certain terms of employment but when he arrived he is actually paid a different rate, the housing is not as nice as was promised, and/or the duration of the work is not as long and/or consistent as was originally promised.

Other cases where fraud is an indicator of human trafficking also include examples whereby individuals agree to work for a certain employer only they are not paid on time or not at all. There were migrant farmworkers who worked for a common employer who always issued checks which would bounce. There were also other migrant farmworkers who worked for a particular employer who never paid them. In nearly all of these cases, the migrant farmworker agrees to perform a certain set of job responsibilities in return for a fixed amount of compensation only to find out that, in actuality, the terms of employment on the farm are different than what they were initially told.

Other examples of this fraudulent behavior include the practice of "shorting" whereby a migrant farmworker picks a specified amount of crops but is paid for a smaller amount than what was picked. Depending on which set of responses is analyzed, some migrant farmworkers admit this happens quite regularly while others claim it does not. There is also at times a discrepancy between how much housing migrant workers pay, whether or not their bonuses were issued correctly, and whether or not they have the appropriate deductions taken out of their paycheck or not. These sorts of examples may constitute cases of fraudulent behavior and deserve more attention in the future as potential indicators of human trafficking.

The third element of human trafficking present in some of the responses given by professionals and migrant farmworkers alike is coercion. The practice of coercion takes place in situations where an individual with a certain level of social power uses an aspect of another individual's vulnerability to benefit materially or financially. Coercion takes place in the lives of these migrant farmworkers in cases where migrant farmworkers are afraid to speak in the presence of a crew leader, recruiter, farmer, or grower (this could overlap with force) because of the

repercussions which could take place such as blacklisting, a practice whereby a migrant farmworker is no longer hired by a farmer or group of farmers for speaking out against them. Several professionals testified that many of the farmworkers are "shorted," their terms of employment change, and they endure very difficult living conditions but do not say anything negatively against the farmer because they desperately need the work.

The assumption is, of course, that if the migrant farmworkers speak up about not being paid for what they pick, not having the terms they originally agreed to honored upon the start of their employment, and/or living conditions which meet the basic standards required by the State of Michigan, their employment, which is at-will, will be terminated and they will have to look for another place of employment. Furthermore, not only do migrant farmworkers fear being blacklisted, those who are undocumented fear a scenario whereby they would disrespect their employer who would them turn them in to immigration (la migra). Since those who are undocumented have already spent thousands of dollars to migrate, the thought of being sent back to their home country haunts them. As a result, migrant farmworkers choose to stay silent in order to protect their jobs and the livelihoods of themselves and their families.

The final section of the last chapter of the findings section centers on the suspicions those professionals and migrant farmworkers had of human trafficking. One professional expressed doubt human trafficking was happening in her county because it was not possible – at least in her mind that migrant farmworkers in her home county were being taken advantage of by others. Another professional expressed frustration with whether or not cases of human trafficking should be reported, especially considering that reporting these cases could get those victims in even more trouble. An example of this might be if a migrant farmworker reports some of the abuses but then is let go from his or her job, a job which sustained the individual migrant farmworker and his or her entire family. One migrant farmworker also expressed doubt in reporting any issues she had

because she had had a close family member who had stepped forward and reported some abuses he had suffered, only to be left hanging by a judge who ruled he did not have the standing before the court. These research subjects voiced their suspicions because, while they understand that what is happening was not right, they were unsure as to the veracity of such claims of human trafficking while concurrently doubtful of the process to correct such cases of injustice. These suspicions provide adequate data on concerns surrounding human trafficking moving forward and also allow those working on cases of human trafficking sufficient time to formulate a response moving forward.

The presence of any of the above indicators: force, fraud, or coercion, in a set of circumstances involving migrant farmworkers should serve as a cause for further investigation and understanding. These indicators should be viewed as heightened indicators of potential cases of human trafficking as opposed to some of the indicators listed in the previous chapters. In addition to the presence of force, fraud, or coercion, adequate mechanisms must be put in place to train professionals such as those interviewed for this study to better understand and be able to detect indicators of human trafficking amongst these populations. Furthermore, the suspicions and lack of trust migrant farmworkers have for those who represent their interests in some cases does not help engender enough trust to gather more data on the phenomenon. The rights of migrant farmworkers must be protected and cases of abuse must be uncovered and prosecuted or else this issue of human trafficking, as well as a host of other social issues which exist amongst this vulnerable population, will continue to persist despite our best efforts. The next section in this conclusion will address the next steps which could serve as recommendations moving forward.

Recommendations

This section will provide a series of recommendations as a result of the responses given by the professionals and migrant farmworkers, particularly as they relate to addressing the indicators of

human trafficking identified in this study. These recommendations are not meant to be a comprehensive list, only a set of guiding suggestions which would help migrant farmworkers become less susceptible to human trafficking. They will be limited to suggestions which apply only to the governments of the United States and its respective entities and will not focus on the sending countries. Each of the recommendations will include a short description of the connection between it and its relationship to human trafficking.

1. **Allow migrant farmworkers who have proof of legitimate employment to cross the border either free or at a reduced charge in order to ensure their safety crossing the border.** A program which allowed migrant farmworkers coming to the United States to present proof of employment would allow them to return home to their home country in order to be with their families. These certificates of employment would need to be verified in order for the migrant farmworker to legally enter the United States, albeit temporarily, but then migrant farmworkers would no longer feel trapped in the United States when they are not working but could then return to their families. This would also negate the need for migrant farmworkers to take on excessive amounts of debt which puts them at a risk for bonded slavery or indentured servitude.
2. **Employers should pay for transportation to the place of employment or agree to reimburse migrant farmworkers for their transportation costs.** This system would prevent migrant farmworkers from paying to get to their place of employment and limit the amount of trafficking which could take place in cases where migrant farmworkers are out of money. This could also take the form of a cost sharing agreement where each of the parties agrees to pay for a certain amount so all of the cost does not fall on the shoulders of the migrant farmworkers.

3. **Allow migrant farmworkers to register for a temporary driver's license regardless of photo identification.** In the absence of data which shows that migrant farmworkers are at fault for a great majority of accidents or other dangers to society, migrant farmworkers should be able to apply for and be granted a temporary driver's license or, at the very least, a temporary driving permit once they go through a driver's training course. This action would allow migrant farmworkers to have their own means of transportation, reducing their need for dependence on others in the recruitment and employment process, making them less prone to be victims of human trafficking when relying on others to provide transportation.
4. **Provide a more comprehensive oversight system whereby all migrant labor camps must be registered on an annual basis, pass inspection as far as migrant housing goes, and monitor systems of payment whereby migrant workers make at least minimum wage.** A system exists whereby registered camps have an obligation to meet a minimum set of standards in order to have their housing pass inspection, their camps monitored and visited, and the rights of the workers at least somewhat monitored. There is a large number of camps, however, which are not registered, raising significant questions about the quality of migrant housing, the safety of the jobs performed by migrant farmworkers, and the rights of these workers protected. Passing a law which required every migrant labor camp to be registered would allow those at the state and non-profit levels to keep track of the migrant farmworker population while ensuring their rights were being protected accordingly. This increased transparency would discourage perpetrators of human trafficking in the process.
5. **Revise the law which limits the number of square feet each migrant farmworker to occupy per unit of migrant housing so as to not discriminate against families who bring their children.** The current changes in the law about migrant housing were made in

order to ensure that farmers and growers were not stacking migrant farmworkers into housing like sardines. The only problem with the change in the law, however, was that it made it harder for families to occupy migrant housing, leading to the recruitment of more single males who had not previously worked in Western Michigan. This push for the recruitment of single males means fewer families and social networks, two key indicators for human trafficking. There is nothing wrong with changing the law to give migrant farmworkers more room in their housing, such a law, however, would encourage more single men, a population which is more at risk for social issues such as human trafficking.

6. **In order to recruit migrant farmworkers, agents of the employer must present a contract of employment satisfactory to both parties before either party is bound to the terms of employment.** This recommendation would allow both parties, the employer and the employee, to come to an agreement before the employer agreed to hire the employee and before the employee decided to spend a significant amount of money to get to the place of employment. While such a recommendation would require formulating contract language in other languages or hiring a translator as part of the process, it would allow each party to have a contract which would outline the terms of employment ahead of time, leaving less room for disagreements later on.
7. **Agricultural Employment Specialists should be required to coordinate with the Department of Agriculture and track the status and desirability of particular employers they recommend to migrant farmworkers.** This suggestion was actually one brought up by a professional in one of the responses for this study. The professional insinuated that, if agricultural employment specialists actually knew more about the employers they were referring migrant farmworkers to, they might think twice about sending them. If there was a system in place where those who did the inspections and registration

communicated with agriculture employment specialists about the status of camps and the likelihood of exploitation, much of the vulnerability migrant farmworkers face might be avoided.

8. **Migrant farmworkers must have the appropriate deductions taken from their paychecks (social security, unemployment, disability, etc.) while not paying for their migrant housing as part of those deductions.** There were too many cases which came up during these interviews where employers were not deducting for the appropriate things (social security, unemployment, disability, etc.), while then deducting for things such as housing and other non-deductible items. The welfare of migrant farmworkers is irreparably damaged when they are not able to draw unemployment during the non-growing season, will not be able to draw social security for their retirement, and are not able to draw on long-term or short-term disability because their employer did not institute a system they could pay into. Furthermore, it is illegal to deduct for housing or any other sort of cost a migrant farmworker should be paying on his or her own. These standards and regulations on what is deducted and what is not need to be monitored more closely by the IRS and other agencies.
9. **Advocates must work diligently to investigate and prosecute cases of abuse toward migrant farmworker communities.** There were too many defeated responses in this study where migrant farmworkers felt that, even if they did speak up, they were unlikely to be protected by the law. While specific examples pointed out organizations which failed to live up to their promises, there is a great opportunity to regain the trust of these populations by advocating for their rights.
10. **Crew leaders and other intermediaries between the farmers or growers and the migrant farmworkers should be monitored more closely.** In many of the larger farms, the crew leaders have a great deal of power to control the dynamics involving the lives of the

migrant farmworker populations in Western Michigan. There should be a system which is able to more closely monitor the crew leaders and other intermediaries who identify, recruit, transport, and supervise migrant farmworkers. If these crew leaders were more closely monitored and held accountable, some of the ways in which they exploit the general migrant farmworker population would be minimized.

11. **Farmers should put more of a focus on paying the equivalent of minimum wage instead of using incentives such as bonuses.** While farmers undoubtedly use bonuses to help retain their workforce while also incentivizing the practice of picking at a more efficient pace, they would accomplish the same set of tasks by simply paying migrant farmworkers according to the minimum wage. This would eliminate the bonus system which is a bureaucratic nightmare and rarely works out according to plan. Furthermore, bonuses are often inconsistently applied and require different sets of application based on the crop.
12. **Advocates must continue to study and learn more about human trafficking amongst migrant farmworker communities in order to better educate and raise awareness about the issue.** While many of the individuals who agreed to take part in this study knew about human trafficking, others did not understand what it was or what to look for. This research project is one study which can serve to raise awareness of the indicators of human trafficking amongst migrant farmworker communities in Western Michigan but it is only a start to what could become a much larger project. Research such as this must continue in order to make an impact in these communities.

Contribution to the Discipline

The purpose of this study was to contribute to the academic discipline of sociology by identifying indicators of human trafficking vulnerability along the migration process of migrant farmworkers in Western Michigan. As such, this study has shed light on the different dynamics of

migration and how they overlapped with certain aspects of agricultural labor within the state of Michigan. The research conducted as part of this study also contributed to the growing body of literature within migration which focuses extensively on intergenerational mobility, the resilience of certain migrant communities in the United States, and how labor needs often are shaped and formed by the larger economic trends within a particular country, state, and even locality. This research has also helped to identify the contemporary structural conditions which facilitate trafficking. This research also has the potential to speak to the value and belief systems of those who migrate to Michigan for work and how they seek to preserve their own cultures through unique means of social reproduction. Finally, this study also contributes to the field of sociology because of its identification of particular human and social networks present not only in the recruiting process for labor vacancies in Michigan, but primarily as a means by which people are victimized through human trafficking.

Direction for Future Research

The focus of this particular study was on examining responses from professionals and migrant farmworkers in order to identify indicators of human trafficking amongst migrant farmworker populations in Western Michigan. While this study was particularly helpful in leading to a greater understanding of the migration process and the various points where migrants are vulnerable to trafficking, the roles of force, fraud, and coercion in the everyday lives of migrant farmworkers, and the dynamics involved in cases of human trafficking, its scope was limited by a number of factors. One of these factors was limited resources. While the research allowance provided by the Graduate Office Fellowship through the Department of Sociology at Michigan State University was generous and sufficient for this study, beginning such an endeavor undoubtedly uncovered how very limited this study actually was as a whole. One of the findings of the study was that the plight of migrant farmworkers often differs based on the location of the farmworkers in

terms of farm, city, and county. The opportunity to interview a wider swath of migrant farmworkers will undoubtedly allow me to further understand and analyze the dynamics at a larger, statewide level.

Another opportunity to expound upon this research would be through interviewing farmers, growers, crew leaders, recruiters, and other authority figures. One of the things that is important to keep in mind with the issue of human trafficking (or any social issue for that matter) is that it is best understood when analyzed and studied from a multiplicity of angles as opposed to just the perspectives of, in this case, the migrant farmworkers and service providers. As I conducted the research for this study, I began to make connections with students, particularly at Spring Arbor, whose parents farmed and employed or have employed migrant farmworkers. It would be very interesting and helpful, for the purposes of future research, to reach out to those farmers and attempt to engage them in dialogue to learn more about the difficulties and challenges they face as part of their job responsibilities in order to properly contextualize the life experiences of the migrant farmworkers. This phase of research could help contribute to a larger volume on the perspectives and roles others face in terms of not only their everyday jobs, but also when dealing with human trafficking. This type of research could also alert farmers and growers to the possibility that their workers have been trafficked and could educate them about warning signs and other indicators of human trafficking on their farms.

There are also other networking opportunities which have emerged as a result of this research. I have had the opportunity to follow up with several of the professionals about future speaking engagements in their monthly meetings, whether that is through the migrant resource council meetings, regional- or state-level conferences, or though other venues. These opportunities to network will inevitably bring about opportunities to raise awareness, educate others, connect with

others who are doing similar work, or advocate for the recommendations listed in the section above, these opportunities to meet others are always fruitful.

This dissertation process has provided me with several different directions in which to continue my research. After completing this project, I hope to begin presenting and sharing this research in as many venues as are reasonable while also conducting future research on the perspectives of farmers as they relate to human trafficking, as well as increasing the scope of the current study to include professionals and migrant farmworkers from other counties in Michigan.

Conclusion

The purpose of this present study was to contribute to several of the gaps in research on human trafficking, particularly in areas of labor trafficking in smaller geographic regions. This study also sought to examine the structural factors inherent in Western Michigan which placed migrant farmworkers at an increased risk of being victims of human trafficking. Since the overwhelming majority of the research on human trafficking focused on sex trafficking at the national level, it was important for me to conduct my research on areas of labor trafficking in Western Michigan, partly because of the convenience of collecting data there but also due to the absolute lack of research done in this area. The research is also important not only for the sake of knowledge but also to help spread awareness and promote education amongst professionals and migrant farmworkers, the two primary groups of research subjects for this study.

The data collected for this research project focused on the identifying potential indicators of human trafficking amongst migrant farmworker populations in Western Michigan. The data were gathered through conducting interviews with fifteen different professionals who worked extensively with migrant farmworkers and fifteen migrant farmworkers themselves. The research subjects were asked approximately ten open-ended questions related to five primary research questions. These interviews lasted for approximately one hour each and were transcribed in the case of the

professionals and recorded with the consent of the migrant farmworkers. The interview questions were formulated in order to capture data on the five primary research questions which focused on the migratory process, the realization of employment, the living and working conditions at the camps, the level of social mobility of the migrant farmworkers, and their experiences and understanding of human trafficking.

This study yielded several different findings. Firstly, the data collected resulted in the identification of several potential indicators of human trafficking. Secondly, the presence of these indicators of human trafficking amongst migrant farmworkers in Western Michigan led to a set of recommendations. And, thirdly, future areas of research were identified in order to learn more about this and other topics related to it. This study has definitely been quite the learning and growing experience. It will soon be time to take the next step in the process and begin the next phase of this research on human trafficking amongst migrant farmworker communities.

APPENDICES

APPENDIX A: QUESTIONS FOR PROFESSIONALS

1. Please list your name, title, organizational affiliation, experience/duration working with migrant workers.

2. How familiar are you with the term "human trafficking?"

3. What is the nature of your professional involvement with transnational farmworker communities?

4. Based on your interaction with migrant farmworkers, how do they often become aware of opportunities to work in places such as Michigan? What factors come into play when they make or entertain these decisions?

5. Once an individual has made the decision to migrate from his or her country of origin what types of steps must they take to come to the United States? To Michigan specifically?

6. What does the migratory process look like, or what are some of the possibilities that the migratory process can take, in bringing someone to the United States/Michigan?

7. Based on your understanding is there ever an agreement between the migrant worker and the recruiter or anyone in the recruitment and transport process as to the terms of employment?

8. In your opinion, at what point, if any, has the migrant worker not consented to the terms of his/her employment?

9. Based on your expertise, what is the nature of the relationship between those who recruit, transport, and employ these migrant workers? What is the nature of this supply chain?

10. When migrant workers are transported from place to place, from country of origin to destination country, do they or are they able to move from place to place? Is their mobility limited? Are they under contract with a certain employer? Are they a "free agent," able to be employed wherever they choose?

11. When migrant workers arrive at their place of employment in the United States, in Michigan, do they normally enter into a formal contract with their employer? If so, what is the nature of these contracts? If not, what is the nature of the employee-employer relationship?

12. During the time migrant workers are employed in Michigan, what is the nature of their working environment? How does this vary? Do they have some sort of mobility? Are they trapped in their respective circumstances?

13. Given what you understand/know about human trafficking, are there examples of migrant workers who may be in their respective circumstances because of force, fraud, or coercion?

APPENDIX B: QUESTIONS FOR MIGRANT WORKERS

1. How did you first learn about the opportunity to work in the United States/Michigan?

2. What factors have influenced your decision to come to work in the United States/Michigan?

3. When you decided to travel to the United States/Michigan to find work, did you come to an agreement on any of the terms of employment? Did you sign any sort of formal contract?

4. What was the process like traveling from your home country to the United States/Michigan? How many individuals were involved in the process?

5. When you migrated to the United States for work, did you have different options where you could work? To negotiate how much you could make? Where you would live? Were you allowed, during transit, to leave at any point?

6. Were you ever told what to do, where to go, how to behave? Did you ever feel forced into this type of employment? Were there ever any signs that you could not leave during transit?

7. Once you arrived at your place of employment in the United States/Michigan did you ever enter into any sort of labor agreement with your employer? With anyone who thought represented your employer?

8. During your time of employment are you able to leave and move about as you like? Do you have transportation?

9. Are you permitted to go to the store by yourself? Visit places in the area on your own? Attend religious services or church gatherings?

10. Have you ever been physically intimidated or has someone you know ever been physically intimidated in terms of their current employment?

11. Have you ever received your wages or other benefits in a timely manner? Have your wages or other benefits ever been withheld from you?

12. How much does a trip from your home country to the United States/Michigan normally cost? Are you able to keep track of how much you owe during your time of employment? How long does it normally take to pay off these transportation costs?

13. Has there been, at any point since you left your home, a point at which you had to do something against your will? Do something you did not expect to have to do as part of your employment?

14. Do you know of any other situations amongst those who you know or even those who you do not know where migrant workers such as yourself have had to do something against their will? Been forced to do something they did not want to do?

Case #_____

APPENDIX C: INDICATORS OF HUMAN TRAFFICKING WITHIN TRANSNATIONAL MIGRANT FARMWORKER COMMUNITIES (TMFC) PROJECT

JEREMY NORWOOD
DEPARTMENT OF SOCIOLOGY
MICHIGAN STATE UNIVERSITY

509 E. Circle Dr.
Room 316 Berkey Hall
Michigan State University
East Lansing, MI 48824-1111

1. PURPOSE OF RESEARCH:

You are being asked to participate in the Indicators of Human Trafficking within Transnational Migrant Farmworker Communities (TMFC) Project, a dissertation project conducted by Jeremy Norwood, Doctoral Student, in the Department of Sociology at Michigan State University. This study focuses on identifying indicators of human trafficking among transnational migrant farmworker communities in Western Michigan. You were referred to us by either a particular advocate in an organization working with transnational migrant farmworkers or by another transnational migrant farmworker who thought you might be willing to be a participant in this research study.

We are trying to learn about the indicators of human trafficking among transnational migrant farmworkers in Western Michigan. This study seeks to identify the presence of indicators of human trafficking among transnational migrant farmworkers in Western Michigan so that these scholars, practitioners, and policymakers are aware of the presence of human trafficking within the labor sector. This study seeks to learn about the knowledge transnational farmworkers had before they left their countries of origin, whether or not they formally agreed to any sort of a contract before they left, the sorts of changes that took place in their respective working agreements, and the extent to which their contracts were fulfilled upon completion of their employment. This study also addresses forms of mobility (social, geographic, economic, cultural) both within and outside of the farms, focusing specifically on any indicators of human trafficking within their employment in farms in Western Michigan.

2. PROCEDURES:

Participants who agree to participate will be interviewed and recorded. The line of questioning will depend on whether or not you are a representative from an organization which works with transnational migrant farmworker populations or a transnational migrant farmworker in Western Michigan. Your participation in this research will take approximately one hour.

If you are a representative from an organization which works with transnational migrant farmworker populations in Western Michigan, you will be asked about the nature of your work, the relationship of your work to transnational migrant farmworker communities in Western Michigan, and your familiarity with the term "human trafficking." We will then take you through the migration process with a series of questions addressing the recruitment, transportation, and employment stages of the journey of a transnational migrant farmworker in Western Michigan. These questions will

address the terms of employment, the level of mobility, and the conditions in which these migrant workers are employed in Western Michigan.

If you are a transnational migrant farmworker in Western Michigan, the questions will begin by inquiring about the process of recruitment in your respective country of origin. They will then shift to the journey from your country of origin to your current workplace, focusing specifically on whether or not your terms of employment changed and the nature of the transportation process. Finally, we will ask questions which relate to your transition to the destination country, in this case the United States and, particularly, Western Michigan. The questions will focus on the nature of your employment, the terms of your employment and, generally, your employment experience.

3. POTENTIAL BENEFITS:

The potential benefits to you for taking part in this research study include learning more about the indicators of human trafficking in transnational migrant farmworker communities in Western Michigan, opportunities to become more involved and aware of these indicators and the prevalence of human trafficking in these communities, and more empowered to recognize and respond to cases that involve human trafficking. Scholars, practitioners, and policymakers will also become more aware of the presence of these indicators in order to address them through the proper channels within and outside of Michigan.

4. POTENTIAL RISKS:

There are minimal risks involved with this study in terms of the information you choose to disclose about the presence of indicators of human trafficking in these communities in Western Michigan. We have, however, put every measure we can into this process in order to ensure your privacy and the confidentiality of the data you provide us. As a result, the data you provide will be held in the strictest confidentiality and any resulting publication will not identify individuals or their circumstances in such a way which will allow them to be identified by their employer, law enforcement, or any other entity.

5. PRIVACY AND CONFIDENTIALITY:

The data collected for this research study will be kept for the regulatory minimum, at least for three years after the project closes. Those who will have access to the data include the PIs (Dr. Ruben Martinez and Jeremy Norwood), the IRB, as well as any other approved PIs or research assistants via the Michigan State IRB protocol. The information collected will be kept on a secure computer in my immediate possession at all times. The data will be stored in a locked cabinet in Jeremy Norwood's office. The data collected will be published in a responsible way, respecting the privacy and confidentiality of the participants, in my dissertation and later in social science journals. It will also be made available for future research on this topic and will be presented to affiliated agencies for their use. The results of this research will also be presented (again, respecting the privacy and confidentiality of the participants) at professional meetings and in task forces. At the end of the project, the audio recordings will be de-identified and destroyed unless it is shared with other researchers. If it is shared with other researchers, there will be no means by which to identify the research subjects. Your confidentiality will be protected to the maximum extent allowable by law.

6. YOUR RIGHTS TO PARTICIPATE, SAY NO, OR WITHDRAW:

Participation in this research study is completely voluntary. You have the right to say no and to change your mind at any time and withdraw from the project. You may choose not to answer specific questions or to stop participation at any time. Choosing not to participate or withdrawing from this study will not make any difference in the quality of services you receive, benefits to which you are otherwise entitled, or have any other effect on you.

7. COSTS AND COMPENSATION FOR BEING IN THE STUDY:

Participation in this project is voluntary. Those who choose to complete an interview will receive monetary compensation ($15 for professionals from migrant advocacy organizations, $15 for transnational migrant farmworkers) upon the completion of the interview.

8. ALTERNATIVE OPTIONS:

You may choose not to participate in this study.

9. CONTACT INFORMATION FOR QUESTIONS AND CONCERNS:

If you have questions or concerns about your role and rights as a research participant, would like to obtain information or offer input, or would like to register a complaint about this study, you may contact, anonymously if you wish, the Michigan State University's Human Subject Research Protection Program, at (517) 355-2180, Fax (517) 432-4503, e-mail irb@msu.edu or regular mail at 408 W. Circle Dr., Room 207 Olds, East Lansing, MI 48824.

10. DOCUMENTATION OF INFORMED CONSENT

Your signature below means that you voluntarily agree to participate in this research study and to have it audio recorded.

_____ _____
Signature of Participant Date

_____ _____
Printed Name of Participant Date

_____ _____
Signed & Printed Name (Person Obtaining Consent) Date

You will be given a copy of this form for your records.

APPENDIX D: PROYECTO SOBRE INDICADORES DE TRAFICO HUMANO EN LAS COMUNIDADES MIGRANTES TRANSNACIONALES DE TRABAJADORES RURALES

JEREMY NORWOOD
DEPARTAMENTO DE SOCIOLOGIA
MICHIGAN STATE UNIVERSITY

509 E. Circle Dr.
Room 316 Berkey Hall
Michigan State University
East Lansing, MI 48824-1111

1. PROPOSITO DE LA INVESTIGACION:

Usted está invitado a participar del proyecto "Indicadores de Tráfico Humano en las Comunidades Migrantes Transnacionales de Trabajadores Rurales," un proyecto de disertación realizado por Jeremy Norwood, estudiante del doctorado en el Departamento de Sociología de Michigan State University. Este estudio se ocupa de identificar los indicadores de tráfico humano entre las comunidades migrantes transnacionales de trabajadores rurales en el oeste de Michigan. Usted fue dirigido a nosotros por un defensor de alguna organización que trabaja con obreros rurales migrantes transnacionales o por un obrero rural que cree que usted estaría dispuesto a participar de esta investigación.

Procuramos conocer los indicadores de tráfico humano entre las comunidades migrantes transnacionales de trabajadores rurales en el oeste de Michigan. Este estudio intenta identificar la presencia de indicadores de tráfico humano entre estas comunidades para que los estudiosos, profesionales y encargados de formular políticas adviertan la presencia de tráfico humano en el sector laboral. Este estudio intenta averiguar qué conocimiento tenían los trabajadores rurales transnacionales antes de dejar su país de origen, si acordaron formalmente algún tipo de contrato antes de irse, los tipos de cambios que se produjeron en sus respectivos contratos de trabajo, y hasta qué punto sus contratos fueron cumplidos al terminar su empleo. También estudiamos las formas de movilidad (social, geográfica, económica, cultural) tanto dentro como fuera de las granjas, concentrándonos específicamente en cualquier indicador de tráfico humano durante su empleo en las granjas del oeste de Michigan.

2. PROCEDIMIENTOS:

Quienes convengan participar serán entrevistados y también grabados. El tipo de preguntas dependerá de que usted represente a una organización que trabaja con poblaciones de trabajadores migrantes o que sea un trabajador rural migrante transnacional del oeste de Michigan. Su participación en esta investigación durará aproximadamente una hora.

Si usted representa a una organización que trabaja con poblaciones de trabajadores rurales migrantes del oeste de Michigan, las preguntas serán sobre la naturaleza de su trabajo, la relación de su trabajo con estas comunidades y su familiaridad con el término "tráfico humano". Luego le explicaremos el proceso de migración con una serie de preguntas acerca del reclutamiento, transporte y etapas de empleo en el viaje de un trabajador rural migrante en el oeste de Michigan. Estas preguntas serán sobre los términos del empleo, el nivel de movilidad y las condiciones en las que se emplea a los trabajadores migrantes del oeste de Michigan.

Si usted es un trabajador migrante transnacional del oeste de Michigan, las preguntas estarán referidas al proceso de reclutamiento en su respectivo país de origen. Luego serán preguntas sobre el viaje desde su país de origen hasta su actual puesto de trabajo, con especial atención a observar si los términos de su empleo cambiaron y sobre el proceso de transporte. Por último, efectuaremos preguntas que se relacionan con su transición hacia su país de destino, en este caso los Estados Unidos, y particularmente el oeste de Michigan. Las preguntas tendrán como centro la naturaleza de su empleo, los términos de su empleo y en general, su experiencia del empleo.

3. BENEFICIOS POTENCIALES:

Los beneficios potenciales para usted por participar en este estudio de investigación incluyen aprender más sobre los indicadores de tráfico humano entre los trabajadores rurales migrantes del oeste de Michigan, tener oportunidades de participar y conocer más estos indicadores y la prevalencia del tráfico humano en estas comunidades como así también sentirse más capacitado para reconocer y responder a los casos en que exista tráfico humano. Los estudiosos, profesionales y encargados de formular políticas también serán más concientes de la presencia de estos indicadores a los fines de ocuparse de ellos a través de los canales apropiados dentro y fuera de Michigan.

4. RIESGOS POTENCIALES:

Existen riesgos mínimos como parte de este estudio en cuanto a la información que uste elija revelar sobre la presencia de indicadores de tráfico humano en las comunidades del oeste de Michigan. Sin embargo, hemos tomado todas las medidas en este proceso para garantizar la privacidad y confidencialidad de la información que usted nos provea. Como resultado de esto, los datos que usted nos proporcione, se mantendrán en la más estricta confidencialidad y ninguna publicación identificará a los individuos ni sus circunstancias de modo que sean identificados por su empleador, agencias de seguridad, o ninguna otra entidad.

5. PRIVACIDAD/CONFIDENCIALIDAD:

La información recogida en este estudio de investigación será conservada conforme las normas, por un mínimo de tres años después de la finalización del proyecto en Michigan State University. Quienes tendrán acceso a los datos serán los investigadores principales (el Doctor Rubén Martínez y Jeremy Norwood) y la Junta de Revisión Institucional de MSU (IRB). La información recogida será conservada en una computadora segura, que Jeremy Norwood tendrá en su posesión en todo momento. Los datos serán almacenados en un gabinete bajo llave en la oficina de Jeremy Norwood. Las entrevistas grabadas serán transcriptas, despojadas de toda identidad y destruidas luego de ser transcriptas. El investigador compartirá información desprovista de identidad solamente con otros investigadores. La información recogida se publicará de manera responsable, respetando la privacidad y confidencialidad de los participantes, tanto en la disertación como en los periódicos de ciencias sociales. Los resultados de esta investigación también serán presentados en reuniones profesionales y grupos de trabajo (respetando del mismo modo la privacidad y confidencialidad de los participantes). Su confidencialidad será protegida hasta el punto máximo permitido por la ley.

6. SUS DERECHOS A PARTICIPAR, DECIR “NO”, OR RETIRARSE:

La participación en este estudio de investigación es completamente voluntaria. Usted tiene el derecho de decir “no” y cambiar de opinión o retirarse del proyecto en cualquier momento. Usted puede optar por no contestar preguntas específicas o interrumpir su participación en cualquier momento. Optar por no participar o retirarse de este estudio no afectará en modo alguno la calidad

de los servicios que usted reciba, los beneficios a los cuales tenga derecho, ni tendrá efecto alguno sobre usted.

7. COSTOS Y COMPENSACION POR FORMAR PARTE DEL ESTUDIO:

La participación en este proyecto es voluntaria. Quienes elijan completar una entrevista recibirán una compensación monetaria al finalizar la entrevista ($15 para profesionales de organizaciones que representen a los trabajadores migrantes, $15 para los trabajadores rurales migrantes transnacionales).

8. OPCIONES ALTERNATIVAS:

Usted puede optar por no participar en este estudio.

9. INFORMACION PARA CONTACTARSE CON PREGUNTAS Y CONSULTAS:

Si usted quiere efectuar preguntas o consultas sobre este estudio, como temas de carácter científico, sobre cómo hacer alguna parte del mismo o para informar de una lesión (por ejemplo física, psicológica, social, financiera o de otro tipo), por favor comuníquese con Jeremy Norwood, 509 E. Circle Drive, Room 316 Berkey Hall, Michigan State University, East Lansing, MI 48824, jnorwood@arbor.edu o con Dr. Rubén Martinez, Julian Samora Research Institute, 219 S. Harrison Rd., Room 51, East Lansing, MI 48824, ruben.martinez@ssc.msu.edu.

Si usted quiere realizar preguntas sobre su rol y derechos como participante en esta investigación, si desea obtener información o hacer algún comentario, o si quisiera presentar una queja sobre este estudio, usted puede comunicarse anónimamente, si así lo desea, con el Programa de Protección para la Investigación de Sujetos Humanos de Michigan State University (Michigan State University's Human Subject Research Protection Program) al teléfono: (517) 355-2180, fax (517) 432-4503, por correo electrónico a irb@msu.edu o por carta a 408 W. Circle Dr., Room 207 Olds, East Lansing, MI 48824.

10. DOCUMENTACION DE CONSENTIMIENTO INFORMADO

Su firma a continuación significa que usted acuerda voluntariamente a participar en este estudio de investigación y a que la entrevista sea grabada.

_____ _____
Firma del participante Fecha

_____ _____
Nombre impreso del participante Fecha

_____ _____
Fima y nombre impreso Fecha
(persona que recibe el consentimiento informado)

Usted recibirá una copia de este formulario

BIBLIOGRAPHY

BIBLIOGRAPHY

Aronowitz, Alexis A. (2009). Human Trafficking, Human Misery. Westport, CT: Praeger Publishers.

Bales, Kevin. (2000). Disposable People: New Slavery in the Global Economy. Berkley, CA: University of California Press.

Bales, Kevin and Ron Soodalter. (2009). The Slave Next Door: Human Trafficking and Slavery in America Today. Berkley, CA: University of California Press.

Batstone, David. (2007). Not for Sale: The Return of the Global Slave Trade and How We Can Fight It. New York, NY: Harper-Collins.

Batstone, David. "Cry Freedom!: The Modern Global Slave Trade and Those Who Fight It." *Sojourners Magazine.* 36.3 (2007): 12-15, 17-18.

Batstone, David. "In You I Take Refuge: Through Faith and Business Savvy, the Hagar Project Gives New Life to Freed Slaves in Cambodia." *Sojourners Magazine.* 36.3 (2007): 20-23.

Bowe, John. Nobodies: Modern American Slave Labor and the Dark Side of the Global Economy. New York: Random House, 2007.

Carr, Bridgette. (2012). Lectures to Spring Arbor University Class on Human Trafficking and Spring Arbor Free Methodist Church Community Leaders.

Chin, Ko-Lin and James O. Finckenauer. (2012). Selling Sex Overseas: Chinese Women and the Realities of Prostitution and Global Sex Trafficking. New York, NY: New York University Press.

Clawson, H.J., Layne, M., and Small, K. (2006). Estimating Human Trafficking into the United States. Development of a Methodology. Caliber an ICF International Company. Retrieved June 16, 2012 from http://ncjrs.gov/pdffiles1/nij/grants/215475.pdf.

Davis, K. (2006). Human Trafficking and Modern-Day Slavery in Ohio. Washington D.C.: Polaris Project.

De Cock, Michaëlle. "Directions for National and International Data Collection on Forced Labor." International Labour Office, Geneva, February 2007.

DeStefano, Anthony M. (2008). The War on Human Trafficking: U.S. Policy Assessed. New Brunswick, NJ: Rutgers Press.

Detroit Free Press. "With 150,000 Undocumented Residents, Michigan Has Stake in U.S. Debate," Published May 28, 2013, retrieved July 12, 2013.

ECPAT International. (2006). Global Monitoring Report on the Status of Action Against the Commercial Sexual Exploitation of Children: United States of America. Retrieved on June 15, 2012, at http://www.ecpat.net/eng/A4A_2005/americas.html.

Ehrenreich, Barbara, and Arlie Hochschild, eds. (2002). Global Woman: Nannies, Maids, and Sex Workers in the New Economy. New York, NY: Holt Publishers.

Estes & Weiner. (2001). The Commercial Sexual Exploitation of Children in the US, Canada, and Mexico. Philadelphia, PA: University of Pennsylvania. Retrived June 10, 2012 from http://www.sp2.upenn.edu/restes/CSEC_Files/Exec_Sum_020220.pdf

Estes & Weiner. (2005). The Commercial Exploitation of Children in the United States. In Sharon W. Cooper, Richard J. Estes, Angelo P. Giardino, Nancy D. Kellogg, and Victor I. Vieth, eds., Child Sexual Exploitation: A Comprehensive Review of Pornography, Prostitution, and Internet Crimes. (pp. 95-128), Vol. 1.

Farley, Melissa, ed. (2000). Prostitution, Trafficking, and Traumatic Stress. New York, NY: Routledge.

Farr, K. (2004). The Global Market in Women and Children. New York, NY: Worth Publishers.

Farrell, Amy, J McDevitt, N Perry, S Fahy, K Chamberlain, W Adams, et. al, *Review of Existing Estimates of Victims of Human Trafficking in the United States and Recommendations for Improving Research and the Measurement of Human Trafficking (Final Report)*. Washington D.C.: Humanity United. 2009.

Flores, Theresa. (2012). Lecture at Zonta Women's Gathering, MSU FCU, East Lansing, MI.

Flores, Theresa and Peggy Sue Wells. (2010). The Slave Across the Street. Ampelon Publishing.

Flores, Theresa (2007). The Sacred Bath: An American Teen's Story of Modern-Day Slavery. iUniverse, Inc.

Gozdziak, E. & M.N. Bump. "Data and Research on Human Trafficking: Bibliography of Research-Based Literature." A Final Report to NIJ Grant 2007-VT-BX-K002. Washington, D.C.: Institute for the Study of International Migration, Georgetown University.

Hager, Sovereign. "Farm Workers and Forced Labor: Why Including Agricultural Guest Workers in the Migrant and Seasonal Worker Protection Act Prevents Human Trafficking." *Syracuse Journal of International Law and Commerce*, Fall 2010, Vol. 38 (1).

Hamilton, Terri Finch. Human Trafficking, Exploitation is on the Rise in Michigan. The Grand Rapids Press. Retrieved November 16, 2011 from http://blog.mlive.com/grpress/lifestyles_impact/print.html.

Haugen, Gary. (1999). Good News About Injustice: A Witness of Courage in a Hurting World. Downer's Grove, IL: InterVarsity.

Haugen, Gary, with Gregg Hunter. (2005). Terrify No More. Nashville, TN: W Publishing Group.

Haugen, Gary. "On A Justice Mission." *Christianity Today*. 51.3 (2007): 40-43.

Hayes, Dina Francesca. "Exploitation Nation: The Thin and Grey Lines Between Trafficked Persons and Abused Migrant Laborers." *Notre Dame Journal of Law, Ethics, and Public Policy*. 23 N.D. J. of Law, Ethics, and Public Policy 2009.

Hondagneu-Sotelo, Pierrette. (2008). God's Heart Has No Borders: How Religious Activists Are Working for Immigrant Rights. Berkley, CA: University of California Press.

International Labour Organization. (2005). A Global Alliance Against Forced Labour: Global Report under the Follow-Up to the ILO Declaration on Fundamental Principles and Rights at Work. Geneva, ILO. Retrieved June 21, 2012 from http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_081882.pdf.

Kara, Siddharth. (2009). Sex Trafficking: Inside the Business of Modern-Day Slavery. New York, NY: Columbia UP.

Kotrla, Kimberly and Beth Ann Wommack. "Sex Trafficking of Minors in the U.S.: Implications for Policy, Prevention, and Research. *Journal of Applied Research on Children: Informing Policy for Children at Risk*, Volume 2, Issue 1 (Human Trafficking), Article 5. (2011).

Kristof, Nicholas D. and Sheryl WuDunn. (2009). Half the Sky: Turning Oppression into Opportunity for Women Worldwide. New York, NY: Random House.

Kristof, Nicholas D. "Fighting Back, One Brothel Raid at a Time." The New York Times. Retrieved November 14, 2011 from http://www.nytimes.com/2011/11/13/opinion/sunday/kristof-fighting-back-one-brothel-raid-at-a-time.html.

Kristof, Nicholas D. "The Face of Modern Slavery." The New York Times. Retrieved November 21, 2011 from http://www.nytimes.com/2011/11/17/opinion/kristof-the-face-of-modern-slavery.html.

Logan, T.K., Walker, R., & Hunt, G. Understanding Human Trafficking in the United States. *Trauma, Violence, and Abuse*. 10 (2007): 3-30.

MacKinnon, Catherine. "Trafficking, Prostitution, and Inequality." Speech Given on January 5, in Bihar, India, 2009, 2010, 2011.

Michigan Department of Human Services. (Dec. 3, 2010). Michigan Deparment of Human Services, Partners Explain Programs that Meet the Needs of Human Trafficking Survivors. Retrieved on November 16, 2011 from http://michigan.michigan.gov/dhs/0,4562,7-124-7691_7752-247957--,00.html.

Michigan Women's Commission. Human Trafficking. Retrived June 10, 2012 from http://michigan.gov/documents/mdcr/MWC_fall10_337916_7.pdf.

Mizus, M., Moody, M., Privado, C., & Douglas, C.A. (2003). Germany, U.S. Receive Most Sex-Trafficked Women. Off Our Backs, 33(7/8), 4-4.

Nazario, Sonia. (2006). Enrique's Journey: The Story of a Boy's Dangerous Odyssey to Reunite With His Mother. New York, NY: Random House.

O'Connell-Davidson, Julia. (2005). Children in the Global Sex Trade. Malden, MA: Polity Press.

O'Neill-Richard, Amy. (1999). International Trafficking in Women to the United States: A Contemporary Manifestation of Slavery and Organized Crime. DCI Exceptional Intelligence Analyst Program: An Intelligence Monograph. Retrieved June 11, 2012 from https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/books-and-monographs/trafficking.pdf.

Polaris Project (2012). Retrieved June 19, 2012 from http://www.polarisproject.org.

Polaris Project (2012). Asian Massage Parlors (AMPs) in the United States. Retrieved November 30, 2011 from http://www.polarisproject.org/resources/resources-by-topic/sex-trafficking.

Polaris Project (2012). Sex Trafficking Networks. Retrieved November 30, 2011 from http://www.polarisproject.org/resources/resources-by-topic/sex-trafficking.

Richards, Kathy. "The Trafficking of Migrant Workers: What are the Links Between Labour Trafficking and Corruption." *International Migration*. Vol. 42(5) 2004.

Salazar-Parreñas, Rhacel. (2011). Illicit Flirtations: Labor, Migration, and Sex Trafficking in Tokyo. Stanford, CA: Stanford UP.

Salt, John and Jeremy Stein. "Migration as a Business: The Case of Human Trafficking." *International Migration*, Vol. 35 (4) 1997.

Shelley, Louise. (2010). Human Trafficking: A Global Perspective. New York, NY: Cambridge UP.

Shively, Michael, Kristina Kliorys, Kristin Wheeler, and Dana Hunt. (2012). A National Overview of Prostitution and Sex Trafficking Demand Reduction Efforts, Final Report. National Criminal Justice Reference Service Report Submitted to United States Department of Justice. Sent to me by Prosecuting Attorney's Association of Michigan.

Shared Hope International. The National Report on Domestic Minor Sex Trafficking: America's Prostituted Children. May 2009. Retrieved November 20, 2011 from http://www.sharedhope.org/Resources/TheNationalReport.aspx.

Southern Poverty Law Center. "Close to Slavery: Guestworker Programs in the United States." Accessible at www.splcenter.org.

Testimony of David Sherman (2000). Sexually-Oriented Businesses: An Insider's View. Testimony Before the Michigan House Committee, Ethics and Constitutional Law, January 12, 2000. Sent from Dr. Celia Williamson, University of Toledo.

Trade (2007). Directed by Marco Kreutzpaintner. Lionsgate.

Trafficking in Persons Report. (2009). U.S. Department of State: Diplomacy in Action. Retrieved June 8, 2012 from http://www.state.gov/j/tip/rls/tiprpt/2009/index.htm.

Trafficking in Persons Report. (2010). U.S. Department of State: Diplomacy in Action. Retrieved June 8, 2012 from http://www.state.gov/j/tip/rls/tiprpt/2010/index.htm.

Trafficking in Persons Report. (2011). U.S. Department of State: Diplomacy in Action. Retrieved June 8, 2012 from http://www.state.gov/j/tip/rls/tiprpt/2011/index.htm.

Trafficking in Persons Report. (2012). U.S. Department of State: Diplomacy in Action. Retrieved June 8, 2012 from http://www.state.gov/j/tip/rls/tiprpt/2012/index.htm.

Tyldum, Guri and Anette Brunovskis. "Describing the Unobserved: Methodological Challenges in Empirical Studies on Human Trafficking." *International Migration* Vol. 43, ½, 2005.

Victims of Trafficking and Violence Protection Act of 2000. (2000). Retrieved on June 13, 2012 from http://www.state.gov/documents/organization/10492.pdf.

Warren, James. Raising Awareness of Sex Trafficking, One Lecture at a Time. The New York Times. Retrieved November 28, 2011 from http://www.nytimes.com/2011/11/25.us/raising-awareness-of-sex-trafficking-one-step-at-a-time.html.

Watters, John K. and Patrick Biernacki. "Targeted Sampling: Options for the Study of Hidden Populations." *Social Problems,* Vol. 36 (4) October 1989.

Weitzer, Ronald. "The Social Construction of Sex Trafficking: Ideology and Institutionalization of a Moral Crusade." *Politics & Society*, Vol. 35, No. 3, September 2007, 447-475.

Williamson, Celia, et. al. (2010). Report on the Prevalence of Human Trafficking in Ohio. Ohio Trafficking in Persons Study Commission: Research and Analysis Subcommittee. Sent from Dr. Celia Williamson, University of Toledo on March 14, 2012.

Williamson, Celia, and Michael Prior. (2009). Domestic Minor Sex Trafficking: A Network of Underground Players in the Midwest. *Journal of Child and Adolescent Trauma*. 2:1-16.

Zhang, Sheldon. "Measuring Labor Trafficking: A Research Note." *Crime, Law, and Social Change*, (2012) 58:469-482.

Zhang, Sheldon. (2007). Smuggling and Trafficking of Human Beings: All Roads Lead to America. Westport, CT: Praeger Press.