



FOR IMMEDIATE RELEASE

April 16, 2020

New Report Analyzes the Cost of Material Witness Warrants on Human Trafficking Victims

Contact: Shayna Horwitz, Development & Communications Director

Phone: 202-849-5708

Email: media@htlegalcenter.org

WASHINGTON, D.C. – [The Human Trafficking Legal Center](#) announces the release of a new report, [“Prosecution at Any Cost? The Impact of Material Witness Warrants in Federal Human Trafficking Cases.”](#)

The report exposes the troubling practice of arresting human trafficking victims to secure their testimony against their traffickers. Trafficking victims’ testimony can be critical to putting their trafficker behind bars. But many are reluctant to testify, and with good reason. Some fear retaliation from traffickers, while others wish to move on with their lives. Few have lawyers. The result is a system that detains victims to bring their traffickers to justice.

In federal human trafficking cases, victims face arrest and imprisonment to secure their testimony. Material witness warrants are used to hold both adult and child victims in detention.

As the United States reels under the COVID-19 crisis, advocates have raised the alarm about the danger to **all** people in detention. While it is unclear whether trafficking victims are currently being held, any individuals incarcerated on material witness warrants now face the coronavirus outbreak in penal institutions. **The organization calls for any trafficking victims currently being held under material witness warrants to be released immediately. Indeed, given the current inability to hold jury trials, all individuals detained on material witness warrants should be released.**

Researchers identified 49 instances between 2010 and 2018 in which the government held trafficking victims as material witnesses. The authors detail trafficking victims’ statements in court and to law enforcement, revealing that many do not wish to testify. The report analyzes the

lengths to which law enforcement will go to force these women and girls to testify. The report also identifies alternative practices that would live up to the “victim-centered” title for prosecutions.

Overall, the report paints a picture of a system in which victims’ wishes are disregarded in the interest of convicting traffickers. Alexandra Yelderman, senior staff attorney at the Human Trafficking Legal Center and co-author of the report, said, “Arresting human trafficking victims to force them to testify can compound the trauma of being trafficked. The criminal legal system must not lose sight of burdens it imposes on the victims whose interests it purportedly seeks to protect.”

Martina E. Vandenberg, president of the Human Trafficking Legal Center, noted the irony, “The State Department Trafficking in Persons Report criticizes other countries around the globe for similar practices, while the U.S. government arrests victims on material warrants at home. Victims are far too often required to fend for themselves in a justice system that fails to protect their rights. We have to do better.”

###

About the Human Trafficking Legal Center

At the Human Trafficking Legal Center, we believe when human trafficking survivors have lawyers, survivors have rights. We create a bridge between trafficking survivors and highly skilled pro bono legal representation. Together, we work to hold traffickers accountable for their crimes through civil litigation and criminal restitution. The Human Trafficking Legal Center seeks compensation for survivors so that they can reclaim their lives. We are a non-profit organization, monitoring the federal government and working to improve federal policy to benefit trafficking survivors. Learn more at www.htlegalcenter.org. Follow the Human Trafficking Legal Center on [Facebook](#) and on [Twitter](#).