

**TRAFFICKING**

**& THE SHALLOW STATE**

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We have had a **tremendous** track record -- the best in a long time.

-Former President Donald Trump



# PUBLIC DECEPTION

-Martina Vandenberg, Human Trafficking Legal Center



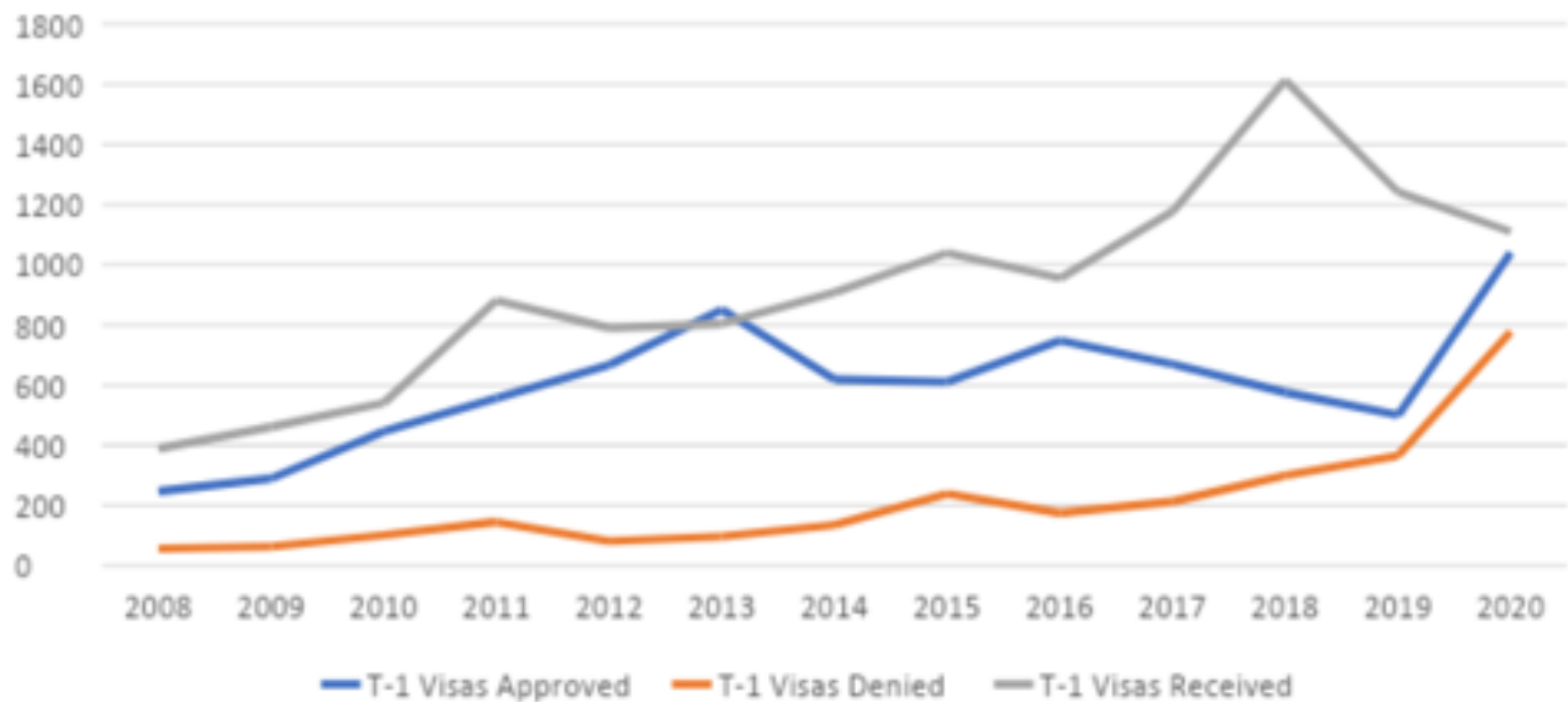
Photo credit: Gabriella Demczuk for

POLITICS

# 'I Thought I Was Going to Die.' How Donald Trump's Immigration Agenda Set Back the Clock on Fighting Human Trafficking

TIME

Form I-914, Applications for T-1 Visas By Fiscal Year (2008-2020) Number of T-1 Visas Approved, Denied, Received Annually



## T Visa Denial Rates From FY 2008- FY 2020



"This government has chosen to ignore the needs of survivors and reward the traffickers."

JEAN BRUGGEMAN, FREEDOM NETWORK



## Immigration Relief for Victims of Trafficking

October 28, 2020

Congressional Research Service  
<https://crsreports.congress.gov>  
R46584

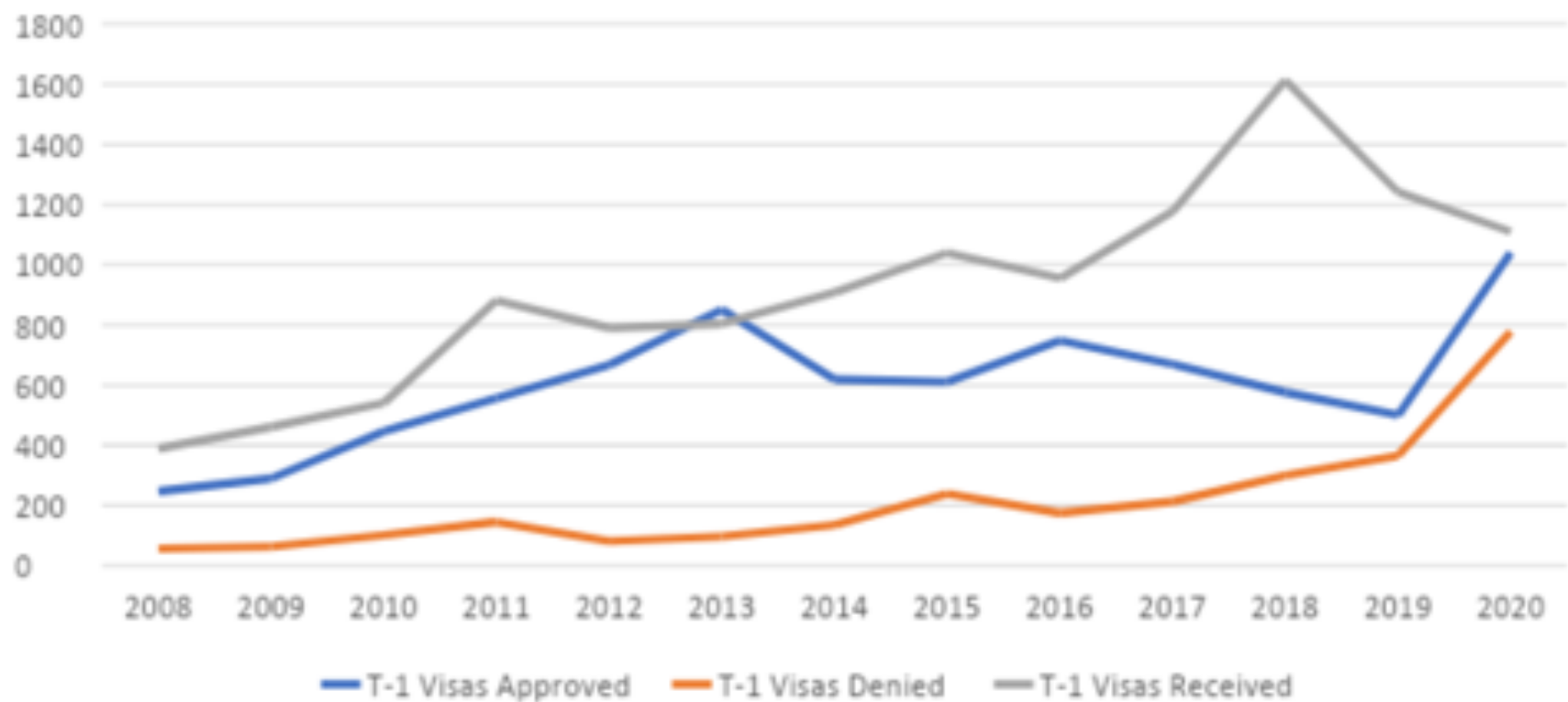
CRS REPORT  
Prepared for Members and  
Committees of Congress

However, when legislating on and conducting oversight of the federal government's use of the T status and U status for trafficking victims, policymakers may consider a number of issues:

- **The extent to which the T status is utilized.** The 5,000 principal status cap has not been met in any of the most recent 10 fiscal years for which data are available. Policymakers may look at factors that potentially contribute to what some observers consider to be underutilization of the status. They may also consider whether the 5,000 cap is still the appropriate level.



Form I-914, Applications for T-1 Visas By Fiscal Year (2008-2020) Number of T-1 Visas Approved, Denied, Received Annually



# Shallow State

Superficial action aimed at undermining protections



- 1 Administrative actors acting to undermine the statutory or regulatory regime through superficial actions designed to disrupt or dismantle protections or benefits.
- 2 Actions are often unlawful. Use of existing bureaucratic knowledge and machinery to leverage against applicants.



# Tactics

Strategies to erect "minefields" within the application process.

- Heightened stakes
- Rejection
- Delay
- Increased Requests for evidence and denials
- Expansive role of discretion



# Feedback

- Shallow state framework
- Examples outside the immigration context
- Recommendations (big and small!)

# Questions? Feedback?

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