

Garvey Schubert Barer Obtains T Visas for Victims of Human Trafficking

Legal Alert
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Garvey Schubert Barer Legal Update, July 20, 2004.

Garvey Schubert Barer is pleased to have helped three of its clients receive approval of their Trafficking Nonimmigrant Status (T Visa) petitions. The Seattle Immigration practice group at GSB filed the petitions on behalf of three young women from Honduras who were trafficked into the United States and forced into prostitution. The three young women have been relocated to foster families in the U.S. and have received proper medical care. The T Visas will allow them to remain in the U.S., finish high school and apply for legal permanent resident status.

Very few T Visa petitions have been approved in the U.S. to date, which makes the outcome even more gratifying. "All of us at GSB are extremely proud of the outcome," said Michael Brick, GSB's immigration lead attorney in the case. "No one deserves to go through what these young women have experienced. This pro bono project has been a great example of how we in the legal community can use our skills to really make a difference." GSB is known for its long-standing commitment to devote 5 percent of the firm's work to public service.

The Trafficking and Violence Protection Act of 2000 (TVPA) created a new nonimmigrant classification (T) to protect people who are victims of human trafficking. It is specifically designed for human trafficking victims who cooperate with law enforcement in the investigation or prosecution of acts of trafficking in persons. The T classification has been implemented and is available to certain victims of severe forms of trafficking in persons.

To be eligible for a T Visa, an individual must show that (1) she or he is or has been a victim of a severe form of trafficking, (2) is physically present in the U.S. on account of trafficking, (3) has complied with any reasonable request for assistance in

investigating or prosecuting trafficking, and (4) would suffer hardship involving unusual and severe harm if 'deported' by the U.S. government to return to their home country.