

# Modern Day Slavery

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Farm workers are some of the most oppressed workers in the United States. In some cases, they experience physical and psychological abuse in the fields. In the worst and most extreme cases, they live in modern day slavery conditions.

Slavery, working against your will with little or no pay under the threat of violence or other punishment, exists today in America. In 1865 the United States passed the 13th Amendment to the Constitution, formally abolishing slavery. However, well over a century later, workers are still held as slaves and experience threats, violence, coercion, and manipulation.

In 2013 there are an estimated 27 million slaves in the world. In the United States, there are nearly 15,000 slaves trafficked into the country annually. Of these 15,000 people, half will be forced to work in the sex trade while the other half will be forced into other industries, including agriculture (Free the Slaves).

## Smuggling vs. Human Trafficking vs. Modern Day Slavery

Modern day slavery is different from both smuggling and human trafficking, though the three are intertwined. Smuggling refers to the facilitation of the entry of a person into a place of which they are not a citizen, resident, or authorized visitor. This is done in order to obtain financial or other material benefit. In cases of human trafficking, victims experience a loss of freedom and are transported by traffickers, who buy and sell them in pursuit of profit. If victims of smuggling or human trafficking are later forced into labor and/or sexual exploitation, it can become a case of modern day slavery.

According to an official of Immigration and Customs Enforcement (ICE), "Outside of narcotics trafficking, human trafficking is one of the largest activities in the United States and globally, and that's because the profit can be amazing" (Gainesville Sun).

## Farm Workers and U.S. Slavery

From the country's inception, landowners in the United States have always had a source of free or cheap labor to pick and care for their crops. During the early years of colonization, landowners in North America used indentured servants from Europe to tend the fields. Beginning in the early 17th century, thousands of slaves from Africa were imported and forced to do farm labor. When the Emancipation Proclamation was passed to free the slaves, many laws and ordinances were subsequently applied to limit the rights of freed slaves. These set of laws were collectively known as the Black Codes (modeled after the Slave Codes).

Often times former slaves would find themselves back in the fields, working as punishment for civil infractions or paying off unjustly levied debt. Situations where workers were tricked or forced into signing contracts that kept them in debt or limited their rights were not uncommon and were legal in some states. The conditions of many black farm workers remained bleak in the years after the Emancipation Proclamation.

Freed slaves and their African American descendants could not claim full citizenship until the passing of civil rights legislation nearly 100 years after the Emancipation Proclamation.

To this day, farm workers of all races suffer from the enduring legacy of slavery and racism. Although the demographics of the work force have shifted, our agricultural system remains oppressive and in some uncommon and horrific cases, slavery itself remains. While it's important to mention that extreme situations like these are uncommon in agriculture, there have been multiple legally recognized cases of modern day slavery in U.S. fields.

### **Immigrants and Human Trafficking**

Although immigrants are not the only group vulnerable to slavery, they are a population especially at risk.

Factors including World Bank initiatives and U.S. policy have created instability and economic catastrophe in countries around the world. A population vulnerable to exploitation grows with the degradation of living standards. Economic instability and increased poverty, caused by free trade agreements (see NAFTA or CAFTA) and national debt to world financial institutions, are some of the push factors for migration (Witness for Peace).

People from affected countries find themselves with no choice other than to migrate from their home to places where markets exist for their labor. Many will incur debt to pay a smuggler and other costs associated with their journey.

Immigrants may be lured to the United States with promises of jobs and then forced into servitude. Many of them may be trafficked from place to place. Undocumented immigrants are particularly vulnerable to threats of deportation, arrest, and violence and those with H2A visas are vulnerable to abuse and coercion. Employers are able to keep their workers in indentured servitude by withholding wages, passports, and identification. In what would have been the largest case of human trafficking in the country (U.S. vs. Orian) more than 1,100 Thai workers were brought to the United States through the H2A guest-worker visa program and then forced to work under horrific conditions. In some cases workers were stripped of their passports and kept under 24-hour guarded surveillance while living in rat and insect infested housing. These workers each paid \$8,000 to \$20,000 to recruiters for their jobs, taking out loans and using their ancestral land as collateral. They were told that they



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would be sent back home if they complained about their pay or their working conditions (Associated Press, Farmworker Justice).

Despite three defendants entering guilty pleas, federal prosecutors dropped all charges one month prior to the trial. Unbelievably, the Criminal Section of the U.S. Department of Justice Civil Rights Division felt they could not prove, beyond a reasonable doubt, the case against Global Horizons Manpower Company, and its CEO Mordechai Orian, (Examiner).

Armed with four years of investigation and evidence from interviews with Thai farm workers, the Thai Community Development Center in L.A. continues to seek justice for these workers (Hawaii Reporter).

"The dismissal of the largest human trafficking case in U.S. history comes on the 17th anniversary of the famed El Monte Thai Garment Slavery Case considered the first case of modern day slavery in the U.S. However, instead of moving forward to combat labor trafficking and prosecute its perpetrators, the Justice Department has sent a signal to all traffickers that they have nothing to fear if they go through the motions of obtaining a temporary visa [H2A]". - Chanchanit Martorel, Thai CDC Executive Director.

### **Modern Day Slavery in Florida**

In Florida, there have been several cases of modern day slavery in the fields among immigrants and citizens. The Coalition of Immokalee Workers helped to uncover and start federal prosecution of many of these cases.

Since 1997, more than 1000 slaves have gained freedom in Florida. An African American man, Jewel Goodman, was held against his will and forced into debt-bondage in Hastings, FL. Like many farm workers, he was threatened with violence if he tried to leave the camp. After several failed attempts, Goodman escaped in the middle of the night. It took him two hours to get to the safety of a friend's place in town (Tampa Bay Times).

Camps are often isolated with little governmental oversight, making it easier for such horrific conditions to exist. In Florida, bosses like Ronald Evans have used crack cocaine and alcohol to keep workers dependent and perpetually in debt. Many people are recruited from homeless shelters and soup kitchens and become indebted even before they reach the camp. Ronald Evans was convicted of running a drug ring and fixing financial records; he is currently serving a 30-year jail sentence (The Times Union Jacksonville).

Another case from Southern Florida was reported on in 2007 by the UK newspaper The Independent. It stated:

"Three Florida fruit-pickers, held captive and brutalized by their employer for more than a year, finally broke free of their bonds by punching their way through the ventilator hatch of



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the van in which they were imprisoned. Once outside, they dashed for freedom. When they found sanctuary one recent Sunday morning, all bore the marks of heavy beatings to the head and body. One of the pickers had a nasty, untreated knife wound on his arm. Police would learn later that another man had his hands chained behind his back every night to prevent him escaping, leaving his wrists swollen." The people responsible for enslaving these workers are serving a 12-year sentence.

In Alachua County, home to the University of Florida, three people were arrested and charged with "conspiring to commit forced labor and visa fraud." After persuading 34 Haitians to travel to Florida with the promise of well-paying jobs, the suspects took away the workers' passports and threatened them with deportation. This threat was especially intimidating since the workers were already in debt from paying recruiting fees. The indictment included claims that the workers lived in substandard housing, were malnourished, and were denied access to medical care. Unfortunately, like the U.S. vs. Orian case, these charges were also dropped by the federal prosecutor. Despite much evidence and testimony given by the Haitian guest workers and findings from numerous federal and state agencies (including ICE, Department of Homeland Security, and the Alachua County Sheriff's Office), the prosecutors claimed they were unable to prove culpability beyond a reasonable doubt. No real comment has been given as to why the charges were dismissed, but a related case is still pending (Gainesville Sun).

The reality of these cases speaks to many inadequacies and injustices in our society. Immigration policies that keep immigrants isolated and in fear of reporting abuses, a guest worker program with a drastic lack of oversight, and the need for cheap labor are all factors that foster an environment where slavery can exist. The legacy of racism in the United States can be seen in the punitive and xenophobic laws against immigrants, the inept justice system, and the exclusion of farm workers from labor protection standards that were won in the early 20th century.

Slavery remains a lucrative business. With an agricultural industry and government policies that encourage profits over human rights, we must continue the fight against slavery that began 400 years ago. We must eradicate the conditions in our agricultural system that permit the cancer of slavery to thrive. Changes will take place when farm workers' voices are heard loud and strong. Let's work in solidarity with them until slavery is truly abolished.



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