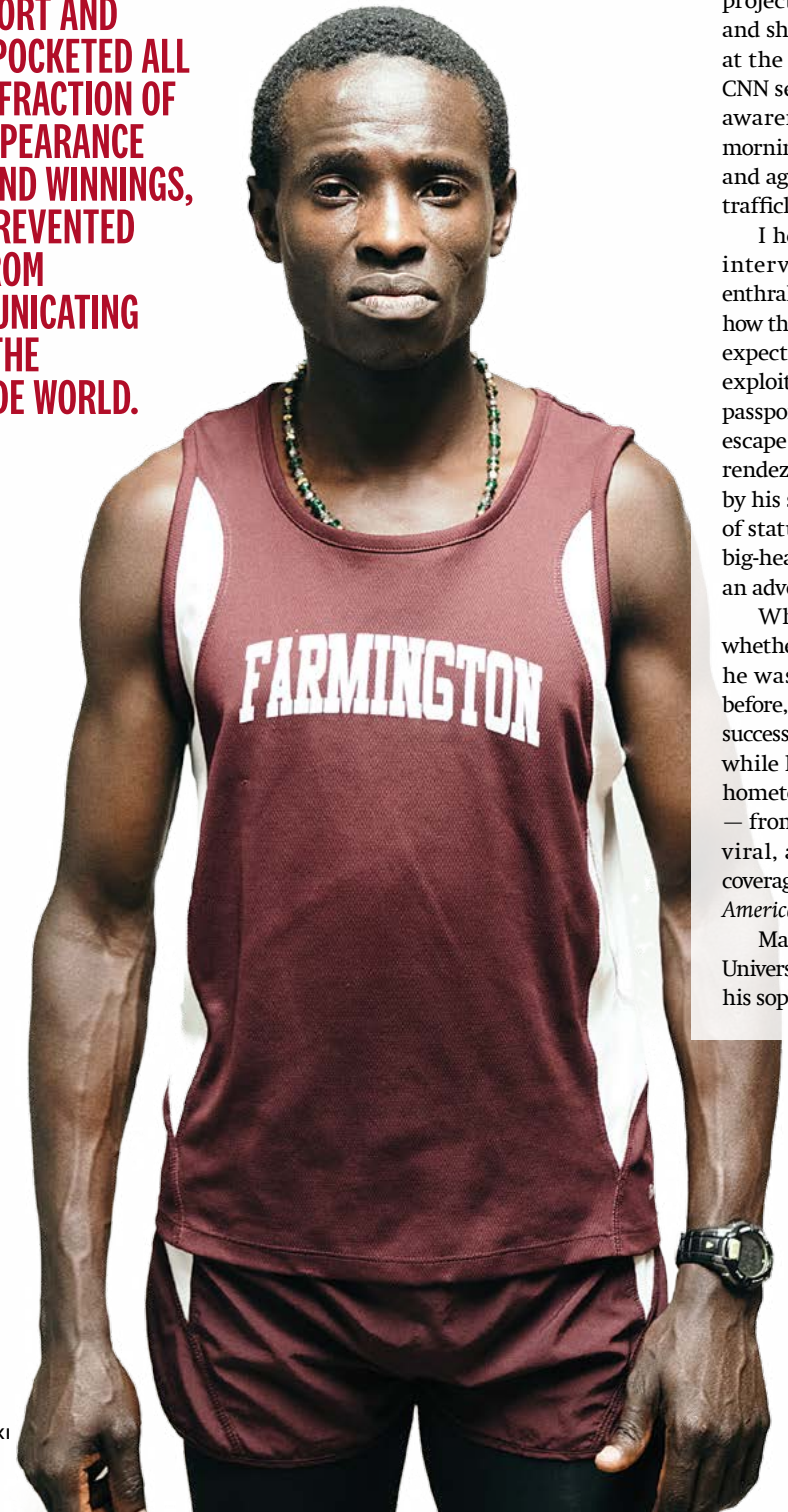


MAINE ADOPTED
KENYAN RUNNER
MONINDA MARUBE
AS A SYMBOL OF
HUMAN TRAFFICKING'S
INVISIBLE CASUALTIES.
BUT A CLOSE LOOK
AT HIS CASE RAISES
HARD QUESTIONS —
AND ILLUSTRATES
THE CHALLENGE
OF INVESTIGATING
AND PROSECUTING
TRAFFICKING CRIMES.

IS THIS MAN A VICTIM?

by **KATHRYN MILES**

**HE STAYED IN
THE HOUSE NINE
MONTHS, DURING
WHICH TIME, HE
SAYS, THE MANAGER
CONFISCATED HIS
PASSPORT AND
VISA, POCKETED ALL
BUT A FRACTION OF
HIS APPEARANCE
FEES AND WINNINGS,
AND PREVENTED
HIM FROM
COMMUNICATING
WITH THE
OUTSIDE WORLD.**



TRISTAN SPINSKI

MONINDA MARUBE'S FAME came to him unexpectedly. Which isn't to say the competitive runner wasn't seeking stardom. On the contrary, he came to the U.S. from his native Kenya dreaming of high-profile victories and lucrative sponsorships from companies like Nike. Instead, Marube has acquired a celebrity he never anticipated — as the face of human-trafficking survivors in Maine and nationwide.

In that capacity, he has stood on the steps of the U.S. Capitol alongside Maine senator Susan Collins, who praised him as “a person of remarkable courage and commitment.” He's been the subject of newspaper, magazine, and radio stories and multiple documentary projects. He's spoken at conferences and workshops and shared billing with Maine governor Paul LePage at the state's Summit on Human Trafficking. On a CNN segment covering Marube's 2015 attempt at an awareness-raising cross-country run, the network's morning anchor declared, “You can't believe in this day and age that that's happening — slavery and human trafficking. But, you know, he is living proof that it is.”

I heard about Marube from a filmmaker who'd interviewed him for a documentary. I listened, enthralled, as the documentarian retold Marube's story: how the runner had traveled to Coon Rapids, Minnesota, expecting to train with an expert manager, only to be exploited in unimaginable ways. How, even with his passport confiscated by his trafficker, he'd managed to escape under cloak of darkness, thanks to a dramatic rendezvous. How Border Patrol officers were so taken by his story that they let him go, despite his being out of status. How he found his way to Maine, thanks to big-hearted patrons, where he reinvented himself as an advocate and activist.

When I contacted Marube last summer and asked whether I could interview him for a magazine profile, he was arguably at the height of his fame. Weeks before, he had reported to his local newspaper that he'd successfully outrun two black bears that had given chase while he was on a dawn training run in his adopted hometown of Auburn. The story of Marube's escapes — from the bears and from his trafficker — had gone viral, appearing in outlets around the globe, with coverage of one or both from the BBC, NPR, *Good Morning America*, *Time*, *Sports Illustrated*, and others.

Marube invited me to meet him on campus at the University of Maine at Farmington, where he was starting his sophomore year. He seemed eager to share his story.

Marube and I met one afternoon in September in the lobby of the university library. He was wearing a tracksuit and hooded sweatshirt, and with his reedy build, he could easily have passed for a decade younger than his 39 years. He was as mild and charming as friends and supporters had described him to me: soft-spoken, almost formal in his politeness, with a beatific smile. We chitchatted about late summer weather and the school year. Marube, who is undocumented, is studying community health at the western Maine liberal arts college, which he says he attends on a partial tuition waiver negotiated by Dan Campbell, his primary benefactor and the university's track coach, with whom Marube lives in the summer and who pays the remainder of the runner's tuition. (The university will not confirm details of enrollment or financial aid status.)

Marube suggested we move to a picnic table on the quad, so we chose a sunny spot and settled in for a multi-hour interview, during which he unraveled his long, complicated story.

In March of 2010, after a few years competing internationally in Europe, Asia, and Australia, Marube traveled for the first time to the U.S. to run in Arkansas's Little Rock Marathon. He had a temporary visitor visa and an open-ended return ticket with what he thinks was a six-month window. Upon arrival, he discovered that the race offered no prize money. He won anyway, but with nothing to show for his victory, Marube resolved to stay in the U.S. longer than he'd planned, accepting an invitation from a friend and fellow Kenyan to board with the man's family outside Dallas.

When the house began feeling crowded, the friend suggested Marube travel to Minnesota to train with another Kenyan expat, named William Kosgei, founder of a successful running club that managed and facilitated the travel of East African runners. Kosgei agreed, and Marube boarded a bus for the comfortable Minneapolis suburb of Coon Rapids.

He stayed in Kosgei's house for nine months, during which time, he says, the manager confiscated his passport and visa, pocketed all but a fraction of his appearance fees and winnings, and prevented him from communicating with the outside world via phone or internet. For lack of money, Marube says, he was forced to run in dozens of races, but he didn't retain enough of his own race income even to consistently afford food, which Kosgei did not provide. Marube says he was forced to share a single room with many other runners. When we first spoke, he told me he couldn't remember their number or sleeping arrangements; later, he said it was five to seven runners, with some on mattresses on the floor.

While under Kosgei's management, Marube says, he overstayed both his return ticket and the duration allowed by his immigration form. His visa may also



Marube, running in the Little Rock Marathon in 2010, his first race in the U.S., before falling in with a man he says was an unscrupulous manager.

have expired — he can't remember for sure — but he was definitely in the country illegally. He feared arrest if he tried to leave or approached authorities about his treatment. Anyway, he says, Kosgei so closely monitored his athletes' comings and goings, there were few opportunities for escape.

One day, Kosgei allowed several runners to accompany him to a grocery store. There, in a brief unsupervised moment, Marube befriended a Kenyan truck driver who was also shopping, and he memorized the man's phone number. Later (possibly the next day, possibly several days later — Marube has said both), he tricked Kosgei into returning his passport and immigration documents (he has given conflicting explanations as to how). Then he used a neighbor's phone to call the truck driver and explain his plight, and the sympathetic driver offered to meet him at a nearby truck stop and drive him to Texas.

On the appointed night, Marube told me, he snuck away from the house, together with a runner who I'll call Faith (she has requested anonymity), who also sought to escape Kosgei's abuses. Away from the house, the two runners split up. Marube rendezvoused with the trucker, who delivered him out of Minnesota.

In Texas, he lived for months with Kenyan acquaintances; he was broke and slept on a bedbug-ridden mattress. In late 2011, he wrote to organizers of the Santa Barbara Marathon, which he'd won the year before, racing under Kosgei. The race's organizers offered to fly him out (elite runners are often paid fees and expenses to register, to raise a race's profile), but with his immigration status expired, Marube requested a bus ticket instead. Then, en route to Santa Barbara, at a checkpoint on the Texas–New Mexico border, Marube's Greyhound was boarded by officers from the U.S. Customs and Border Patrol. They detained him after checking his expired documents, but Marube says they were so inspired by his story, they let him go free, admonishing him to get his paperwork in order and then driving him over an hour to return him to his bus.

"They told me this," Marube said in a 2016 documentary about his trafficking, "You are a special case. We have never let anyone free."

The next day, Marube won the Santa Barbara Marathon and set the course record. At the post-race party, he approached one of the race's organizers to ask if he could receive his winnings in cash; the organizer was Dan Campbell, who'd come to Santa Barbara to assist the race's founder, a native Mainer he'd coached years before. Campbell was moved when Marube told him of his desperate circumstances back in Texas, and he invited the runner to move to Maine, to live with him, his wife, and his daughter. So in early 2012, Marube came to Auburn and moved in with the Campbells.

During that first interview, Marube and I talked at our picnic table until the sun began to set. Here and there, throughout our conversation, Marube paused to greet fellow undergraduates walking by.

"They call me 'grandfather,'" he told me and beamed. More than one journalist has described his grin as "infectious." Many students, he said, come to him as a mentor and a confidante — a shoulder to cry on when a relationship ends, an inspiration when coursework seems stressful. When he came in second in the Maine Marathon in 2016 (he won in 2014), he was greeted at the finish line by a throng of UMF students, some of whom he works with as a volunteer coach for the school's cross-country team. They waved signs with slogans like "UMF Beavers Love Moninda," and some wore T-shirts promoting his anti-trafficking, anti-obesity campaign, The Moninda Movement.

Before we finished, I asked Marube for some details that would help me flesh out the story and contact other sources. Where was the truck stop where he'd met his rescuer, and what did it look like? Marube said he was no longer sure. What was the truck driver's name, and could I contact him? Marube told me he'd long since forgotten. What were the names of other runners who were with him in captivity in Coon Rapids? Marube said he couldn't remember any, except that of the woman he escaped with, which he came up with later, in a follow-up call.

On a number of points, in fact, Marube was vague on details — some of those above he filled in or clarified in follow-up interviews. At first, he told me he was

holding back certain information to someday publish in an autobiography. But when I pressed him on a few points, he admitted that his memory simply failed him in many cases. This is not uncommon among trafficking survivors, as I later heard from Annalisa Enrile, a clinical associate professor at the University of Southern California who specializes in the experiences of trafficking victims. "There's a lot of trauma and PTSD there," Enrile says. "In a lot of ways, you exist in someone [else's] psychology even after you're removed from the situation. So you have a shifting narrative — your natural defenses keep you in denial."

Marube and I agreed to talk again a few weeks later. We shook hands, and he gave me one last infectious smile.

Human trafficking is among the planet's most pervasive crimes. It is also one of the least understood. It is not the same as human smuggling, which the United Nations and U.S. Department of Homeland Security define as the illegal transportation of people. It is also not the same as unfair or exploitive labor practices — paying less than minimum wage, say, or ignoring safety requirements, breaching child labor laws, or permitting workplace harassment.

Human trafficking is the forceful or fraudulent recruitment of someone for his or her labor. It is coercive servitude — a form of modern-day slavery that generates billions of dollars each year for those who perpetrate it. It is often delineated into two separate forms: sex trafficking and labor trafficking. Of these, the former has received the most attention in this country, which can make the latter all the more difficult to identify.

Because human trafficking is also one of the planet's most underreported crimes, it's hard to put firm numbers to its extent. Globally, experts say, human trafficking likely counts at least 27 million victims at any given time. In the U.S., the majority are trafficked in the sex industry, but not all — fully a third of trafficking victims are exploited for other forms of labor, things like felling trees, washing dishes, or braiding hair.

"There's this image of trafficking victims as women chained in basements or held in shipping containers, but that's not what we see," explains Daniella Cameron, director of Anti-Trafficking Services at Preble Street in Portland. "Really, the only demographic trafficking victims share is that they often come from vulnerable populations."

In states like Minnesota and Maine, dominated by industries with transitory labor forces like tourism and agriculture, seasonal turnover can make it easier for trafficking victims to go unnoticed. In 2011, the year after Marube says he was trafficked, Minnesota's Department of Public Safety identified more than 50 trafficking victims in that state, working in everything from landscaping to retail to childcare. Advocates suggest the actual number of victims is exponentially higher.

No agency or organization in Maine keeps official statistics on labor trafficking. What data about

CONTINUED ON PAGE 114

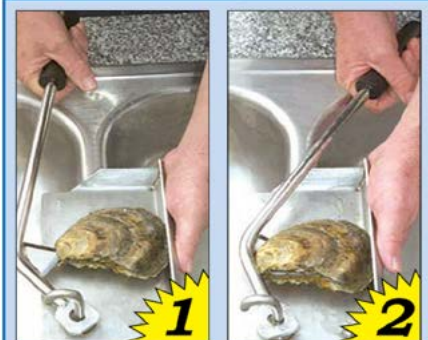
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CONTINUED: IS THIS MAN A VICTIM?

trafficking does exist comes by way of a recent study commissioned by the Maine Coalition Against Sexual Assault. It estimates that, in a state with a population of just 1.3 million, more than 200 people are victims of sex trafficking annually. Only about 14 percent of those ever report the crimes committed against them.

"For many trafficking victims, there's a great risk in reaching out," Cameron explains. "Some worry there will be retaliation against them or their families, or they don't have legal status."

Many of those trafficked don't even realize they are victims of a crime. That was true in one headline-making scandal last year, which uncovered high-school students from countries including Paraguay and Nigeria brought to New Jersey under false pretenses to play basketball. The foreign students arrived without the necessary immigration approval, were bounced between people posing as their guardians, and were denied basic needs like winter clothing and allowances for food. Similar stories of trafficking for athletic purposes have emerged from Arkansas, Arizona, Georgia, and elsewhere, where international basketball students have been found living in abusive conditions, not enrolled in schools, or without proper clothing and personal supplies.

Thanks to language barriers, cultural differences, and the transitory nature of competition, the arena of international pro sports can be especially difficult to police. Last year, in a joint investigation, three European news agencies reported on the routine exploitation of professional Ethiopian runners in oil-rich nations seeking athletic prestige. The head of the International Association of Athletics Federations, track and field's governing body, described the abuse as trafficking and called for an investigation. (An IAAF spokesperson referred me to the organization's independent ethics unit for details of that investigation; the unit didn't respond to multiple contact attempts.)

Bridgette Carr, who directs the Human Trafficking Clinic at the University of Michigan Law School, has worked on cases resulting from foreign-student basketball

scandals. She isn't aware of any trafficking cases involving runners, but she believes they might be out there.

"Whether it's sports or any other industry, trafficking is horrible," Carr says. "But at the end of the day, it's also just powerful people taking gross advantage of unpowerful people — and that's a lot more common than we'd like to admit."

William Kosgei denies that he is a human trafficker. Marube's story, Kosgei says, is false, and he finds it "very wrong and morally sickening."

Last October, I flew from Maine to Minnesota to visit Coon Rapids, some 10 miles north of Minneapolis proper, hoping I could see firsthand some of what Marube couldn't remember and get the details I'd need for a story. I hadn't planned on contacting Kosgei, in part because I wasn't sure whether he was dangerous. It was only a 24-hour trip, during which I hoped to get a look at the house where Kosgei lived with his runners — and maybe, if I was lucky, find one outside the house

who'd talk to me. I wanted to see the suburban blocks where his neighbors were evidently unaware of a trafficking operation in their midst, as well as the streets where Marube would have taken his training runs. I wanted to find the truck stop where he'd made his dramatic rendezvous. And, if I'm being honest, I did hope to observe William Kosgei.

So after exploring Coon Rapids and searching in vain for anything in town that might be described as a truck stop, I drove to the address I'd found online for Kosgei and his Duma Runners Club. In a tree-shaded neighborhood full of cul-de-sacs, I spent less

than an hour parked outside the duplex townhouse before a car pulled into the driveway and Kosgei stepped out. I recognized him from photos on the web: fit, in his 40s, his head shaved or bald. He went inside and came out again a few minutes later, wearing a tracksuit. Then he got back in the car and drove off.

THANKS TO LANGUAGE BARRIERS, CULTURAL DIFFERENCES, AND THE TRANSITORY NATURE OF COMPETITION, INTERNATIONAL PRO SPORTS CAN BE ESPECIALLY DIFFICULT TO POLICE.

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I followed, and I soon found myself pulling into the parking lot of Coon Rapids High School, where I knew from some web sleuthing that Kosgei is an assistant cross-country coach. I watched from the lot as he greeted and then ran through some warm-ups with a group of gangly teenagers. A few minutes later, a pair of adults in workout clothes, who I pegged for Kenyan runners, showed up in their own cars — evidently unmonitored and unescorted — and started training with the high-school kids. For over an hour, I watched the practice unfold. Sprints. Stretching. Kosgei seeming to joke around with his runners. The whole scene just seemed so normal.

When it was over, after I'd watched Kosgei drive off and the man and woman who I presumed to be his runners leave separately, I texted Kosgei at a number I'd cribbed from the web. I wrote that I was a journalist and asked whether I could meet with him and his club the next morning, before my return flight.

Kosgei wrote back immediately. He apologized: he had to work early the next day (as a tech at a lens manufacturer, I would learn) in order to leave early for cross-country practice in the afternoon. However, he wrote, his wife

and the runners who stayed with them would be happy to host me at the house. With some hesitation, I accepted the invite.

The next morning was cool and rainy, and I spent the better part of it in the kitchen in the Kosgeis' townhouse, sitting around a large table with seven elite Kenyan runners from the Duma Runners Club. Nicole Kosgei, a polite native Minnesotan and real estate agent, welcomed me in before apologizing that she had to take her kids to a dentist appointment. She invited me to stay as long as I'd like, then left me alone with the runners.

The kitchen was steamy and smelled a bit like a locker room. The runners shared with me a traditional Kenyan tea, hot and sweet and poured from a blue plastic pitcher. Among them were several extremely accomplished athletes, including a world champion marathoner. I was still cautious about the circumstances and told them only that I wanted to know about their experiences

I WATCHED SEVERAL OF THE RUNNERS EXCHANGE TEXTS WITH THEIR FAMILIES BACK HOME — MOST HAD THEIR OWN CELL PHONES — AND OTHERS MAKE PLANS WITH FRIENDS FOR THAT AFTERNOON.

training as international runners with Duma. A few had run with the club for several years, and they told me they tend to spend six months in the U.S. during the race season, then six months back in Kenya — two of them are police officers there. They showed me the two rooms they stayed in, which reminded me of places I'd lived in college. Everyone agreed the house was too small for everyone to be comfortable and that seven runners was probably too many at one time. They also said they were making the most of their cramped quarters. I asked whether they held their own passports — they said they did — and whether Kosgei was a fair manager. They told me he was.

I watched some of the runners scroll through Facebook and exchange texts with their families back home — most had their own cell phones — and others make plans with friends to go into Minneapolis that afternoon. If their movement or communication was restricted, I saw no indication of it. Before I



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left, a couple of them asked if we could take selfies on the couch. By the time I was back in my car, they'd texted me the images.

Back in Maine, I called Kosgei and came clean about my reasons for visiting. We spoke at length. He denied Moninda's accusations, gave me permission to use his name in this story, and insisted he has nothing to hide.

Kosgei also put me in touch with Faith, the runner with whom Marube told me he escaped Kosgei's house. She currently lives in Washington State with her husband, another Kenyan runner. Over the phone, Faith denied several of Marube's claims. Kosgei never held her passport, she said, and she didn't flee his house with Marube but stayed in a different house altogether and left Duma both amicably and some time later on. Her training and treatment in Coon Rapids, she said, were favorable.

I also spoke by phone with Richard Kandie, who now lives in Wisconsin and trained with Duma Running Club for years, starting in 2008. Kandie and his wife, runner Rael Murey, were also among the runners at

Kosgei's house with Marube in 2010. He too says Kosgei treated them fairly, that he remembers no restrictions on phone or internet usage, was in no way prevented from coming or going, always held his own passport, and has no memory of Marube mentioning his immigration documents being withheld. And although he admits he wasn't privy to Kosgei's arrangements with other runners, Kandie says the manager took 15 percent of his race income, the industry standard (Marube says Kosgei took a 20 percent cut), plus a reasonable amount for expenses.

When I called Marube some weeks later, I told him about my trip to Coon Rapids, and what Kosgei and his two fellow runners had said. "Okay," he said, without hesitation. "I think what you are trying to dig into has a lot of tribal stuff going on." At Kosgei's, Marube explained, he had been the only member of his Kenyan ethnic group. He's a Kisii; Faith belongs to the Kikuyu, and

"AT THE END OF THE DAY, TRAFFICKING IS JUST POWERFUL PEOPLE TAKING GROSS ADVANTAGE OF UNPOWERFUL PEOPLE — AND THAT'S A LOT MORE COMMON THAN WE'D LIKE TO ADMIT."

— Bridgette Carr

both Kandie and Kosgei to the Kalenjin. In Kenya and abroad, there is enmity among these groups. Tribal prejudice, Marube said, likely explained Faith and Kandie's denials.

Later, in a fact-checking session with his immigration lawyer present, Marube elaborated, saying that Kosgei had, in fact, singled him out because of tribal prejudice. He wasn't actually sure, he conceded then, whether other runners had their immigration documents taken or what their financial arrangements had looked like. And other, favored runners, he said, did indeed have internet access on Kosgei's computer; it was he, specifically, who was barred from using it.

The explanation that Marube was uniquely persecuted contradicts what he first told me, as well as what he's told audiences as recently as April, at a UMF conference on human trafficking that he helped organize. It also contradicts two formal accounts

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Marube has given to law enforcement and immigration agencies.

In 2012, Dan Campbell introduced Marube to Auburn police chief Phillip Crowell, cofounder of a faith-based, anti-trafficking organization called the Not Here Justice in Action Network and a seven-year member of the Maine Attorney General's Human Trafficking Work Group. Sometime after their acquaintance, Marube learned about a visa available to victims of certain crimes. It wasn't until he visited an immigration lawyer, he later wrote in an affidavit, that he told his Auburn hosts about his mistreatment by Kosgei.

IN ONE SCENE, A RUNNER RECEIVES HER PAYOUT, HER DISAPPOINTMENT EVIDENT AS THE MANAGER DEDUCTS FOR TRAVEL, ROOM AND BOARD, HIS FEE, AND MORE, LEAVING LITTLE BOTTOM LINE.

Thereafter, in 2014, Crowell arranged for Marube to sit down with two special agents from the Homeland Security Investigations unit of U.S. Immigration and Customs Enforcement, in order to formally disclose his circumstances in Coon Rapids.

The agents determined that Marube's account was insufficient to prompt a federal investigation. But in the record of his testimony, and in a subsequent signed statement accompanying a visa application, Marube was explicit that all — or, at least, other — runners with whom he shared Kosgei's house had experienced the same exploitation and mistreatment.

Those 2014 and 2015 documents also make no mention of the truck driver — neither the meeting in the grocery store nor the truck-stop rendezvous, both central to the escape narrative that Marube has often shared in the years since. Instead, Marube stated in both documents that his friend in Texas, with whom he'd first stayed, simply arranged a ride for him out of Minnesota. When asked about this in a fact-checking session, Marube

acknowledged that he'd left out some details: He did meet a Kenyan trucker in a chance encounter at a Minnesota grocery store and then subsequently escape with him, Marube explained, but in between, he contacted his friend in Texas, who it turned out unexpectedly knew that very driver. So both accounts were true.

Marube's two recorded statements also suggest that he and Kosgei were unacquainted before Marube went to Coon Rapids, and that his Texas friend had arranged his Duma training. That's what Marube told me and again later verified in a fact-checking session. But Kosgei provided me emails dated March 2010, purportedly between him and Marube, in which Marube appears to contact Kosgei just a week after arriving in the U.S., reminding him of having met in Kenya and discussed visas and a potential training arrangement. What's more, the emails allegedly from Marube seem to imply that he was unsafe in Texas, being monitored by his host and prevented from communicating. "When you are threatened [sic]," reads one, "you can fear to even leave especially if you have nowhere to go."

Other stories of Marube's, not related to his trafficking, simply proved difficult to verify. There are the black bears, of course. And there's the story Marube told me of having received a special guest pass from a supportive government minister, allowing him to stay and train at a Kenyan military barracks. A military attaché at the Kenyan embassy in DC rebuffed this claim. "No such individual has been granted unfettered access to and accommodation in any of our military bases or installations," he wrote. "As a matter of fact, there is no such practice for runners in Kenya to gain free access to our military facilities, unless they are actually employees of Kenya Defence Forces."

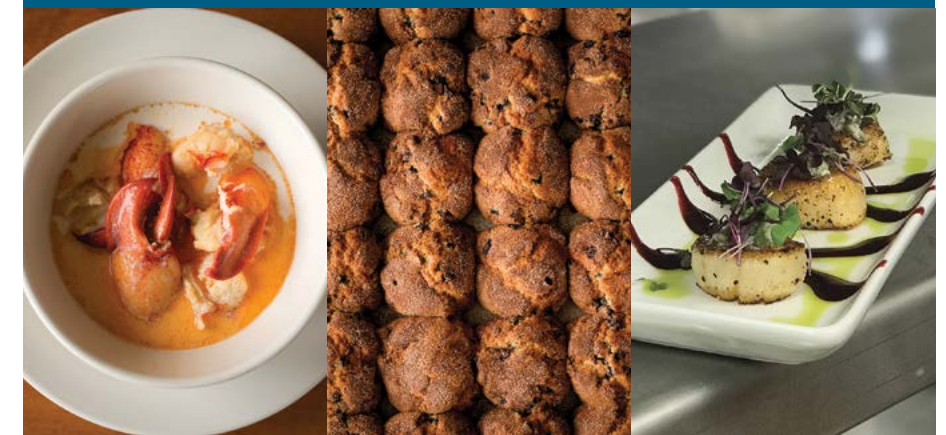
A spokesperson for the U.S. Customs and Border Patrol, meanwhile, said he'd found no record of Marube's Greyhound bus detention. That doesn't mean it didn't happen, he said, but international travelers with expired legal-visitor status cannot reapply without returning to their homeland, so the agents' supposed admonition that Marube get his "paperwork in order" would have been nonsensical. Anyone found out of status "would be processed accordingly"



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the spokesperson said, and a failure to do so would likely be grounds for discipline or dismissal.

Though they challenge the neat narrative around which he has built an advocacy platform, none of the inconsistencies in Marube's story, denials from other sources, or unverifiable claims necessarily mean that Marube wasn't in some ways mistreated or even trafficked while in Coon Rapids.

In all, I and *Down East* editors contacted eight former Duma runners who have stayed with William Kosgei. Only the two with whom Kosgei put me in touch had no complaints about their treatment there. All said that their movements and communications were unrestricted. All said they held their own passports and immigration documents, although two said that Kosgei had asked or offered to hold theirs. The same two said that Kosgei had sponsored their visas, complained that he sometimes threatened to have runners sent back to Kenya, and claimed he later somehow caused their visas to be revoked while they were out of the U.S.

Four had complaints about their financial arrangements; they thought Kosgei had charged them more commission than he did other runners, up to 18 percent, and/or that they were charged more for expenses than was fair, or more than they'd been promised. Some said he could be stingy, others lewd. Kosgei, for his part, says that managers become targets for complaints from runners who underperform. Even those runners who felt somehow wronged stopped short of saying they were victims of human trafficking.

In 2015, a documentary called *The Long Distance* made a small splash in running circles. Directed by German filmmaker Daniel Andreas Sager, the English-language film follows two Kenyan runners during a season of competition in Europe with a veteran German manager. A condensed version of the film is available on the YouTube channel of German public television. In one scene,

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a runner receives her payout, her disappointment evident as the manager deducts for travel, room and board, his fee, and more, leaving little bottom line. In another scene, he chastises his runners for a poor performance, and in yet another, the runners debate the financial calculus of attempting an extra marathon they'd rather not run versus returning home nearly broke.

"Modern slavery," reads one characteristic YouTube comment. The word "slavery" pops up repeatedly in other users' comments: "They're treated like slaves." "Definitely exploitation." "Shocked, dismayed, and disgusted." "I hope someone in the UN or similar org sees this

film . . . this is almost considered slavery, these athletes are being held hostage."

And yet, the film's director points out, what some viewers see as bondage, the manager and the runners considered banal enough that they allowed a film crew to document it. The manager and his wife were



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pleased with the film, according to Sager. "I can understand both opinions," he says.

Sometimes an instance of labor trafficking is obvious. Other times, what constitutes any of the three main pillars of trafficking — force, fraud, and coercion — is in the eye of the beholder. Alicia Peters is associate professor of anthropology at the University of New England and the author of *Responding to Human Trafficking*. She says it can take a lot of nuance and experience to identify when a crime has taken place.

"Trafficking and exploitation occur along a continuum, so there are certainly gray areas," she wrote to me in an email. "But case law and screening tools have added clarity over time."

Those tools include verification systems and in-depth questionnaires administered by staff trained to identify trafficking and distinguish it from "mere" exploitation. But a lot of communities lack those resources. In Maine, for instance, just two of the state's 16 counties have federally funded trafficking service providers, which means the only way for most labor-trafficking survivors to be identified is by Good Samaritans or referrals from government agencies or community organizations.

Awareness of the problem may be on the rise, though: this April, state legislators overturned a veto to pass a law that, for the first time, defines criminal forced labor in Maine and prohibits the withholding of passports, threat of deportation, or unfair compensation for work.

Whether Marube's situation would meet the thresholds established by such statutes and screening tools is unclear — he has not participated in any formal victim assessment — but U.S. Citizenship and Immigration Services will weigh his case. In 2015, Marube filed his application for what's known as a U visa, a class of admission granting permanent residency to victims of certain crimes willing to assist law enforcement with the investigation and/or prosecution of those crimes. The application requires a law enforcement official's certification, indicating the applicant "is or has been a victim of" a qualifying crime and has cooperated (or might cooperate).

IN APRIL, STATE LEGISLATORS PASSED A LAW THAT DEFINES CRIMINAL FORCED LABOR AND PROHIBITS THE WITHHOLDING OF PASSPORTS, THREAT OF DEPORTATION, OR UNFAIR COMPENSATION FOR WORK.

Marube's included his own notarized statement, as well as a certification signed by Auburn police chief Crowell.

I asked Crowell about that document, which includes a line leveling Marube's most disturbing allegation, one the runner doesn't speak of in documentaries or interviews: "He is aware of some female runners who have been forced into prostitution by the running club owner." In a fact-checking session, Marube and Dan Campbell explained this charge is based on a single instance of hearsay, of another (male) runner telling Campbell of Kosgei having propositioned a female runner to sleep with his friends for room and board.

"Is there evidence of this sex stuff? No," Marube said. So I didn't understand why Crowell would include it, and why he'd certify Marube's victimhood "based upon an investigation of the facts" and "under penalty of perjury" when neither the Auburn PD



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nor any other agency had pursued an investigation. Crowell wrote back in a statement:

“Moninda was advised that based on what he was able to share with us, we would not be pursuing the case. This does not take away the fact that a person reported he was a victim of a crime and he was willing to cooperate. . . . It is the responsibility of the governing body to determine if the testimony provided by the victim meets the threshold of issuing the U visa.”

Marube's application is still in the agency queue. The U visa is granted to just 10,000 applicants per year, and

I ASKED MARUBE HOW HE FELT ABOUT THE PROSPECT OF KOSGEI GOING TO PRISON. “I’M NOT A JUDGE, AND I DON’T WANT TO JUDGE,” HE SAID. “IF THE LAW SAYS THAT’S THE WAY TO GO, THEN WHO AM I TO SAY NO?”

for the past three years, the quota was met before a judgment was made on his materials. While awaiting adjudication, applicants are legally permitted to remain in the country.

In my last interview with Marube, I asked him how he felt about the prospect of Kosgei being formally charged and perhaps going to prison. Trafficking comes with a maximum sentence of 20 years, although it can be extended to a life sentence if there are aggravating factors like prostitution. Marube hesitated. “I’m not a judge, and I don’t want to judge,” he said. “If the law says that’s the way to go, then who am I to say no? If the law says I’m the one in the wrong, then who am I to say, also?”

After a while, Marube told me maybe it would be better if I didn’t write the story at all.

“Someone’s going to get hurt,” Marube said. He might be right, I told him. There’s Marube himself, of course. And there are those who’ve supported him, both formally and informally. There’s William Kosgei, who has been accused of crimes he may or may not have committed. And then there are




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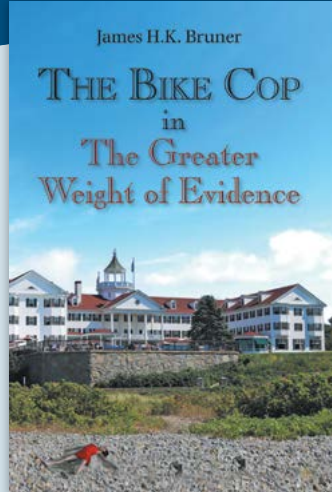
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an unknown number of trafficking victims and survivors who may not come forward if they fear they won't be believed. For their sakes, if for no others, I have wondered at times if I should have taken Marube's advice and not written this story at all.

It's those victims that Bridgette Carr fears for. The director of the trafficking center at the University of Michigan Law School worries that publically dissecting stories like Marube's can make it harder to prosecute perpetrators of trafficking — and harder for people actively involved in criminal investigations to get visas.

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"I know from my own cases that victims of human trafficking — even those with significant, credible, and independent evidence of their trafficking — often face an uphill battle to be seen as victims and to find safety and support," she told me. "Our sex-trafficking clients are still more likely to be convicted of prostitution than be identified as victims."

Too many Americans, Carr says, have a hard time believing that human trafficking occurs here. We're like the host of the CNN segment on Marube — incredulous that slavery could be a part of our modern experience of the world. But there can be more insidious factors, she says, like the fact that trafficking victims often don't look the way we want them to. They are runaways or homeless. In some cases, they are drug addicts or prostitutes. They're not as winning or as eloquent or inspirational as, say, Marube.

"When they don't present that way, it can be easy to lose sympathy," Carr says. "We all want to subscribe to the myth of the perfect victim." ■

Kathryn Miles is the author of three books, including *Superstorm: Nine Days Inside Hurricane Sandy* and her latest, *Quakeland*.



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