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ACKNOWLEDGEMENTS

The Florida Regional Community Policing Institute (FL RCPI) at St. Petersburg College (SPC) is providing this course, *Introduction to Human Trafficking*. The partnership between FL RCPI and SPC has been enormously successful due to the collaborative efforts of non-profit, government, and private sector organizations, as well as people who brought their vision, enthusiasm, commitment, and resources to the project. We would like to extend a special thank you to the following group of dedicated individuals who have contributed their subject matter expertise and materials to this course:

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- Tom Gillan, FL Catholic Conference of Bishops HT Awareness Trainer
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- Dr. Carlene M. Peterson, Project Manager and Curriculum Designer, FL RCPI

Introduction

The Student Guide is designed to give you the tools necessary to learn about Human Trafficking.

Course Goals

This 8-hour course is designed for law enforcement officers and non-governmental organization members to acquaint them with human trafficking. The primary focus of the course is to provide an understanding of the origins and methods of operation of trafficking organizations along with an understanding of the unique victimization process. The course will acquaint the officer with a victim-centered investigative and collaborative approach to dealing with human trafficking. An emphasis will be placed on the importance of the role of victim service providers, immigration issues, and the major immigration remedies available to human trafficking victims.

Course Objectives:

At the completion of this course, the student should have a basic understanding of:

- The issue of smuggling versus human trafficking
- The scope of the problems involved in human trafficking
- The nature of victimization in relation to the Trafficking Victims Protection Act of 2000 and subsequent Reauthorizations
- The legal and civil remedies for use in the successful documentation and prosecution of criminal traffickers
- The indicators of a trafficking case
- Investigative techniques and terminology in developing a trafficking case
- The expertise necessary to identify victim issues including psychological, psychosocial, and cultural
- Community victim service providers

Target Audience

The primary target audience includes law enforcement officers and non-governmental organization members.

Using the Student Guide

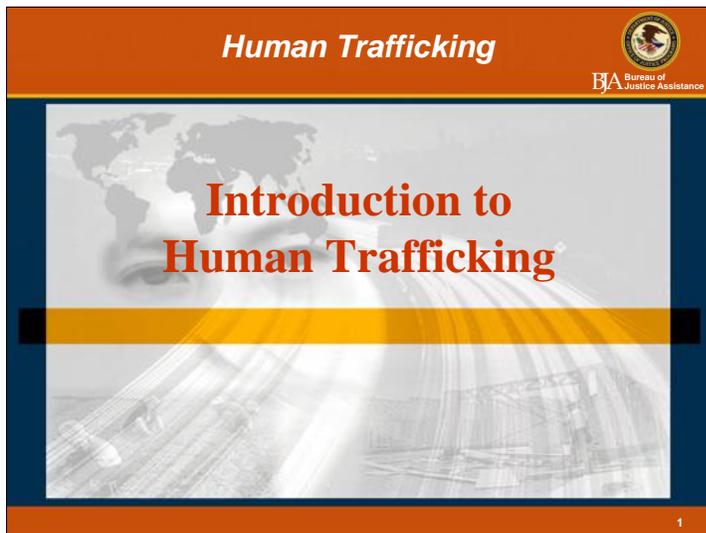
As the course is presented, the instructor will display PowerPoint® slides. Those slides are included in this guide for your reference.

Make any notes you would like to make in the Student Guide; it is yours to keep.

INTRODUCTION TO HUMAN TRAFFICKING

Course Content

Slide 1: Course Title



Notes

Slide 2: Instructors



Notes

Slide 3: Human Trafficking Overview

Human Trafficking

Introduction Topics

- What Is Human Trafficking?
- Smuggling Versus Human Trafficking
- Scope of the Problem
 - A lucrative business
 - Supply of victims is seemingly endless
 - Difficult to stop
 - Victims are often “invisible”
 - Reason people are trafficked
 - Traffickers use multiple means to control their victims
 - Who engages in human trafficking?

Notes

Overview

Slide 4: Definition

Human Trafficking

What Is Human Trafficking?

- A form of modern-day slavery
- Involves the exploitation of persons for commercial sex or forced labor, plus the inability to extricate oneself from that situation
- Often involves crossing an international border but does not require moving a victim
- Traffickers use *force, fraud, or coercion* to control their victims
- Can be prosecuted on a variety of grounds

Notes

What Is Human Trafficking?

Since the fall of the Berlin Wall in 1989 and the subsequent end of the Cold War, international borders have proved easier to cross than any other time in recent history. This has led to increased mobility for many of the world’s poor and economically depressed people. International poverty has also increased tremendously since 1989, leaving countless people around the world desperate to seek the means of economic survival for themselves and their families.

Introduction to Human Trafficking

Alien smugglers have been prime beneficiaries of more fluid borders and increased international poverty. Smugglers typically comprise the only means by which desperate immigrants may seek work in foreign countries. Human trafficking is a variation of alien smuggling. It has become a multibillion-dollar industry in which victims are exploited as sources of cheap labor, often after crossing an international boundary.

It is important to remember that under U.S. law, human trafficking does not have to involve crossing an international border or involve any kind of physical movement of a victim. Rather, it is a crime of controlling another person for some kind of labor or commercial sexual exploitation.

Human trafficking (i.e. slavery) has existed since classical times.

Slavery was made illegal in the U.S. in 1865 with the passage of the 13th amendment though was not called Human Trafficking until the 1800's.

<http://www.brycchancarey.com/slavery/chrono2.htm>

Organized human trafficking for sexual exploitation was prevalent in England in the late 1800's. Early efforts by the Salvation Army in England led to the rescue of hundreds of young girls who had been forced into prostitution, and ultimately to the passage of new laws raising the age of consent in England. The Salvation Army remains today as a leader in the fight against Human Trafficking.

http://www.salvationarmyusa.org/usn/www_usn_2.nsf/vw-dynamic-index/629DCD4153AF8A50852574E800649A74?Opendocument

Human trafficking today is a major organized crime money-maker. Although exact numbers may never be known, the International Labor Organization estimates that 12.3 million adults and children are held in some form of involuntary slavery worldwide. Of those, 1.39 million are victims of commercial sexual servitude (2009 State Department TIP Report, page 7).

Human trafficking has exceeded arms trafficking and is 2nd only to drug trafficking in total dollars generated. (RCPI HT curriculum)

The global financial crisis is exasperating the demand for cheap labor and the poor are becoming more vulnerable creating a ripe environment for human trafficking.

Lax laws and lax enforcement in many foreign countries make human trafficking a preferred criminal enterprise with relatively low risks. However, many nations are taking increased efforts to prevent trafficking within and through their borders; in 2008-2009, 26 nations enacted new anti-trafficking laws. Today, more than half the nations of the world have enacted criminal legislation prohibiting all forms of trafficking in persons. (TIP report)

Human trafficking can be trans-national or domestic. "The nationalities of trafficked people are as diverse as the world's cultures" (TIP report, page 8).

Introduction to Human Trafficking

Slide 5: Smuggling vs. Trafficking

Human Trafficking

Terry Coonan, FSU
Center for Advancement of Human Rights
Smuggling vs. Trafficking

BJA Bureau of Justice Assistance

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Notes

Slide 6: Coonan Video

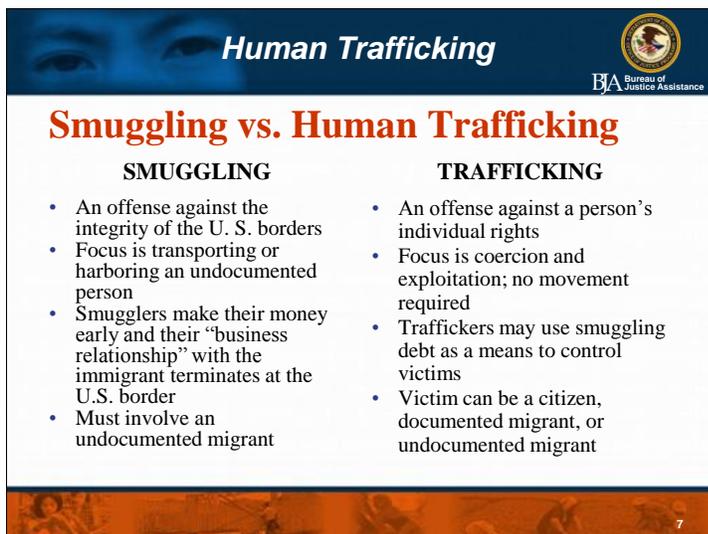
Human Trafficking

BJA Bureau of Justice Assistance

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Notes

Slide 7: Smuggling vs. Trafficking



The slide features a dark blue header with the text "Human Trafficking" in white. To the right of the header is the Bureau of Justice Assistance (BJA) logo, which includes a circular seal with an eagle and the text "BJA Bureau of Justice Assistance". Below the header, the title "Smuggling vs. Human Trafficking" is written in a large, bold, orange font. The slide is divided into two columns. The left column is titled "SMUGGLING" in bold black text and contains a bulleted list of four points. The right column is titled "TRAFFICKING" in bold black text and contains a bulleted list of four points. At the bottom of the slide, there is a decorative orange and brown patterned border with a small white number "7" in the bottom right corner.

Human Trafficking

Smuggling vs. Human Trafficking

SMUGGLING

- An offense against the integrity of the U. S. borders
- Focus is transporting or harboring an undocumented person
- Smugglers make their money early and their “business relationship” with the immigrant terminates at the U.S. border
- Must involve an undocumented migrant

TRAFFICKING

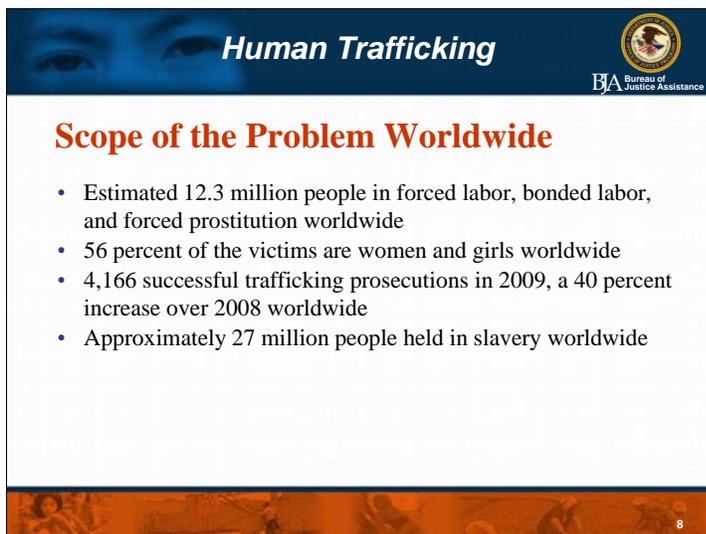
- An offense against a person’s individual rights
- Focus is coercion and exploitation; no movement required
- Traffickers may use smuggling debt as a means to control victims
- Victim can be a citizen, documented migrant, or undocumented migrant

Notes

Source: Hilary Axam, Special Litigation Counsel, Human Trafficking Prosecution Unit, Civil Rights Division, U.S. Department of Justice. May 2010 National Human Trafficking Conference, Washington DC

Until recently, criminal penalties in many countries were less severe for human trafficking than for arms or drug trafficking. Given this reality, human trafficking has fast become a “growth industry” for criminal syndicates. Many criminal groups appear to be collaborating in the human trafficking industry, with different cartels responsible for the various phases of the human trafficking continuum (e.g., recruiting, initial transport, cross-border smuggling, subsequent transport, and sale/resale of victims). Criminal activities related to trafficking (money laundering, creation of false passports and identity documents, alien harboring, etc.) also increasingly appear to be sub-contracted to a variety of international criminal syndicates. Use of the Internet, especially for recruiting purposes, is likewise becoming a hallmark of the human trafficking industry. U.S. government sources identify human trafficking as the fastest-growing criminal industry in the world.

Slide 8: Scope of Problem Worldwide



The slide features a dark blue header with the text "Human Trafficking" in white. To the right of the text is the logo for the Bureau of Justice Assistance (BJA), which includes a circular seal with an eagle and the text "BJA Bureau of Justice Assistance". Below the header, the title "Scope of the Problem Worldwide" is written in red. A bulleted list follows, containing four items: "Estimated 12.3 million people in forced labor, bonded labor, and forced prostitution worldwide", "56 percent of the victims are women and girls worldwide", "4,166 successful trafficking prosecutions in 2009, a 40 percent increase over 2008 worldwide", and "Approximately 27 million people held in slavery worldwide". The slide has a decorative orange and blue border at the bottom.

Notes

Information provided by the U.S. State Department Trafficking in Persons Report 2010 website:

<http://www.state.gov/g/tip/rls/tiprpt/2010>

“Combined federal and state human trafficking information indicates that more investigations and prosecutions have taken place for sex trafficking offenses than for labor trafficking offenses, but law enforcement identified a comparatively higher number of labor trafficking victims as such cases often involve more victims. More U.S. citizens, both adult and children, are found in sex trafficking than labor trafficking; U.S. citizen child victims are often runaway and homeless youth. More foreign victims are found in labor trafficking than sex trafficking, some of whom have entered the country under work or student-based visa programs. Primary countries of origin for foreign victims certified by the U.S. government were Thailand, Mexico, Philippines, Haiti, India, Guatemala, and the Dominican Republic. Eighty-two percent of these foreign adult victims and 56 percent of foreign child trafficking victims were labor trafficking victims. Sex trafficking of foreign children included boys.”

<http://www.state.gov/g/tip/rls/tiprpt/2010/142761.htm>

Slide 9: Scope of Problem in United States

Human Trafficking

Scope of the Problem in United States

- U.S. is destination country for men, women, and children
- 14,500 to 17,500 international trafficking victims enter the United States annually (U.S. Dept. of State)
- Trafficking occurs for labor, domestic servitude, and sex
- Trafficking in persons also occurs within the borders of a country, including the United States.
- A target population is homeless youth: The national homeless youth population is estimated to be between 500,000 and 2.8 million.

Notes

Scope of the Problem

“The United States is a source, transit, and destination country for men, women, and children subjected to trafficking in persons, specifically forced labor, debt bondage, and forced prostitution. Trafficking occurs primarily for labor and most commonly in domestic servitude, agriculture, manufacturing, janitorial services, hotel services, construction, health and elder care, hair and nail salons, and strip club dancing. Vulnerabilities remain even for legally documented temporary workers who typically fill labor needs in the hospitality, landscaping, construction, food service, and agricultural industries. In some human trafficking cases, workers are victims of fraudulent recruitment practices and have incurred large debts for promised employment in the United States, which makes them susceptible to debt bondage and involuntary servitude. Trafficking cases also involve passport confiscation, nonpayment or limited payment of wages, restriction of movement, isolation from the community, and physical and sexual abuse as means of keeping victims in compelled service. There are cases of domestic workers, foreigners on A3 and G5 visas, being subjected to trafficking-related abuse by diplomats posted to the United States. “

Information provided by the U.S. State Department Trafficking in Persons Report 2010 website:
<http://www.state.gov/g/tip/rls/tiprpt/2010>

Unlike arms or drug traffickers, whose control over their contraband ceases after the initial point of sale, human traffickers can continue to exploit their victims. The ongoing control exercised by traffickers over their victims affords traffickers the capability of reaping profits from the resale of their victims. Sex trafficking provides a classic example of the “resale” value of “human contraband.” Numerous sex trafficking rings prosecuted to date in the United States utilized the American highway system in furtherance of their crimes. Pimps and traffickers typically move their victims from city to city, sometimes as frequently as once every two weeks. The women and girls moved in this fashion could be sold to different brothels on a regular basis, providing repeated profits for the traffickers, “variety” for the brothels’ johns, and constant uncertainty for the victims as to their exact location.

U.S. citizen child victims are often runaway and homeless youth:

<http://www.state.gov/g/tip/rls/tiprpt/2010/142761.htm>

“Youth who have become homeless or who leave and remain away from home without parental permission, are at risk of developing, and have a disproportionate share of, serious health, behavioral, and emotional problems because they lack sufficient resources to obtain care and may live on the street for extended periods thereby endangering themselves and creating a substantial law enforcement problem for communities in which they congregate...”

Runaway and Homeless Youth Act (Title III of the Juvenile Justice and Delinquency Prevention Act of 1974) amended 2004: <http://www.acf.hhs.gov/programs/fysb/content/aboutfysb/RHYComp.pdf>

Wagner, J. O. (2006). Homeless and Runaway Youth. Retrieved from: <http://jfs.ohio.gov/owd/WorkforceProf/Youth/Docs/infobrief16HomelessRunawayYouth.pdf>

Slide 10: Lucrative Business

Human Trafficking

A Lucrative Business

- \$32 billion annual trade for the traffickers
- After drug trafficking, human trafficking is the most lucrative business for organized crime
- Unlike drugs and arms traffickers, human traffickers can continue to exploit their victims after the initial point of sale
- Becoming a preferred business for criminal syndicates around the world

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Notes

Statistics provided in the U.S. State Department Trafficking in Persons Report 2010: <http://www.state.gov/r/pa/scp/fs/2010/143115.htm>

Business/Enterprises examples: Criminal gangs, prostitution, sweat shops, narcotic smuggling organizations, money laundering organizations, human smuggling organizations, document fraud

Slide 11: Victims

Human Trafficking

Supply of Victims Is Seemingly Endless

- In the new global economy, there is a constant source of victims
- Slaves of the 21st century are dispensable commodities and are often seen by traffickers as readily replaceable
- They are typically recruited—not by force—but by the promise of a better life
- Allure of the “American Dream” can make victims vulnerable to traffickers

Notes

Supply of Victims Is Seemingly Endless

Slaves in the pre-Civil War American South cost more in relative terms to buy and maintain than those currently enslaved through human trafficking practices. Unlike slave-owners in the pre-Civil War South, those who currently profit from human trafficking typically do not see their victims as long-term investments but rather as low-cost and easily replaceable sources of non-skilled or low-skilled labor. This lack of concern for basic needs of victims leads to greater exploitation, as well as to greater turnover in the supply of victims.

Kidnapping and the use of force to initially recruit victims have been reported in some U.S. trafficking cases. More often, however, victims are deceived into believing that job opportunities await them in the United States, and they willingly travel here unaware that forced labor or forced prostitution await them.

Slide 12: Difficult to Stop

Human Trafficking

Difficult to Stop

- Trafficking is fueled by economically desperate victims and by market demands for cheap labor
 - Where there are labor-intensive industries, human trafficking will often exist
- Trafficking flourishes when end users can purchase slave labor without fear of legal consequences

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Notes

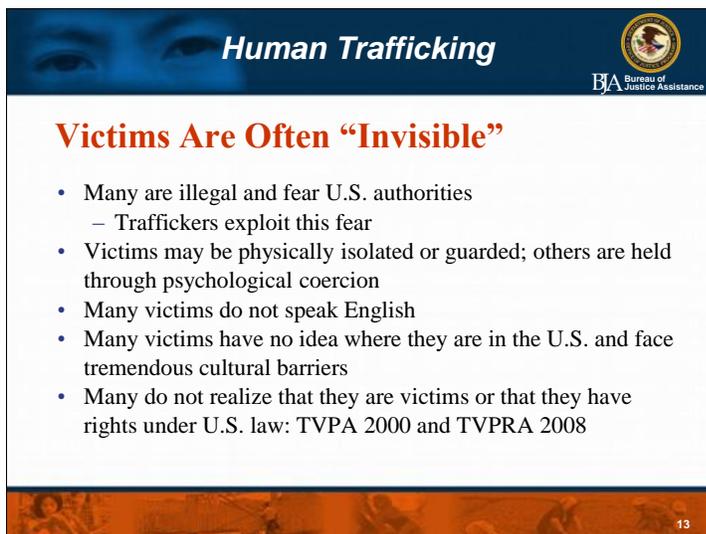
Difficult to Stop

Human trafficking is thriving, even as the world’s nations fight to eliminate it. As poverty has increased worldwide, many immigrants seek work opportunities beyond their national borders. Increased international trade and economic competition have created a demand for cheap labor and higher profit margins, and this often leads to labor exploitation. Industries around the world that have perennial needs for low or untrained labor are magnets for human trafficking. In this respect, human trafficking can benefit otherwise legitimate industries.

Sex trafficking operates on a different dynamic. It thrives in areas where prostitution or sexually oriented businesses are legal or are at least tolerated. Sex trafficking can benefit both “legal” sexually oriented businesses (strip clubs, exotic dancing, and massage parlors) and illegal ones (brothels, outcall prostitution rings, etc.).

Human trafficking is best understood not as a crime that occurs at a single moment in time but rather as a criminal continuum. It involves source countries (where victims are recruited or lured), transit countries (through which victims pass), and destination countries (where victims are ultimately exploited). Countries like the United States are primarily destination countries, but many nations experience all three aspects of human trafficking.

Slide 13: Invisible Victims



The slide features a dark blue header with the text "Human Trafficking" in white. To the right of the header is the Bureau of Justice Assistance logo. The main content area has a white background with a red title "Victims Are Often 'Invisible'" and a bulleted list of five points. The bottom of the slide has an orange decorative border with the number "13" in the bottom right corner.

Human Trafficking

Victims Are Often "Invisible"

- Many are illegal and fear U.S. authorities
 - Traffickers exploit this fear
- Victims may be physically isolated or guarded; others are held through psychological coercion
- Many victims do not speak English
- Many victims have no idea where they are in the U.S. and face tremendous cultural barriers
- Many do not realize that they are victims or that they have rights under U.S. law: TVPA 2000 and TVPRA 2008

Notes

Victims are often "Invisible"

Many immigrant victims of human trafficking come from countries where law enforcement officials are corrupt or abusive. Such victims bring to the U.S. both a fear of law enforcement and a general distrust of government. Traffickers find both tendencies easy to exploit and repeatedly tell their victims that American police and the U.S. court system will put the victims in jail should they try to escape their traffickers. The fact that many trafficking victims are illegal aliens provides another mechanism of exploitation for the traffickers. Traffickers will threaten to turn victims over to immigration officials if they do not cooperate.

The Trafficking Victims Protection Act of 2000 (TVPA) provides victims the possibility of obtaining legal immigration status through T Visas or "Continued Presence" status if they are willing to assist law enforcement with the prosecution of their traffickers. This is a major legal change. Prior to the TVPA, trafficking victims had few rights under U.S. immigration law, and the threat of deportation served to make U.S. authorities "unwitting coconspirators" in traffickers' efforts to keep their victims compliant. The TVPA also recognizes that the coercion used to reduce people to slaves or maintain them as such need not be physical. Prior law focused on the use or threat of physical force against victims; the TVPA now criminalizes the broader forms of psychological coercion that traffickers increasingly employ against their victims (i.e., threats of deportation, threats against family members in the victim's home country, or confiscation of a victim's identity documents or personal property).

Since 2000, the TVPA has been re-authorized 3 times (2003, 2005, 2008). With each subsequent reauthorization by congress, the law was refined to reflect the growing knowledge of the crime, the causes, and the impact on society. The full text is available through this site:

http://www.freedomnetworkusa.org/trafficking_us/index.php

TVPRA 2008 increases effectiveness of Anti-Trafficking Programs, Protects trafficking victims against retaliation, increases value of T and U Visas through DHS.

<http://www.legalmomentum.org/assets/pdfs/legal-momentum-tvpra-2008.pdf>

Slide 14: Reason



The slide features a dark blue header with the text "Human Trafficking" in white. To the right of the header is the logo for the Bureau of Justice Assistance (BJA), which includes a circular seal with an eagle and the text "BJA Bureau of Justice Assistance". Below the header, the title "Reason People Are Trafficked" is written in red. The main content consists of two columns of bulleted items. The first column lists: Prostitution, Exotic dancing, Agricultural work, Landscape work, Domestic work and child care ("domestic servitude"), Factory work, and Resort/Golf Course Grounds Keeping. The second column lists: Personal sexual exploitation, Begging/street peddling, Restaurant work, Construction work, Carnival work, Hotel housekeeping, Criminal activities, Day labor, and Day Spa/Nail Salon. The slide number "14" is visible in the bottom right corner.

Notes

Why People Are Trafficked

A recent study conducted by Free the Slaves and the Human Rights Center at the University of California, Berkeley, with assistance from the Center for the Advancement of Human Rights at Florida State University, incorporated data from a survey of press reports. In the survey of press reports, data suggests that prostitution is the sector in which the largest amount of forced labor occurs in the United States. Commercial sexual exploitation of women and children has ties to prostitution, pornography, and striptease and exotic dancing.

Under U.S. law, sex trafficking involves commercial sexual exploitation, such as prostitution and pornography, bride trafficking, military prostitution, and sex tourism. While money need not exchange hands for the offense to be sex trafficking, it must involve some kind of sex act for which something of value is given or received. Rape and sexual abuse by themselves do not constitute sex trafficking unless they are part of a larger commercial sexual venture. Common to many trafficking cases, however, is the use of rape and sexual abuse by traffickers for personal reasons or to degrade or punish their victims. In these cases, the rapes and sexual abuse comprise a type of force used to exploit the victims.

The agricultural sector also experiences a high occurrence of forced labor, particularly seasonal farm workers such as citrus pickers. Farm workers are particularly vulnerable because agricultural working conditions are generally poor, wages are low, legal protections for agricultural workers are weak, and there is little monitoring of working conditions.

Slide 15: Control of Victims



The slide features a dark blue header with the text "Human Trafficking" in white. To the right of the header is the logo for the Bureau of Justice Assistance (BJA). The main content area has a white background with a red title "Traffickers Use Multiple Means to Control Their Victims" and a bulleted list of eight methods: Beatings, burnings, rapes, and starvation; Isolation; Psychological abuses; Drug or alcohol dependency; Document withholding; Debt bondage; Threats of deportation; and Threats against the victim's family or friends in his/her home country. The slide number "15" is visible in the bottom right corner.

Notes

Traffickers Use Multiple Means to Control Their Victims

Force involves the use of rape, beatings, and confinement to control victims. The use of force is especially frequent during the early stages of victimization, known as the “seasoning process,” when it is used to break down victims’ resistance and make them easier to control.

Fraud often involves false offers of employment. For example, women or girls may reply to advertisements promising jobs as waitresses, maids, or dancers in foreign countries and find that such jobs are nonexistent when they arrive in the destination country. Many are then forced into prostitution as a result.

Coercion involves threats of serious harm or of physical restraint of a victim. Coercion encompasses the kinds of psychological pressures that traffickers exert upon their victims, including threats against third parties or threats of deportation. Often coercion is accomplished by the victim witnessing harm perpetrated against another victim or being told of it. A prevalent form of coercion is debt bondage, often utilized by traffickers to compel victims to pay off the supposed transportation costs incurred in smuggling them to a destination country. Victims do not realize that it is illegal for traffickers to dictate how they must pay off their debt. In many cases, the victims’ “debt” actually increases over time because traffickers add new charges for living expenses, as punishment for “misbehavior,” or for failures to meet daily quotas of service.

This constantly increasing debt ultimately creates a situation of de facto slavery. Most trafficking victims rarely see the money they are supposedly earning and may not even know the exact amount of their debt. Coercion can include any and all things that traffickers do to create a climate of fear for their victims.

Slide 16: Types of Trafficking Networks

Human Trafficking

BA Bureau of Justice Assistance

Lou DeBacca,
Senior Advisor to the Secretary of State
Director of the Office to Monitor
and Combat Trafficking in Persons

Types of Trafficking Networks

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Notes

Slide 17: Video

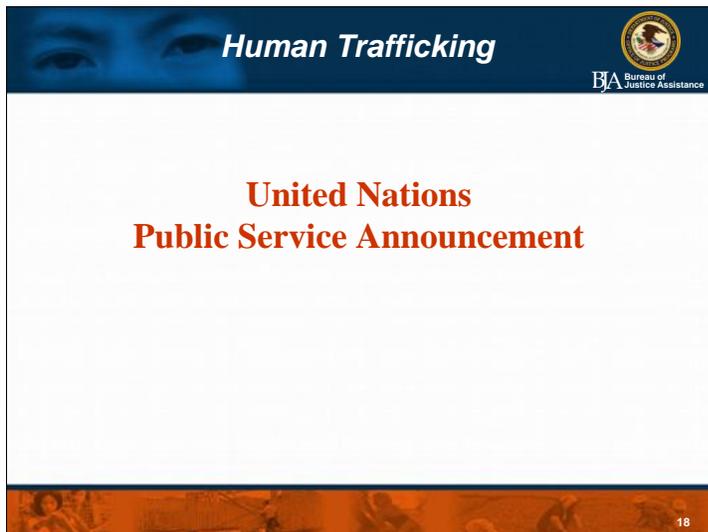
Human Trafficking

BA Bureau of Justice Assistance

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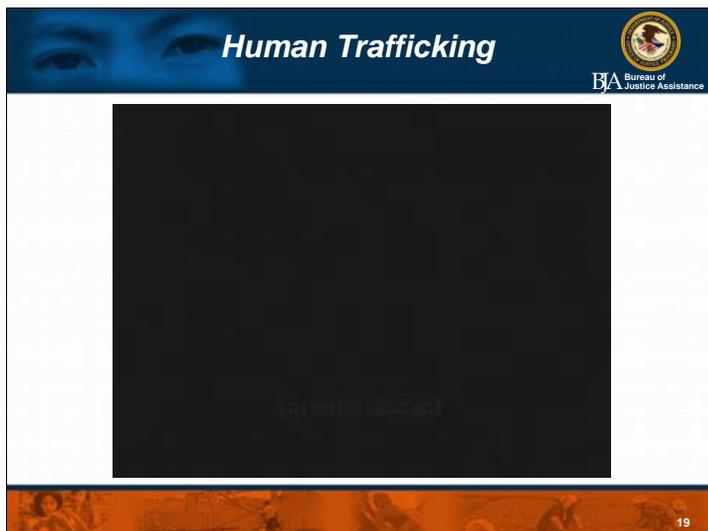
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Slide 18: United Nations PSA



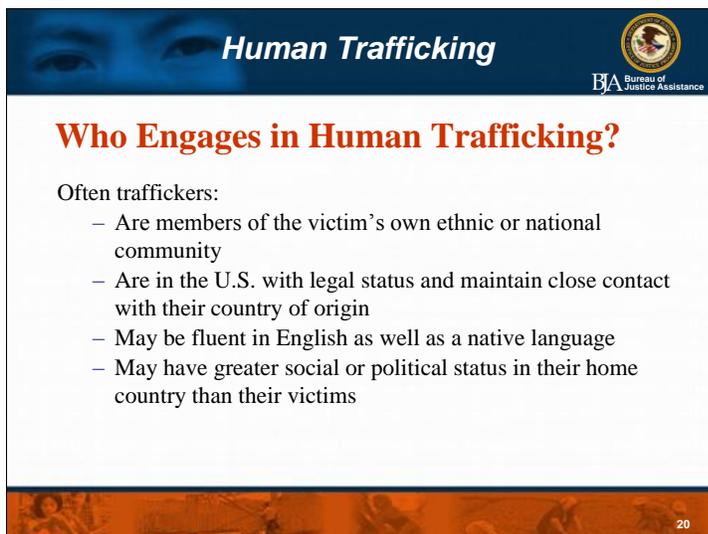
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Slide 19: Video



Notes

Slide 20: Who?



Human Trafficking

BA Bureau of Justice Assistance

Who Engages in Human Trafficking?

Often traffickers:

- Are members of the victim's own ethnic or national community
- Are in the U.S. with legal status and maintain close contact with their country of origin
- May be fluent in English as well as a native language
- May have greater social or political status in their home country than their victims

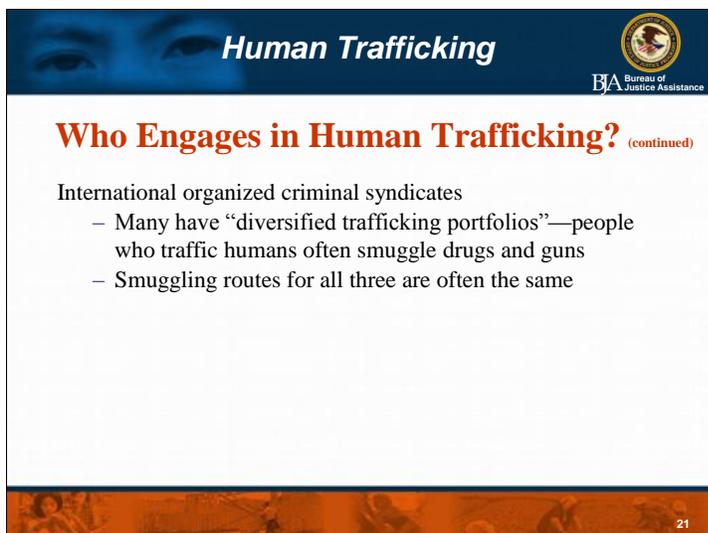
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Who Engages in Human Trafficking?

Often those who lead or direct trafficking schemes will have legal status in the United States, though many of their subordinates in the trafficking operation may not. Traffickers who prey on fellow nationals in their home countries may enjoy immunity there because of their higher social or political standing. Alternatively, traffickers may be able to act with impunity in their home countries because of ties to organized crime or because they operate in small towns or villages where there is an absence of law enforcement.

Slide 21: Who?



Human Trafficking

BA Bureau of Justice Assistance

Who Engages in Human Trafficking? (continued)

International organized criminal syndicates

- Many have "diversified trafficking portfolios"—people who traffic humans often smuggle drugs and guns
- Smuggling routes for all three are often the same

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Notes

The sharp increase in human trafficking in the 1990s was due not only to the increased profits that could be made from this industry but also because criminal sanctions at the time were less severe than for arms and drug trafficking. International criminal syndicates were quick to exploit this legal gap and brought sophisticated resources to their trafficking enterprises. Opposing these syndicates at the time were a number of international nongovernmental organizations that could not match the resources of the criminal mafias. The passage of the TVPA by the United States in 2000 and subsequent Reauthorization Acts were landmark events internationally that set a global standard for responding to human trafficking, especially as it is pursued by organized crime. U.S. law has not only increased the criminal penalties for human trafficking but also struck hard at criminal syndicates through the use of RICO provisions for sentence enhancements, asset forfeitures, and allowance for victims to seek punitive damages from their traffickers. Nonetheless, because human trafficking functions as a multinational crime that involves numerous source, transit, and destination countries, successful eradication of trafficking rings still requires cooperation between law enforcement agencies among a variety of nations. Absent such cooperation, this network of criminal syndicates will continue to thrive.

Many of the human trafficking rings prosecuted to date in the United States have comprised extended family operations. Sex trafficking schemes often have employed females as recruiters or men who can convince young girls or women that they are boyfriends able to provide the girl or woman with an employment opportunity in the U.S. Many such purported “boyfriends” are simply pimps or panderers, and the coercion they employ includes the impression they cultivate that they supposedly love and care for the victim. This type of coercion is at times even more effective than physical force and can render victims less likely to either seek escape or to want to prosecute their trafficker.

Slide 22: Who?

The slide features a blue header with the text "Human Trafficking" and the Bureau of Justice Assistance logo. The main content is titled "Who Engages in Human Trafficking? (continued)" and lists three categories of actors:

- “Mom-and-pop” family operations
 - Often will involve an extended family
 - Family will usually operate on both sides of the border
 - Recruiters may be female
- Independently owned businesses
 - Contractors/agents that provide laborers for agricultural work, construction work, restaurants, janitorial services
- Subcontractors of Human Trafficking victim laborers undersell legitimate labor subcontractors.

The slide number "22" is visible in the bottom right corner.

Notes

In a striking number of cases, the trafficker is someone known to the victim. He may be a friend, relative, or even an immediate family member. Many legitimate businesses unknowingly employ trafficking victims, especially when such businesses depend on contractors or subcontractors to provide them with their labor force. This is particularly prevalent in the agribusiness field, where trafficking schemes have typically been operated not by the businesses themselves but by the sub-contractors who hire and supervise the laborers.

Slide 23: Who?



The slide features a dark blue header with the text "Human Trafficking" in white. To the right of the header is the logo for the Bureau of Justice Assistance (BJA), which includes a circular seal with an eagle and the text "BJA Bureau of Justice Assistance". Below the header, the main title "Who Engages in Human Trafficking?" is written in red, followed by "(continued)" in smaller red text. A bulleted list follows, with the first bullet point being "Individuals". Under this, there are four sub-bullets: "Pimps and panderers with commercial sexual motives", "Persons with noncommercial sexual motives", "Diplomatic staff/foreign executives who arrive with 'servants'", and "Sometimes neighbors, friends, or relatives of the victim". The slide has a decorative orange and blue border at the bottom.

Notes

Individuals who engage in human trafficking do so with a broad variety of motives. Some, such as pimps or panderers, do so for commercial sexual purposes, and their offenses constitute sex trafficking under the TVPA. Others engage in trafficking for reasons of personal sexual gratification. While this is not considered sex trafficking, it can be prosecuted as labor trafficking or as domestic servitude in some instances, because the sexual abuse is a form of coercion. The vast majority of domestic servitude cases are perpetrated by individuals or couples. Such perpetrators typically recruit domestic help from their native villages or countries, with teenage girls and young women (who often face bleak life opportunities in their home countries) being favorite targets. Often the individual or couple makes the travel and visa arrangements for the victim, promising the victim and her family that she will be loved, cared for, and given career or educational opportunities in the United States. A growing number of domestic servitude cases also have been prosecuted against diplomats or persons with quasi-diplomatic status (such as an official of the World Bank) who have brought servants to the United States as part of their entourage, who they proceeded to exploit for forced labor.

Slide 24: Criminal Business

Human Trafficking

Related International Criminal Businesses

- Alien smuggling, transportation, and harboring
- Arms trafficking
- Drug trafficking
- Sex tourism
- Child pornography
- Child prostitution
- Money laundering
- Extortion

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Notes

Related International Criminal Businesses

As noted by former U.S. Attorney General Ashcroft, “Trafficking is a transnational criminal enterprise. It recognizes neither boundaries nor borders. Profits from trafficking feed into the coffers of organized crime. Trafficking is fueled by other criminal activities such as document fraud, money laundering, and migrant smuggling.” As previously mentioned, humans can be just another commodity for traffickers, much the same as arms and drugs. For societies that have sex tourism industry, trafficking can provide the labor needed, much the same as organizations that run child prostitution rings have to secure children to be prostituted.

Slide 25: Questions

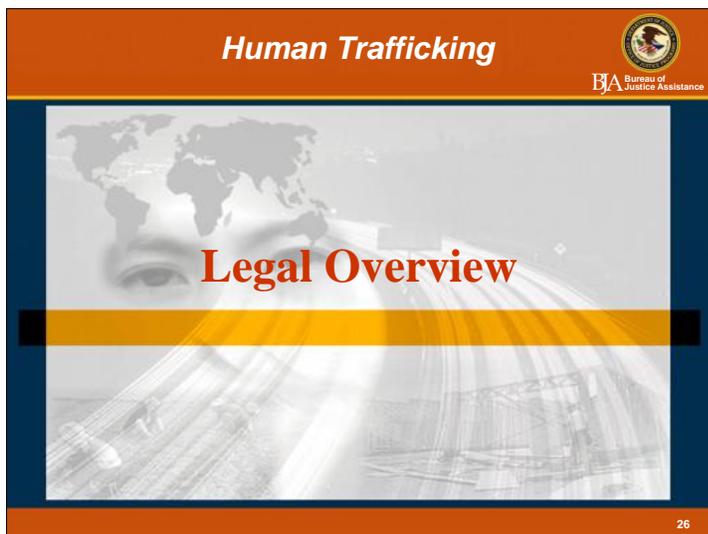
Human Trafficking

Questions

25

Notes

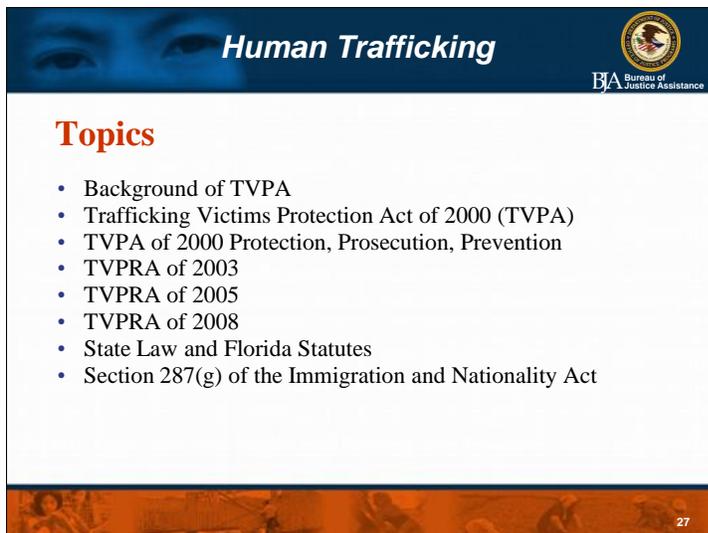
Slide 26: Legal Overview



Notes

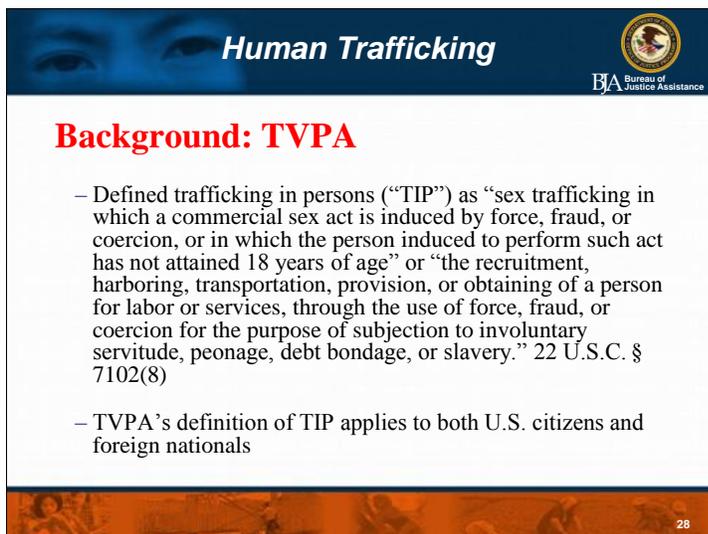
Legal Overview

Slide 27: Topics



Notes

Slide 28: Background of TVPA



The slide features a dark blue header with the text "Human Trafficking" in white. To the right of the header is the Bureau of Justice Assistance logo. The main content area is white with a red heading "Background: TVPA". Below the heading are two bullet points: one defining trafficking in persons (TIP) and another stating that TVPA's definition applies to both U.S. citizens and foreign nationals. The slide number "28" is in the bottom right corner.

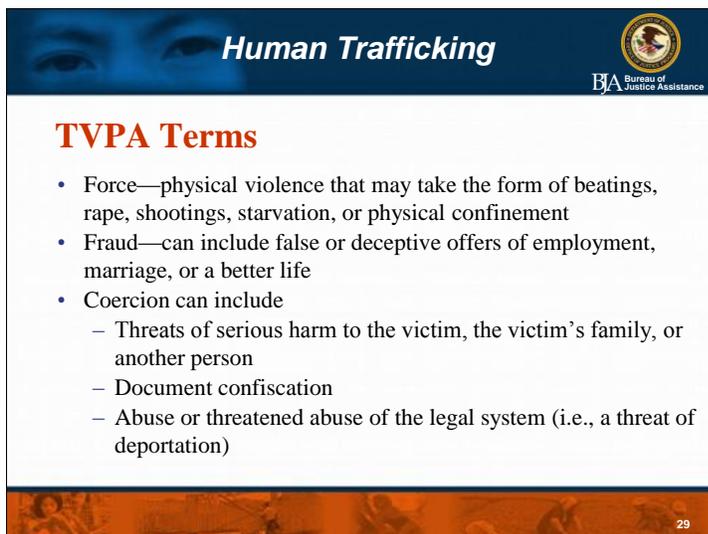
Notes

Briefing to DOD downloaded from ctip.defense.gov/docs/briefing-DODTVPRA2008-Rothenberg.ppt

The Trafficking Victims Protection Act of 2000 (TVPA) provides victims the possibility of obtaining legal immigration status through T Visas or “Continued Presence” status if they are willing to assist law enforcement with the prosecution of their traffickers. This is a major legal change. Prior to the TVPA, trafficking victims had few rights under U.S. immigration law, and the threat of deportation served to make U.S. authorities “unwitting coconspirators” in traffickers’ efforts to keep their victims compliant. The TVPA also recognizes that the coercion used to reduce people to slaves or maintain them as such need not be physical. Prior law focused on the use or threat of physical force against victims; the TVPA now criminalizes the broader forms of psychological coercion that traffickers increasingly employ against their victims (i.e., threats of deportation, threats against family members in the victim’s home country, or confiscation of a victim’s identity documents or personal property).

Since 2000, the TVPA has been re-authorized 3 times (2003, 2005, 2008). With each subsequent reauthorization by congress, the law was refined to reflect the growing knowledge of the crime, the causes, and the impact on society. The full text is available through this site: http://www.freedomnetworkusa.org/trafficking_us/index.php.

Slide 29: TVPA Terms



Human Trafficking

BA Bureau of Justice Assistance

TVPA Terms

- Force—physical violence that may take the form of beatings, rape, shootings, starvation, or physical confinement
- Fraud—can include false or deceptive offers of employment, marriage, or a better life
- Coercion can include
 - Threats of serious harm to the victim, the victim’s family, or another person
 - Document confiscation
 - Abuse or threatened abuse of the legal system (i.e., a threat of deportation)

Notes

TVPA Terms

Force is the use of physical restraint or physical injury to the victim. It may take the form of beatings, rape, shootings, starvation, or physical confinement.

Fraud may include false or deceptive offers of employment, marriage, or a better life.

Coercion includes threats of serious harm to or physical restraint against any person; any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; threats of serious harm to the victim or to the victim’s family; document confiscation; and abuse or threatened abuse of the legal system (i.e., a threat that the victim will be taken into custody and deported).

Slide 30: TVPA

Human Trafficking

BJA Bureau of Justice Assistance

Trafficking Victims Protection Act of 2000 ("TVPA")

- Centerpiece of U.S. Government efforts to eliminate human trafficking
- Enhanced three aspects of federal government activity to combat human trafficking:

Protection
Prosecution
Prevention

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Notes

Briefing to DOD downloaded from ctip.defense.gov/docs/briefing-DODTVPRA2008-Rothenberg.ppt

Protection

Provides for victim assistance in the United States by:

Making foreign trafficking victims eligible for federally funded or administered health and other benefits and services;

Mandating U.S. Government protections for foreign victims of trafficking and, where applicable, their families;

Outlining protections from removal, including T nonimmigrant status for trafficking victims over the age of 18 who cooperate with law enforcement in the investigation and prosecution of trafficking (victims under 18 are not required to cooperate in order to receive immigration benefits); and allows T nonimmigrant status holders to adjust to permanent resident status.

Prosecution

Created new crimes and enhanced penalties for existing crimes, including forced labor, trafficking with respect to peonage, slavery, involuntary servitude, sex trafficking of children, sex trafficking of adults by force, fraud or coercion, and unlawful conduct with respect to documents;

Criminalized attempts to engage in these behaviors;

Provided for mandatory restitution and forfeiture.

Prevention

Provided for assistance to foreign countries in drafting laws to prohibit and punish acts of trafficking and strengthen investigation and prosecution of traffickers; created programs to assist victims; and expanded U.S. Government exchange and international visitor programs focused on TIP; and

Created the President’s Interagency Task Force to Monitor and Combat Trafficking to coordinate the U.S. Government’s anti-trafficking efforts.

Slide 31: TVPRA 2003 and 2005

Human Trafficking
BJA Bureau of Justice Assistance

TVPRA of 2003

- Reauthorized the TVPA and added responsibilities to the U.S. Government’s anti-trafficking portfolio.

TVPRA of 2005

- Reauthorized the TVPA and authorized new anti-trafficking resources
- The TVPRA 2005 also expanded the reporting requirements of the TVPRA 2003

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Notes

Briefing to DOD downloaded from ctip.defense.gov/docs/briefing-DODTVPRA2008-rothenberg.ppt

Trafficking Victims Protection Reauthorization Act of 2003

Reauthorized the TVPA and added responsibilities to the U. S. Government’s anti-trafficking portfolio:

Mandated new information campaigns to combat sex tourism;

Added refinements to the federal criminal law provisions, and created a new civil action that allows trafficking victims to sue their traffickers in federal district court;

Required an annual report from the Attorney General to Congress on U.S. Government activities to combat TIP.

TVPRA of 2005

Reauthorized the TVPA and authorized new anti-trafficking resources, including:

1. Grant programs to assist state and local law enforcement efforts in combating TIP and to expand victim assistance programs to U. S. citizens or resident aliens subjected to trafficking;
2. Pilot programs to establish residential rehabilitative facilities for trafficking victims, including one program aimed at juveniles; and

- 3. Extraterritorial jurisdiction over trafficking offenses committed overseas by persons employed by or accompanying the federal government.

The TVPRA 2005 also expanded the reporting requirements of the TVPRA 2003.

Slide 32: TVPRA 2008

The slide features a dark blue header with the text "Human Trafficking" in white. To the right of the header is the logo for the Bureau of Justice Assistance (BJA). The main content area is white and contains the title "TVPRA of 2008" in red, followed by two bullet points: "Passed by Congress on December 10, 2008, and signed by the President on December 23, 2008" and "Reauthorized the TVPA for four years and authorized new measures to combat human trafficking". The slide number "32" is visible in the bottom right corner.

Notes

Briefing to DOD downloaded from ctip.defense.gov/docs/briefing-DODTVPRA2008-Rothenberg.ppt

William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (“TVPRA 2008”). Named in honor of William Wilberforce, English member of parliament, social reformer, and leading abolitionist.

Reauthorized the TVPA for four years and authorized new measures to combat human trafficking, including efforts to increase effectiveness of anti-TIP programs, providing interim assistance for potential child victims of trafficking, and enhancing the ability to criminally punish traffickers.

Slide 33: TVPRA 2008

Human Trafficking

TVPRA of 2008

Strengthens and enhances trafficking-related criminal statutes:

- New Conspiracy Statute
- Penalties for Benefitting Financially
- Clarification to Forced Labor Statute
- Expanded Crime of Sex Trafficking by Force, Fraud, or Coercion

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Notes

Briefing to DOD downloaded from ctip.defense.gov/docs/briefing-DODTVPRA2008-Rothenberg.ppt

Strengthens and enhances trafficking-related criminal statutes:

New Conspiracy Statute

Prohibits conspiring with another person to commit the offenses of Peonage, Enticement into Slavery, Forced Labor, Trafficking, Sex Trafficking, and Document Servitude.

The penalty for violating the conspiracy provision is equal to the penalty for the underlying substantive offense, except that there is no minimum mandatory penalty for conspiring to commit Sex Trafficking.

Penalties for Benefitting Financially

New provisions penalize those who knowingly benefit financially from trafficking crimes.

Previously, the sex trafficking statute imposed criminal liability on those who knowingly benefitted financially from participating in a venture that engaged in sex trafficking acts, but other statutes did not contain such a provision.

The new legislation expands this prohibition in a new subsection (§ 1593A), making it a crime to benefit financially from participating in a venture that engaged in Peonage, Forced Labor, or Document Servitude, knowing or in reckless disregard of the fact that the venture engaged in such a violation.

Clarification to Forced Labor Statute

Clarifies the application of the Forced Labor provision, 18 U.S.C. § 1589.

TVPRA 2008 makes three clarifications:

1. adds “force” as a fourth prohibited means of violating the statute (in addition to serious harm, scheme/plan, and abuse of the law);

- expressly states that the four prohibited means are, in fact, simply means of violating the statute but not separate elements, and that the statute may be violated by any one or any combination of these means; and
- adds definitions of the terms “serious harm” and “abuse of the law.”

Expanded Crime of Sex Trafficking by Force, Fraud, or Coercion

Broadens the reach of the sex trafficking statute (§ 1591) as it pertains to the crime of sex trafficking by force, fraud, or coercion by easing the mens rea requirement to include reckless disregard as well as knowledge.

Current law requires the Government to prove that the defendant actually knew that force, fraud, or coercion would be used to cause a person to engage in a commercial sex act.

Under the new law, however, the Government need only prove that the defendant acted in reckless disregard of the fact that such means would be used.

Slide 34: TVPRA 2008 (cont.)

A presentation slide titled "Human Trafficking" with the Bureau of Justice Assistance logo. The main heading is "TVPRA of 2008 (cont.)" in red. Below it, the text reads "Strengthens and enhances trafficking-related criminal statutes:" followed by a bulleted list: "Expanded Crime of Sex Trafficking of Minors", "Expanded Authority for Detention", "Obstruction of Human Trafficking Enforcement", "Extra-Territorial Jurisdiction", and "New Fraud in Labor Contracting Crime". The slide number "34" is in the bottom right corner.

Notes

Briefing to DOD downloaded from ctip.defense.gov/docs/briefing-DODTVPRA2008-Rothenberg.ppt

Expanded Crime of Sex Trafficking of Minors

Broadens the reach of the crime of sex trafficking of minors by eliminating the knowledge-of-age requirement in certain instances.

Under the previous statute, the Government was required to prove that the defendant knew the person engaged in the commercial sex act was a minor.

TVPRA 2008 provides that where the defendant had a reasonable opportunity to observe the minor, the Government need not prove that the defendant knew the person was a minor.

Expanded Authority for Detention

Expands the Government’s authority to detain defendants charged with trafficking offenses pending trial.

Under the new law, the charging of a Chapter 77 offense with a maximum term of imprisonment of 20 years or more will give rise to a rebuttable presumption of pre-trial detention.

These offenses include Peonage, Enticement into Slavery, Involuntary Servitude, Forced Labor, Trafficking, and Sex Trafficking.

Obstruction of Human Trafficking Enforcement

Creates new offenses imposing significant penalties on those who obstruct or attempt to obstruct enforcement of anti-trafficking laws.

Extra-Territorial Jurisdiction

Expands the reach of criminal anti-trafficking statutes by extending extra-territorial jurisdiction to certain trafficking crimes committed outside the United States.

Jurisdiction attaches where the alleged offender is a national or lawful permanent resident of the United States or is present in the United States.

New Fraud in Labor Contracting Crime

Introduces a new crime, to be codified at 18 U.S.C. Section 1351, prohibiting fraud in foreign labor contracting.

This provision imposes criminal liability on those who, knowingly and with intent to defraud, recruit workers from outside the United States for employment within the United States by means of materially false or fraudulent representations.

The statute will provide for a maximum term of 5 years’ imprisonment.

Slide 35: Trafficking Victims Protection Act Key Provisions



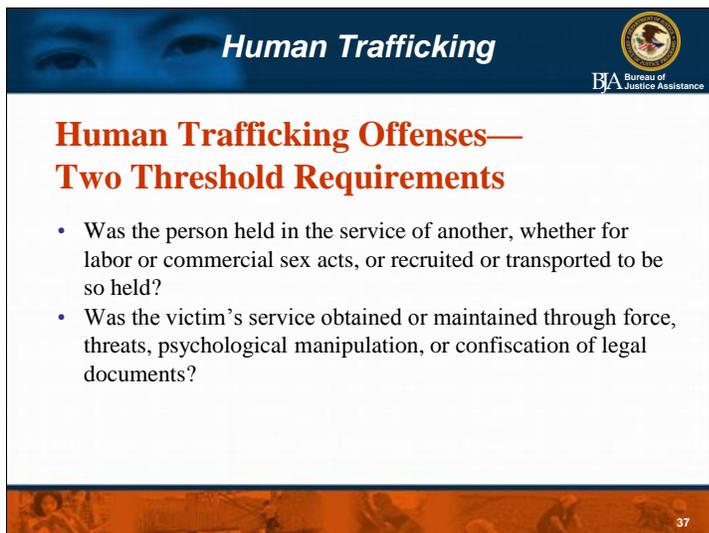
Notes

Slide 36: Video



Notes

Slide 37: Offenses

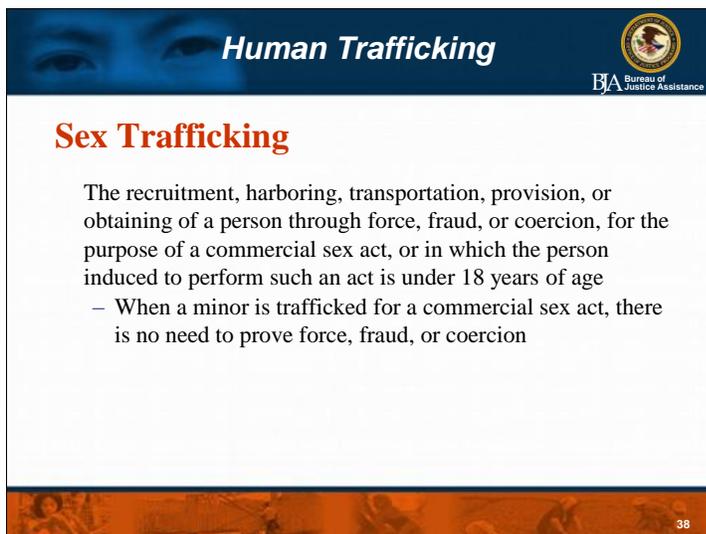


Notes

Human Trafficking Offenses—Two Threshold Requirements

These are the two threshold requirements to determine if a person is a victim of human trafficking. First, was the victim held in the service of another, whether for work or commercial sex acts, or recruited or transported to be so held? And second, was the victim's service obtained or maintained through force, threats, psychological manipulation, or confiscation of their legal documents? In cases of commercial sex acts, fraud is typically involved as well.

Slide 38: Sex Trafficking



The slide features a dark blue header with the text "Human Trafficking" in white. To the right of the header is the BJA Bureau of Justice Assistance logo. The main content area has a white background with the title "Sex Trafficking" in red. Below the title, the text reads: "The recruitment, harboring, transportation, provision, or obtaining of a person through force, fraud, or coercion, for the purpose of a commercial sex act, or in which the person induced to perform such an act is under 18 years of age". A bulleted point follows: "- When a minor is trafficked for a commercial sex act, there is no need to prove force, fraud, or coercion". The slide number "38" is visible in the bottom right corner of the content area.

Notes

Sex Trafficking

Sex trafficking is the recruitment, harboring, transportation, provision, or obtaining of a person through force, fraud, or coercion for the purpose of a commercial sex act, or in which the person induced to perform such an act is under 18 years of age. When a minor is trafficked for a commercial sex act, there is no need to prove force, fraud, or coercion. The offense is treated like felony statutory rape. The TVPA removes the statute of limitations involving children.

It is important to note that traffickers are liable whether they actually engage in the trafficking act of recruiting, enticing, harboring, transporting, providing, or obtaining a person for commercial sex OR whether they merely benefit financially from knowingly participating in a venture that does so.

Slide 39: Domestic Minor Sex Trafficking

The slide features a dark blue header with the text "Human Trafficking" in white. To the right of the header is the logo for the Bureau of Justice Assistance (BJA). The main content area is white with a red title "Domestic Minor Sex Trafficking". Below the title, there are two paragraphs of text. The first paragraph defines domestic minor sex trafficking as the commercial sexual exploitation of American children within U.S. borders. The second paragraph provides a more detailed definition, including recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act, where the person is a U.S. citizen or lawful permanent resident under the age of 18 years. The slide number "39" is visible in the bottom right corner of the content area.

Notes

Smith, L. A., Vardaman, S. H., & Snow, M. A. (2009). *The National Report on Domestic Minor Sex Trafficking: America's Prostituted Children*. Arlington, VA: Shared Hope International.

<http://www.sharedhope.org/Resources/TheNationalReport.aspx>

Domestic minor sex trafficking (DMST) is the commercial sexual exploitation of American children within U.S. borders. It is the “recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act” where the person is a U.S. citizen or lawful permanent resident under the age of 18 years. The age of the victim is the critical issue — there is no requirement to prove force, fraud, or coercion was used to secure the victim’s actions. In fact, the law recognizes the effect of psychological manipulation by the trafficker, as well as the effect of threat of harm which traffickers/pimps use to maintain control over their young victims. DMST includes but is not limited to the commercial sexual exploitation of children through prostitution, pornography, and/or stripping. Experts estimate at least 100,000 American juveniles are victimized through prostitution in America each year. Domestic minor sex trafficking is child sex slavery, child sex trafficking, prostitution of children, commercial sexual exploitation of children (CSEC), and rape of a child.

Slide 40: Domestic Minor Sex Trafficking

Human Trafficking

Domestic Minor Sex Trafficking

- The National Center for Missing and Exploited Children estimates that at least 100,000 U.S. children are victims of sex trafficking each year, including children as young as 12.
- There are estimates that at any given time as many as 30,000 to 40,000 pre-teen and teenage runaways reside in Florida. As a group, all are vulnerable to commercial sexual exploitation.

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Notes

The Scope of the Problem:

Although it is difficult to quantify the scope of this problem with accuracy, the National Center for Missing & Exploited Children estimates that at least 100,000 American children each year are the victims of commercial child prostitution and child trafficking.

The primary basis for our estimate is the research of Dr. Richard Estes and Dr. Neil Alan Weiner at the University of Pennsylvania, funded by the U.S. Department of Justice through its National Institute of Justice. Dr. Estes and Dr. Weiner estimated that 293,000 US children are “at risk” of commercial child exploitation each year. However, they provided much greater detail and analysis.

Dr. Estes estimated that the number of 10 to 17 year olds involved in commercial sexual exploitation in the US each year likely exceeds 250,000, with 60% of these victims being runaway, throwaway or homeless youth. Commercial sexual exploitation is broader in scope than just child prostitution, but there is little doubt that the commercial sexual exploitation of runaway, throwaway and homeless youth is overwhelmingly prostitution.

The researchers also estimated that one-third of street-level prostitutes in the U.S. are less than 18 while half of off-street prostitutes are less than 18. With the explosion in the sale of kids for sex online, it is clear that more kids are at risk today than ever before.

Thus, while 100,000 is a very conservative number, we believe it is empirically sound and defensible. How old are the victims? For girls, the entry age is just 12-14; most boys enter this insidious world at age 11-13. We have learned other things about this problem?

Much of child sex trafficking is organized crime; and the children involved are victims. These children are commodities for sale by an often sophisticated criminal network. They are trafficked, moved from city to city for the financial gain of those who use, abuse and control them. While historically, we have argued that the organized criminals involved in domestic child trafficking are not part of traditional Mafia or La Cosa Nostra organizations, earlier this year a federal grand jury in New York indicted members of the Gambino crime family for selling kids for sex and using the Internet to advertise them.

Organized crime is drawn to this illicit industry because it offers relatively low risk and high profit. To deter them we must increase the risk and eliminate the profitability.

These children are victims of 21st century slavery. They lack the ability to walk away. The pimps who use and discard them are the criminals, as are those who purchase them. These children need to be rescued, not arrested.

http://www.missingkids.com/missingkids/servlet/NewsEventServlet?LanguageCountry=en_US&PageId=4339

Slide 41: Forced Labor

Human Trafficking

Forced Labor

Providing or obtaining the labor or services of a person through

- Threats of serious harm to that person or another
- Any scheme, plan, or pattern that places the victim in fear of serious harm, or
- The abuse or threatened abuse of the legal process

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Notes

Forced Labor

Forced labor includes the use of both physical and psychological forms of force. It includes getting someone to provide labor or services using force, threats of force, or threats of the legal system, such as threats of deportation, to create fear in a victim.

Slide 42: Document Servitude

Human Trafficking

Document Servitude

Holding an actual or purported identity document of a victim in the course of committing any trafficking crime

- Documents held by the trafficker need not be genuine, and even holding a victim's fraudulent passport is punishable

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Notes

Document Servitude

Document servitude involves holding an actual or purported identity document of a victim in the course of committing any trafficking crime. It is important to note that documents held by traffickers need not be genuine. Even holding a fraudulent passport is punishable under the law.

Slide 43: State Law

Human Trafficking

State Law

- As of 2007, 43 states have enacted some form of legislation regarding human trafficking
- State laws vary widely in content, effectiveness, enforceability, protecting victims, and addressing services for minor victims
- Become familiar with the laws in your state

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Notes

Most states in the U.S. have enacted state laws prohibiting human trafficking.

Following the passage of the TVPA in 2000 and in response to internal and external pressure, state legislators began introducing human trafficking legislation shortly after the passage of the TVPA. http://www.princeton.edu/prior/events/conferences/past_events/conference_39.html 1/pub_2_43.pdf

As of 2007, 43 states have enacted some form of legislation regarding human trafficking (Hillary Axam, USDOJ Civil Rights Division, 2010 National Conference on Human Trafficking, Washington DC).

However, state laws vary widely in content, effectiveness, enforceability, protecting victims, and addressing services for minor victims. The student should become familiar with the laws in his/her own state and how they may be applied to local investigations.

Slide 44: Florida State Statute

Human Trafficking

Florida State Statute 787.06

“Human Trafficking” means transporting, soliciting, recruiting, harboring, providing, or obtaining another for transport

“Forced labor or services” – means labor or services obtained from a person by:

1. Using or threatening to use physical force against that person or another person; or
2. Restraining or confining or threatening to restrain or confine that person or another person without lawful authority and against his or her will.

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Notes

Slide 45: Florida State Statute

Human Trafficking

Florida State Statute (cont)

- Any person who knowingly engages in Human Trafficking with the intent that the trafficked person engage in forced labor or services commits a felony of the second degree, punishable by a maximum of 15 years in prison
- Anyone involved in any aspect of Human Trafficking can be prosecuted

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Notes

Slide 46: Lesser-Included Offenses



Human Trafficking

BA Bureau of Justice Assistance

Lesser-Included Offenses: Useful Tools for Law Enforcement

- State laws on prostitution
- Federal immigration law (INA)
- Social Security fraud
- Money laundering
- Violations of state or federal labor law
- Tax evasion
- Identity fraud
- State crimes of assault, sexual battery, false imprisonment
- Document fraud

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Notes

In addition to prosecution under the federal and state human trafficking laws, there will be a number of lesser-included offenses that will come to the attention of law enforcement. The benefit will be in the identification and rescue of victims as well as reducing or eliminating the potential for human trafficking to occur. It is important for law enforcement to be alert for these lesser-included offenses that may be pre-cursors to human trafficking.

The lesser included offenses may include:

- State laws on prostitution or deriving benefits from prostitution
- Federal immigration law, including the harboring of undocumented aliens (Immigration and Nationality Act of 1995)
- Social Security fraud (illegal use of social security numbers/cards)
- Money laundering
- Violations of state or federal labor law (i.e., wage and hour regulations)
- Tax evasion
- Identity fraud
- State crimes of assault, sexual battery, false imprisonment
- Document fraud

Slide 47: Section 287 (g)

The slide features a blue header with the text "Human Trafficking" and the Bureau of Justice Assistance logo. The main content area has a white background with the title "Section 287 (g) of Immigration and Nationality Act" in red. Below the title, it states: "Section 287(g) of the Immigration and Nationality Act (INA) was made law in the United States in 1995". To the right of this text is a photograph of two women in uniform, one with her hand raised. Below the photo is a blue box with the text "Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act" and the U.S. Department of Homeland Security logo. The slide number "47" is in the bottom right corner.

Notes

The Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA) added Section 287(g), performance of immigration officer functions by state officers and employees, to the Immigration and Nationality Act (INA). This authorizes the secretary of the U.S. Department of Homeland Security (DHS) to enter into agreements with state and local law enforcement agencies, permitting designated officers to perform immigration law enforcement functions, pursuant to a Memorandum of Agreement (MOA), provided that the local law enforcement officers receive appropriate training and function under the supervision of sworn U.S. Immigration and Customs Enforcement (ICE) officers.

The cross-designation between ICE and state and local patrol officers, detectives, investigators and correctional officers working in conjunction with ICE allows the local and state officers:

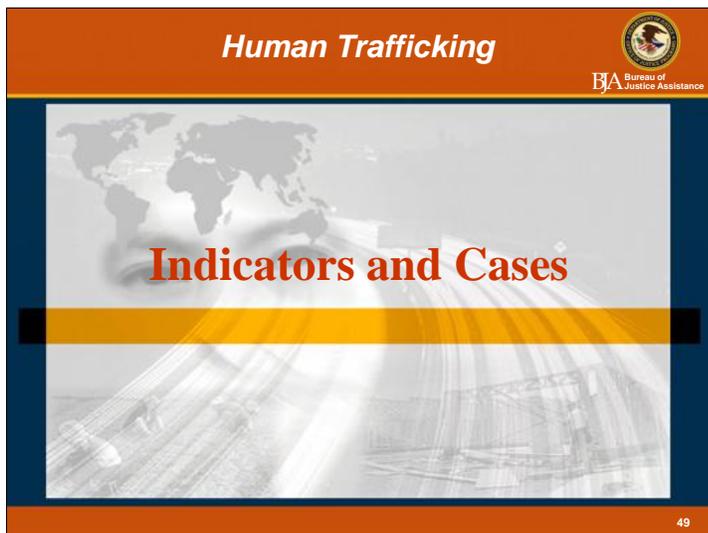
- Necessary resources and latitude to pursue investigations relating to violent crimes, human smuggling, gang/organized crime activity, sexual-related offenses, narcotics smuggling and money laundering.
- Increased resources and support in more remote geographical locations.

Slide 48: Questions



Notes

Slide 49: Indicators and Cases



Notes

Indicators and Cases

There are many indicators of human trafficking. While any one of these items alone is not enough to indicate a trafficking case, it is enough to warrant further investigation. If you start to see numerous indicators, you should include the FBI, victim service providers, and anyone else that may be able to assist you. **Do not go into the investigation alone.**

Slide 50: Topics

Human Trafficking

BA Bureau of Justice Assistance

Topics

- Victim Living/Working Conditions
- Labor Camps/Sweatshops
- Brothels
- Cases
 - Muttontown, NY
 - Treasure Island, FL
 - Navarette case
- Group Exercise



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Notes

Slide 51: Victim Conditions

Human Trafficking

BA Bureau of Justice Assistance

Victim Living/Working Conditions

- Live on or near work premises
- Restricted or controlled communication
- Frequently moved by traffickers
- Large number of occupants for living space



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Notes

Living and working conditions for human trafficking victims are usually atypical. Many victims live on or near their work premises. Many have restricted or controlled movement—they are not free to come and go as they please. Many victims are frequently moved from location to location by their traffickers in order to keep the victims off-balance and unfamiliar with their surroundings.

A large number of people living in a very small space (i.e., many girls living out of a hotel room or a lot of women living in a small home) is another indicator.

Slide 52: Victim Conditions

Human Trafficking

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Victims May Lack . . .

- Personal items/possessions
- Cell phones, calling cards, etc.
- Private space
- Financial records
- Transportation
- Knowledge about how to get around in a community



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Notes

Victims may lack personal items or possessions that you would normally associate with day-to-day living. They may not have cell phones or calling cards—traffickers use this to control victims. Victims may lack personal space. They may not have routine financial records, such as checking accounts or credit cards. They may lack transportation (i.e., cars, bicycles). Traffickers use this as another means of control. Victims often lack basic knowledge about how to get around in a community because the traffickers control their movement.

Slide 53: Physical Indicators

Human Trafficking

BA Bureau of Justice Assistance

Personal/Physical Indicators

- Injuries from beatings or weapons
- Signs of torture (e.g., cigarette burns)
- Brands or scarring indicating ownership
- Signs of malnourishment

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Notes

Also, look for physical indicators. Do you see evidence of injuries inflicted from beatings or weapons? Are there signs of torture (i.e., cigarette burns, starvation, etc.)? Does the victim have any signs of

branding or scarring to indicate ownership? Is the victim malnourished, or are there signs of poor personal hygiene?

Slide 54: Indicators

Human Trafficking

Other Trafficking Indicators

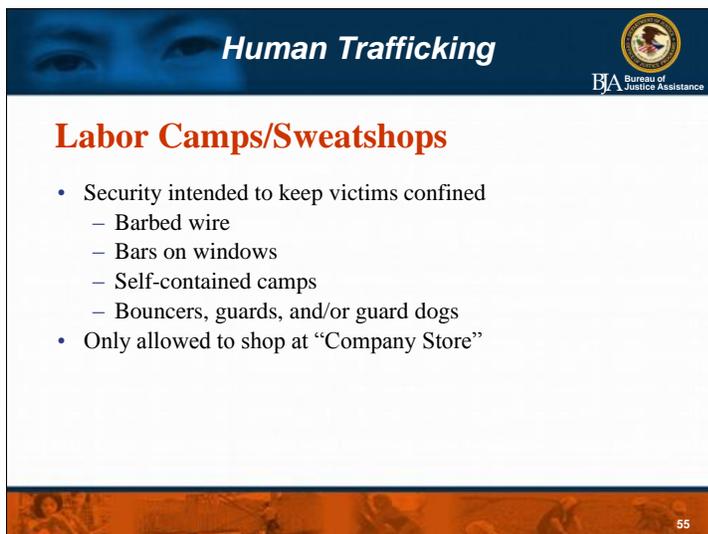
- Someone else has possession of legal/travel documents
- Existing debt issues
- One attorney claiming to represent multiple illegal aliens detained at different locations
- Third party who insists on interpreting

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Notes

Other general things that may indicate human trafficking include someone other than the victim having possession of legal or travel documents. Often, traffickers will take the victim’s identification and/or travel documents for control purposes. There may be existing debt issues—victims may “owe” someone money for getting them into the U.S. or they may have ongoing debt at a company store. In a case in California, one attorney came forward to represent many women found to be in the U.S. illegally. The attorney claimed to represent all the women—even though the women were found in several different locations. This was done so the women would not talk with law enforcement. Also, be leery if one person insists on interpreting for the victim.

Slide 55: Labor Camps



Human Trafficking

BA Bureau of Justice Assistance

Labor Camps/Sweatshops

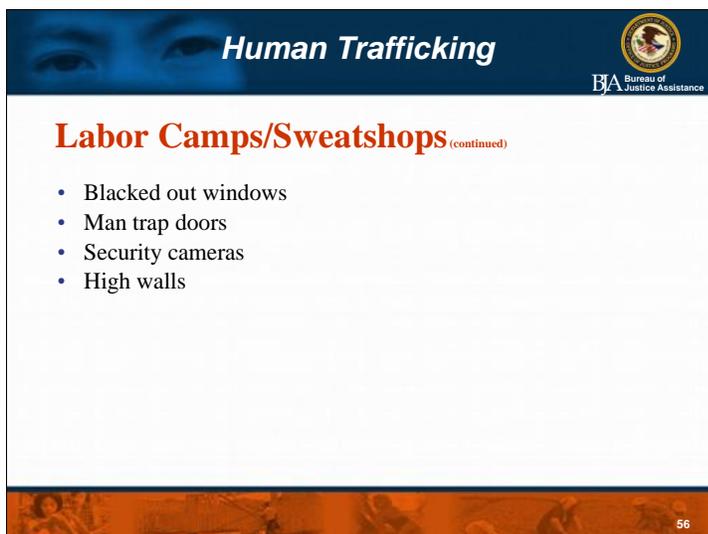
- Security intended to keep victims confined
 - Barbed wire
 - Bars on windows
 - Self-contained camps
 - Bouncers, guards, and/or guard dogs
- Only allowed to shop at “Company Store”

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Notes

Signs that would indicate human trafficking in a labor camp or sweatshop are security that is intended to keep people inside the premises. Is there fencing or barbed wire? Are there bars on the windows? If a labor camp, is it self-contained? Do people have to leave the premises to conduct daily activities, or is everything located inside the camp (laundry, shopping, etc.)? Are there bouncers, guards, or guard dogs present? Are people only allowed to shop at the “company store”? The “company store” is a way that debt is maintained so that the victim never pays it off.

Slide 56: Labor Camps



Human Trafficking

BA Bureau of Justice Assistance

Labor Camps/Sweatshops (continued)

- Blacked out windows
- Man trap doors
- Security cameras
- High walls

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Notes

Slide 57: Brothels

Human Trafficking

BA Bureau of Justice Assistance

Brothels

- Large amounts of cash and condoms
- Customer logbooks one for the house second for the victim.
- Sparse rooms
- Men come and go frequently
- Used twin mattresses stacked up outside of residence



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Notes

Signs that would indicate a brothel or sex trafficking situation include the presence of large amounts of cash. There may be large quantities of condoms hidden—these have been found in Coke bottles. There may be a customer logbook, receipt book, or trick book. Are the rooms sparse and minimally furnished (bed and night stand)? Is there an absence of photos and other personal items? Do men come and go frequently?

Slide 58: Brothels

Human Trafficking

BA Bureau of Justice Assistance

Actual Crime Scene Photos from Brothels



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Notes

A wall calendar found in an immigrant brothel suspected of exploiting trafficked women. Note the different women's names on the Monday of each week, indicating the women were rotated through the brothel as part of an organized prostitution operation with multiple locations.

Slide 59: Brothels



Notes

Cash and tokens found in brothel suspected of exploiting trafficked women.

Slide 60: Brothels



Notes

Slide 61: Brothels



Notes

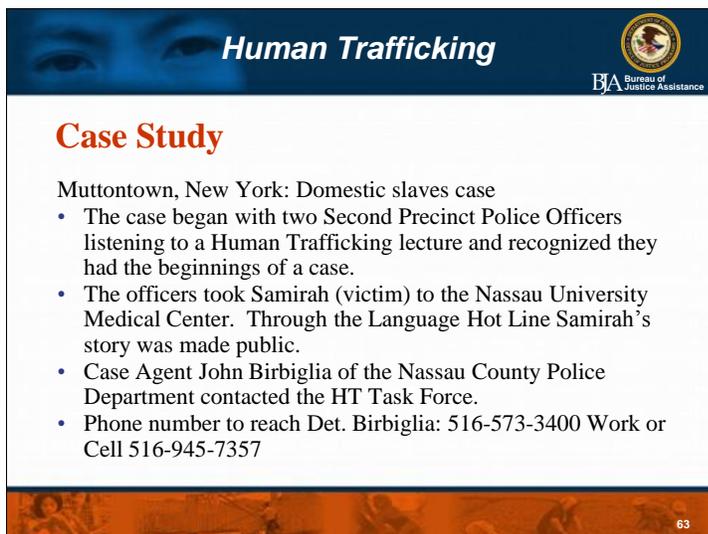
Pouch of generic condoms – similar to those distributed free by local health departments – found in brothel.

Slide 62: Domestic Labor Case Study



Notes

Slide 63: Case Study



Human Trafficking

Case Study

Muttontown, New York: Domestic slaves case

- The case began with two Second Precinct Police Officers listening to a Human Trafficking lecture and recognized they had the beginnings of a case.
- The officers took Samirah (victim) to the Nassau University Medical Center. Through the Language Hot Line Samirah's story was made public.
- Case Agent John Birbiglia of the Nassau County Police Department contacted the HT Task Force.
- Phone number to reach Det. Birbiglia: 516-573-3400 Work or Cell 516-945-7357

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Notes

The following information, slides, and case provided with the permission of Case Agent:

Detective John Birbiglia – Nassau County Police Department

CONTACT INFORMATION:

WORK- (516) 573-3400

CELL- (516) 945-7357

E-MAIL JBIRBIGLIA@PDCN.ORG

Slide 64: Case Study



Human Trafficking

Muttontown, New York Case 2007

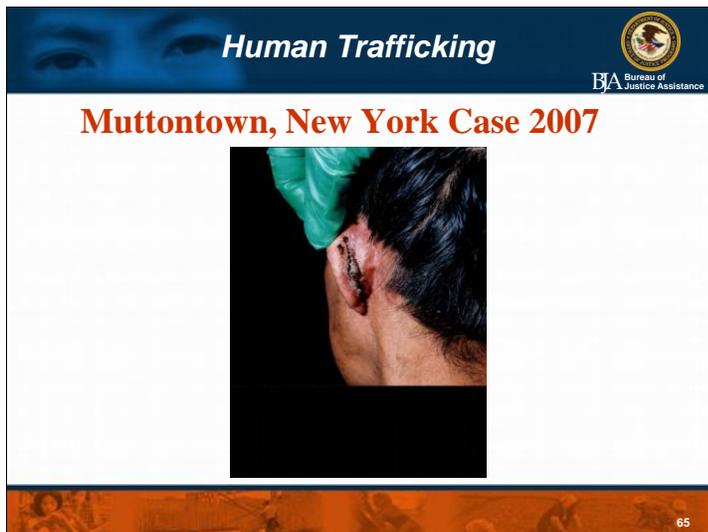


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Notes

Crime scene photo of one of the Muttontown victims standing in the small doorway of a storage closet where she and her co-victim were forced to hide when visitors came to the house.

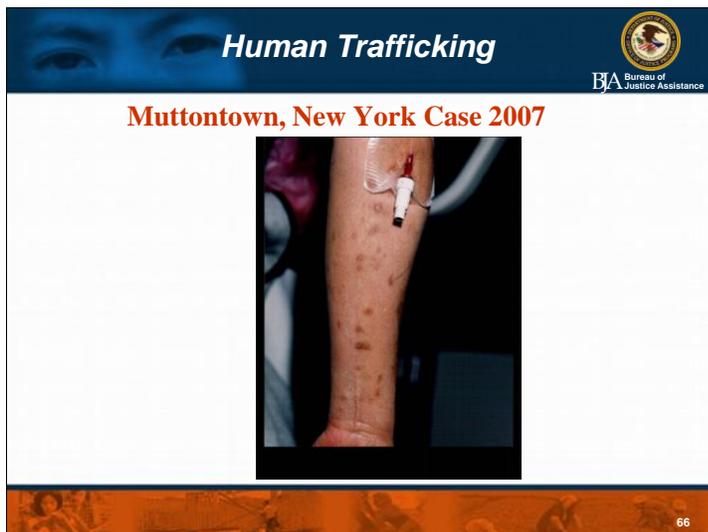
Slide 65: Case Study



Notes

Injuries to the back of victim's ear where defendant would grab the victim behind the ear and pull the ear away from the scalp as a form of force and coercion.

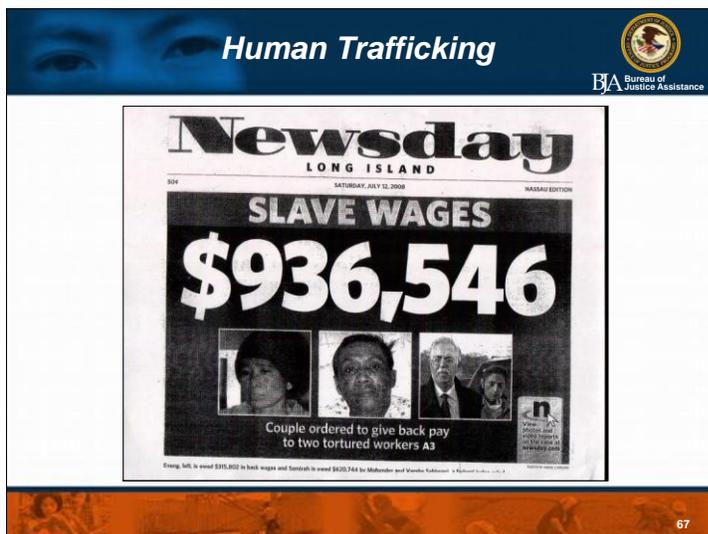
Slide 66: Case Study



Notes

Injuries to victim's arm found upon treatment at hospital. Originally thought to be cigarette burns, these injuries were actually caused by the defendant pinching and twisting the victim's skin as a form of punishment and coercion.

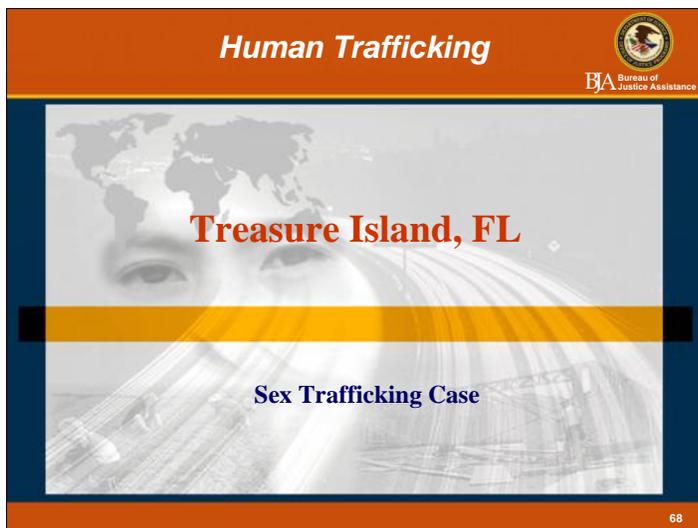
Slide 67: Case Study



Notes

Newspaper headline upon conviction of defendants and order to pay back wages.

Slide 68: Sex Trafficking Case Study



Notes

Slide 69: Case Study

Human Trafficking
BIA Bureau of Justice Assistance

Treasure Island Human Trafficking Case

INTELLIGENCE UNIT
LAS VEGAS COUNTY SHERIFF'S OFFICE

CAITF
HUMAN Trafficking

FOLE

VEGAS SHOWGIRLS

CLEARWATER POLICE

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Notes

Slide 70: Case Study

Human Trafficking
BIA Bureau of Justice Assistance

Victim's Statements

- Recruited by "Pinky" at Baby Dolls strip club.
- Held against her will from February 16, 2009 to February 26, 2009.
- Raped approximately 18 times during the 10 day period at the residence.
- Forced to prostitute at Vegas Showgirls and give all of her money to the organization.

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Notes

Case summary provided in the FSU Strategic Plan 2010

The accused perpetrators include three men who resided with the victims in the luxury home, as well as a female dancer from one of the strip clubs who allegedly recruited the young women for exploitation. Brutality and emotional control were the hallmarks of the criminal conspiracy. The three pimps allegedly took the women six nights a week to the Vegas Showgirls strip club in Tampa where the women were forced to dance and prostitute themselves. "Handlers" trailed the victims while they engaged in the forced prostitution or were participants in local escort services. The pimps were vindictive in actively tracking down any woman who attempted to escape.

The victims in this case were for the most part white females between the ages of 18 – 26, almost all of whom were from outside Florida. With their families and support systems many miles away, the young women proved especially vulnerable to trafficking. The first victim to be identified reported initially as a sex crime victim, but did not want to pursue a case against her traffickers. She did agree, however, to show investigators the home where the other women continued to be held and brutalized. Conspicuously absent from the trafficking scheme was any sort of debt servitude. The traffickers instead simply sought out young American women from abusive or unhappy backgrounds and offered them the promise of a better life. The recruiting allegedly done by the young female dancer who was in league with the pimps proved crucial to the success of the sex trafficking scheme. One victim was held for eight months in this hellish existence.

The ongoing Treasure Island case is significant for many reasons. It is perhaps the highest profile domestic sex trafficking case investigated to date in Florida. The case furthermore sheds light on the types of physical force and psychological coercion that can be brought to bear against U.S. citizen victims of trafficking.

Slide 71: Case Study

Human Trafficking

Search Warrants

Search Warrants were conducted on the residence at 10214 Tarpon Drive, a vehicle and a computer.

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Notes

Slide 72: Forced Labor Case Study

Human Trafficking

Immokalee, FL

Forced Labor Case

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Notes

Slide 73: Case Study

Human Trafficking

Navarrete Forced Labor Case

- November 2007: Three men escaped a camp where they had been locked in a truck at night and forced to work in the fields. The victims had injuries/scars from previous batteries.
- Upon investigation by Task Force team members, six members of the Navarrete family were indicted for Harboring Illegal Immigrants for Commercial/Financial gain as well as Immigration charges.
- January 2009: Final sentencing was held with each defendant receiving prison time and approximately \$240,000 was ordered as restitution to the victims

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Notes

Slide 74: Case Study

Human Trafficking

BJA Bureau of Justice Assistance

Living Conditions



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Notes

Slide 75: Labor Trafficking Case Study

Human Trafficking

BJA Bureau of Justice Assistance

Boca Raton, FL

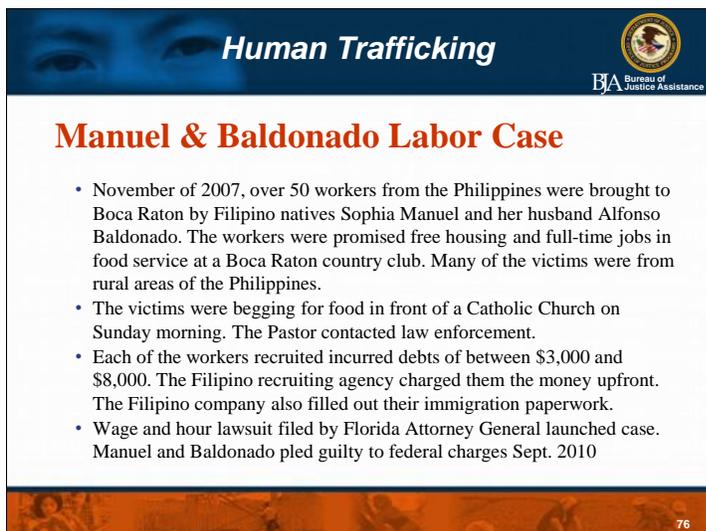
Labor Trafficking



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Notes

Slide 76: Case Study



The slide features a dark blue header with the text "Human Trafficking" in white. To the right of the text is the Bureau of Justice Assistance logo, which includes a circular seal with an eagle and the letters "BJA". Below the header, the title "Manuel & Baldonado Labor Case" is written in a bold, orange font. A bulleted list follows, detailing the case facts. The slide has a decorative orange and blue border at the bottom, with the number "76" in the bottom right corner.

Human Trafficking

Manuel & Baldonado Labor Case

- November of 2007, over 50 workers from the Philippines were brought to Boca Raton by Filipino natives Sophia Manuel and her husband Alfonso Baldonado. The workers were promised free housing and full-time jobs in food service at a Boca Raton country club. Many of the victims were from rural areas of the Philippines.
- The victims were begging for food in front of a Catholic Church on Sunday morning. The Pastor contacted law enforcement.
- Each of the workers recruited incurred debts of between \$3,000 and \$8,000. The Filipino recruiting agency charged them the money upfront. The Filipino company also filled out their immigration paperwork.
- Wage and hour lawsuit filed by Florida Attorney General launched case. Manuel and Baldonado pled guilty to federal charges Sept. 2010

Notes

Case summary provided in the FSU Strategic Plan 2010

Boca Raton Manuel & Baldonado labor trafficking case (2010). In November of 2007, over 50 workers from the Philippines were brought to Boca Raton by Filipino natives Sophia Manuel and her husband Alfonso Baldonado. Owners of two employment leasing companies called “Quality Staffing Services Corporation” and “DAR Workforce Solutions USA,” Manuel and Baldonado promised the workers free housing and full-time jobs in food service at a Boca Raton country club. The workers were all recruited in the Philippines through a Manila-based agency that specialized in providing laborers to the United States. The Filipino recruiters lured potential workers with pictures of upscale Florida homes, beautifully manicured lawns, and scenes from Disney World.

Each of the workers recruited incurred debts of between \$3,000 and \$8,000. The Filipino recruiting agency charged them the money upfront and the workers were left to borrow the funds from family or from loan sharks in order to pay the initial “recruiting fee.” The Filipino company also filled out their immigration paperwork, advising them to lie to U.S. consular officials regarding the exact employer supposedly sponsoring them. All of the workers entered the United States legally on H-2B temporary work visas.

Upon their arrival, a very different world awaited the migrant workers than the one they had seen in the recruiters’ brochures. Instead of the work and the accommodations promised them, they instead found low-paying part-time jobs, and as many as 30 of them were forced to live in a three bedroom house in Boca Raton. Manuel and Baldonado confiscated the workers’ passports and return airline tickets, and threatened them with deportation if they complained. The workers were not allowed to leave their residence without permission, and money was routinely deducted from their earnings to supposedly cover the costs of uniforms, transportation, and visa renewals. After the weekly wage deductions by Manuel and Baldonado, none of the workers earned a federal minimum wage. The defendants also told the workers that they could buy out their contracts for \$10,000 to \$15,000, and this too was added to the debt that each worker believed that he or she owed.

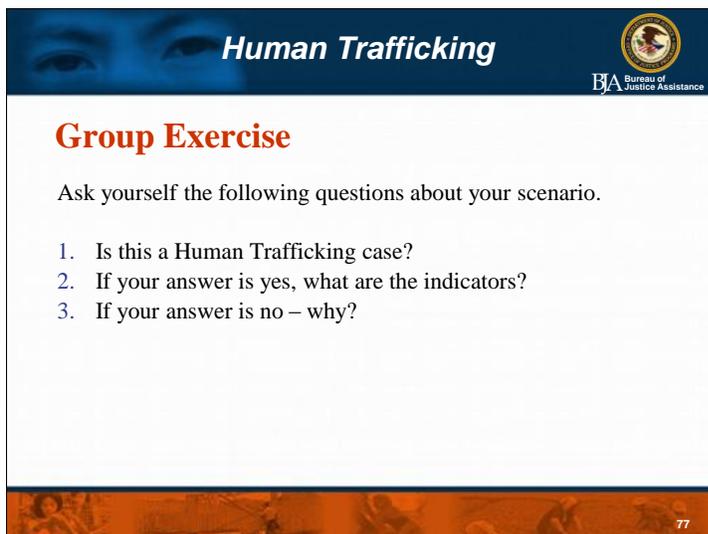
In addition to their overcrowded living conditions, the newly-arrived workers were provided with little to no food. It was when they began begging for food donations at a local Catholic Church that their plight was brought to the attention of Angelo Macatangay, the Honorary Consulate General of the Philippines in south Florida. Investigating their situation, he and his wife discovered that the 30+ workers held in the one Boca Raton house were sleeping in the yard, in the garage, in piles of garbage, and on the floor. A number of them were sorting through the garbage for food when they were rescued.

Many of the victims were from rural areas of the Philippines, and proved especially susceptible to the false promises made by the Filipino recruiting company and the Filipino-owned contracting companies in the U.S. Still other victims were merchant sea men who had staked everything they had ever earned on the prospects of finally acquiring a “land job.” Numerous victims expressed great fear of what the loan sharks back in their home country would do to their families if the loans they took out to pay off their recruitment fees were not paid back. Still others were told that they would be prosecuted by the Filipino government if they abandoned the employer who had sponsored them for their H-2B visa. Upon their rescue, the needs of the victims proved especially challenging for Florida non-governmental service providers. Finding emergency housing for such a large group proved daunting, and many of the abused workers were eventually provided shelter by the Florida Coalition Against Human Trafficking (FCAHT). Most, though not all, of the victims were granted Continued Presence by ICE, and have remained in south or central Florida.

It was not a federal investigation but rather a wage and hour lawsuit filed by the Florida Attorney General that launched the case. Named in the civil lawsuit were Manuel and Baldonado as owners of the labor contracting company, along with the Boca Woods Country Club Association and Boca Woods Property Owners’ Association, as the owners of the Boca Woods Country Club. Under the Florida Deceptive and Unfair Trade Practices Act, The Attorney General’s Office sought \$10,000 per labor violation and an injunction prohibiting the owners and companies under investigation from engaging in any kind of business involving temporary workers. Florida Attorney General Bill McCollum declared of the victims: “these people came to Florida believing they would have a chance at the American dream of earning a decent wage to provide for their families. Instead, they were trapped in low-wage positions and have had to depend upon handouts from friends to survive because of the apparently deceptive manner in which they were recruited.”

More than two years later—in April 2010—a federal grand jury in West Palm Beach indicted Manuel and Baldonado on human trafficking offenses, also charging Manuel with visa fraud and falsifying information to obtain foreign labor certifications. Manuel and Baldonado pled guilty to the federal charges in September 2010 and currently await sentencing. This forced labor case is testimony to the manner in which human trafficking can infest legitimate Florida industries, as well as the reality of how so-called “middlemen” labor contractors remain among Florida’s most notorious human trafficking offenders. The case is a further reminder of how human trafficking can pervade Florida’s most upscale country clubs and resorts, and how trafficking victims can be found housed even in Florida’s most affluent neighborhoods.

Slide 77: Exercise



Human Trafficking

BA Bureau of Justice Assistance

Group Exercise

Ask yourself the following questions about your scenario.

1. Is this a Human Trafficking case?
2. If your answer is yes, what are the indicators?
3. If your answer is no – why?

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Notes

Slide 78: Questions



Human Trafficking

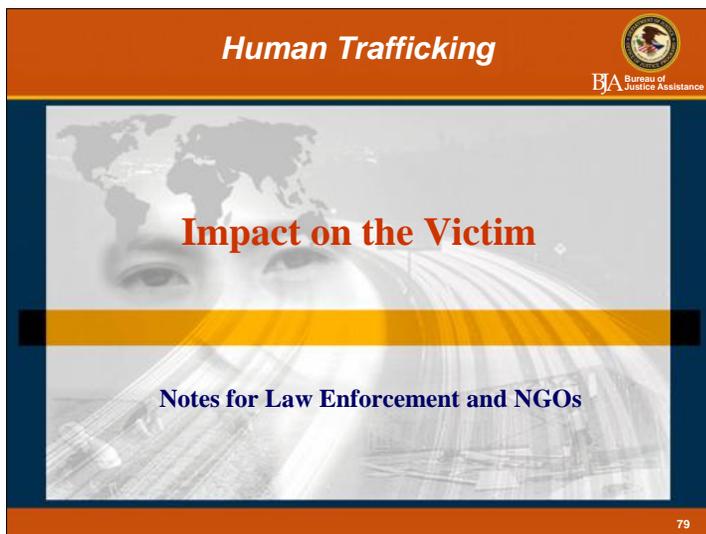
BA Bureau of Justice Assistance

Questions

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Notes

Slide 79: Impact on Victim



Notes

Impact on Victim

There are many issues involved in dealing with human trafficking victims, and this is where the victim service providers will be one of your best assets. Most victims are reluctant to identify themselves as victims for many reasons. In many cases, the victims may not be aware that what has happened to them is a crime and that they are, in fact, victims entitled to help. Many victims consider themselves to be victims of circumstance, not victims of crime. Some may self-identify as victims but not admit it to law enforcement for fear of deportation.

When the victim begins to tell his/her story, you need to listen carefully. You can tell the difference between a rehearsed story and the truth. Listen to the story and then ask questions that would require the individual to go into more detail about his/her situation and experiences. Hold a casual conversation with the victim and find out more about him/her before your official interview. Most of these victims come from countries where the government is corrupt. By being compassionate and bonding with the victims, you will make them feel safe, and you will get the information that you need to help them and assist with your investigation. Be ready for varying degrees of resistance from the victim. Trafficking victims are kept in bondage by traffickers through the use of fear, intimidation, abuse, and psychological controls. Victims may be so psychologically fragile that they are psychologically dependent on their trafficker. Victims may have reservations based on religious convictions. They may be concerned about loss of honor or social stigmatization. The victims may not want their families to know about their current situation. They may feel pressured to continue in their activities in order to provide for their families back home.

Many victims may resist communicating with you, not because of who you really are but because of who they have been told you are. These victims have gone through terrible ordeals, and you are possibly their first contact with law enforcement in the United States. You will have to work with victims to get them to a level where they feel comfortable with you. It is important to give the victims their choice of speaking with a male or female officer or investigator.

The days of responding to a call for service and making an arrest, writing a report, and walking away are gone. Now is the time for looking deeper into the incident and attempting to resolve the core problem. These victims have the same basic needs as we do—put yourself in their position.

Slide 80: Trauma

Human Trafficking

HT Impact on the Victim: Trauma

- Complex trauma (from prolonged or multiple traumatic events that typically occur within a care giving or dependent relationship)
- Post traumatic stress disorder
- Fear of authorities (lying, changing stories, refusal to cooperate)

BJA Bureau of Justice Assistance

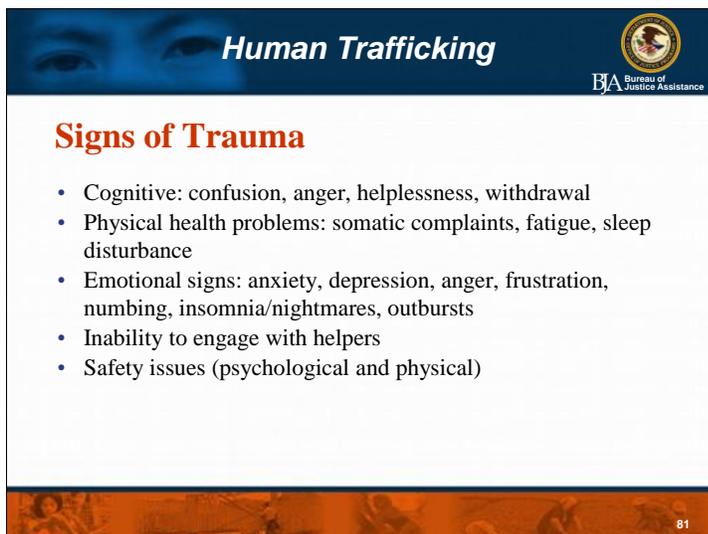
80

Notes

Human trafficking victims suffering the effects of trauma typically display symptoms of complex trauma due to the prolonged exposure over months or years of physical and emotional trauma and their dependent relationship with the trafficker.

Source: Nancy Gordon, LCSW, Directions for Mental Health, Inc. Clearwater, FL at the National Association of Social Workers/Florida Chapter Conference, Orlando, FL, June 2009.

Slide 81: Trauma



The slide features a dark blue header with the text "Human Trafficking" in white. To the right of the text is the logo for the Bureau of Justice Assistance (BJA), which includes a circular seal with an eagle and the text "BJA Bureau of Justice Assistance". Below the header, the title "Signs of Trauma" is written in a bold, orange font. A bulleted list follows, detailing various signs of trauma. The slide has a decorative orange footer with a faint image of people and the number "81" in the bottom right corner.

Human Trafficking

BJA Bureau of Justice Assistance

Signs of Trauma

- Cognitive: confusion, anger, helplessness, withdrawal
- Physical health problems: somatic complaints, fatigue, sleep disturbance
- Emotional signs: anxiety, depression, anger, frustration, numbing, insomnia/nightmares, outbursts
- Inability to engage with helpers
- Safety issues (psychological and physical)

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Notes

Efforts to avoid thoughts, feelings, or conversations associated with the trauma; may be manifested in the victim appearing “uncooperative” in an interview.

Efforts to avoid activities, places or people that remind the person of the trauma; victim may avoid other witnesses, victims, or locations that were involved in the crime.

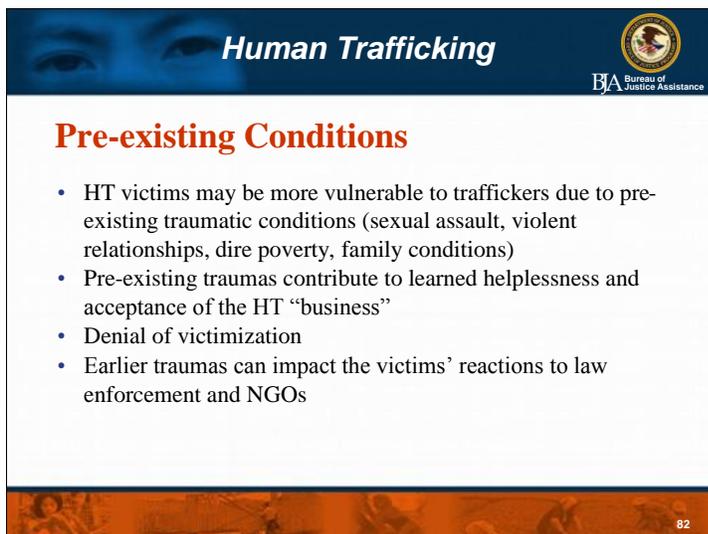
Inability to recall important aspects of the trauma; may appear to the untrained investigator as being unwilling to cooperate with the investigation.

Diminished interest or participation in significant activities; victim may be unwilling to participate in counseling, health care, or other activities intended to assist his/her rehabilitation.

Feeling of detachment or estrangement from others.

Sense of a foreshortened future. No expectation of a normal life span or a productive future.

Slide 82: Trauma



The slide features a dark blue header with the text "Human Trafficking" in white. To the right of the header is the logo for the Bureau of Justice Assistance (BJA), which includes a circular seal and the text "BJA Bureau of Justice Assistance". Below the header, the title "Pre-existing Conditions" is written in red. A bulleted list follows, containing four items: "HT victims may be more vulnerable to traffickers due to pre-existing traumatic conditions (sexual assault, violent relationships, dire poverty, family conditions)", "Pre-existing traumas contribute to learned helplessness and acceptance of the HT 'business'", "Denial of victimization", and "Earlier traumas can impact the victims' reactions to law enforcement and NGOs". The slide number "82" is located in the bottom right corner of the content area.

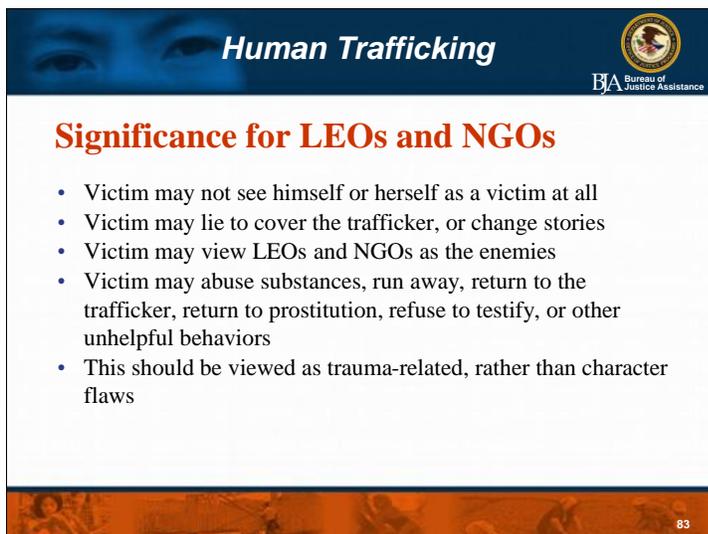
Notes

Victims may initially be uncooperative for a variety of reasons including the effects of trauma, fear of deportation, a Stockholm Syndrome-like connection to the trafficker, a desire to return to the home country, etc. Additionally, many victims do not consider themselves victims. Remember, that in spite of the horrific conditions that the victim has endured at the hands of the trafficker, often those conditions are not much different – and perhaps better – than their former living conditions in an impoverished third-world country. Trained case managers and therapists will be needed to provide counseling and therapy to these victims.

Fear of the unknown may lead victims to attempt to flee from their rescuers. Although victims should never be housed in jails or other secure facilities, daily contact with trained and culturally-sensitive case managers will reduce the likelihood of the victim running.

Often, domestic trafficking victims will be more uncooperative than foreign victims.

Slide 83: Significance for LEOs and NGOs



The slide features a dark blue header with the text "Human Trafficking" in white. To the right of the header is the logo for the Bureau of Justice Assistance (BJA), which includes a circular seal with an eagle and the text "BJA Bureau of Justice Assistance". Below the header, the title "Significance for LEOs and NGOs" is written in red. A bulleted list follows, detailing victim behaviors and the importance of trauma-related care. The slide number "83" is visible in the bottom right corner.

Human Trafficking

BJA Bureau of Justice Assistance

Significance for LEOs and NGOs

- Victim may not see himself or herself as a victim at all
- Victim may lie to cover the trafficker, or change stories
- Victim may view LEOs and NGOs as the enemies
- Victim may abuse substances, run away, return to the trafficker, return to prostitution, refuse to testify, or other unhelpful behaviors
- This should be viewed as trauma-related, rather than character flaws

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Notes

The welfare of the victim must be a priority of the investigation, and may remain a priority for many months. The level of victim care is much greater in human trafficking cases and will require a coordinated network of service providers outside of law enforcement.

Important elements to consider in the care of the victim include the following:

Security concerns – Housing should be provided that insures safety, security and confidentiality. Do not attempt to house human trafficking victims in congregate living shelters such as domestic violence shelters or homeless shelters. The needs of the human trafficking victim are very different and often contradictory to the needs of these other shelter populations. Agencies providing shelter should have a good working knowledge of the needs of trafficking victims and provide ready access to the victims by law enforcement, prosecutors, and other NGO service providers.

Slide 84: Trauma

Human Trafficking

Steps to Address Trauma

- Include a trauma-knowledgeable therapist on the team
- Link the victim and therapist immediately
- Complete a good assessment. Cognitive Behavior Therapeutic approach works well
- Include input from the therapist in all decision-making regarding case management, evidence gathering
- Educate all members of the team about trauma, especially prosecutors
- Allow input from the Victim in decision making

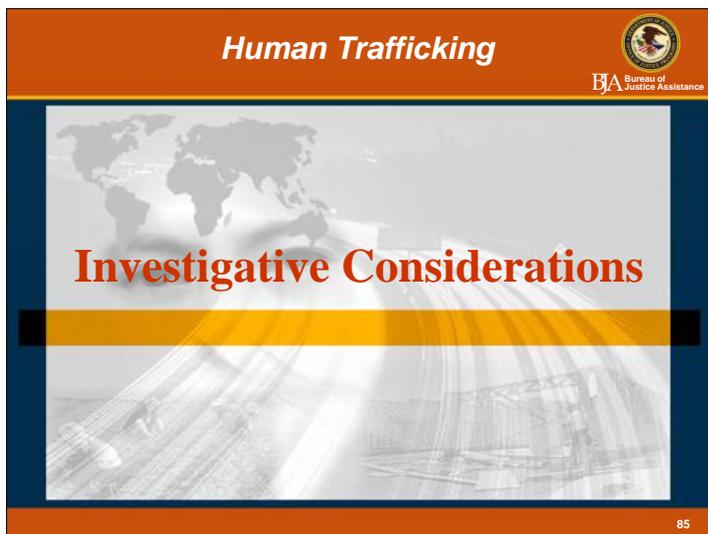
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Notes

The effects of trauma can lead the victim to distrust the very people who are there to help him/her – law enforcement and the NGO team. Note how some of these symptoms are also common to domestic violence victims.

The effects of trauma on the victim make it imperative that the your core response team of law enforcement and victim service providers collectively have a clear understanding of these effects and seek professional mental health services for the victim. Your core team should include mental health therapists who are trained in treating trauma victims. Team members must regularly communicate with each other regarding the reaction of the victim to various requests and services to insure that accurate assessments of the victim’s psychological condition can be made by the professionals.

Slide 85: Investigative Considerations



Notes

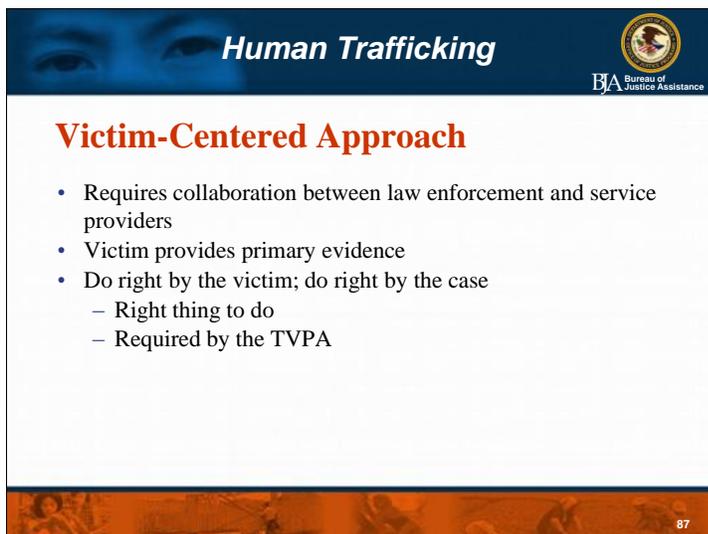
Investigative Considerations

Slide 86: Topics



Notes

Slide 87: Victim-Centered Approach



Human Trafficking

BA Bureau of Justice Assistance

Victim-Centered Approach

- Requires collaboration between law enforcement and service providers
- Victim provides primary evidence
- Do right by the victim; do right by the case
 - Right thing to do
 - Required by the TVPA

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Notes

Victim-Centered Approach

A victim-centered approach is exactly that—the victim is the center of the investigation and can make or break your case. The strength of your case will, in large part, depend on the victim. This approach requires collaboration between law enforcement and service providers. Human trafficking victims often provide the information and testimony that become evidence in the case. In order to show existence of coercion or threats, you will have to depend on the victim. In evidence-based investigations, cases are investigated as if the victim will not testify; however, in human trafficking investigations, the victim has a much greater role. If you do right by the victim, you will do right by the case. First and foremost, it is the right thing to do. Second, it is required by the Trafficking Victims Protection Act.

Slide 88: Victim-Centered Approach (cont.)

Human Trafficking

Victim-Centered Approach (continued)

- Weigh your options—consider timing and complexity of rescuing the victim
- Once rescued, ensure the victim is out of harm’s way and in a safe place

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Notes

When investigating these cases, you will have to take many things into consideration. Unlike other crimes, such as drug trafficking, human trafficking cases require that you consider the person or victim of the crime. It is critical that you weigh your options. Is the victim in immediate danger? If you wait, will the victim be in danger of physical harm? Is this a “mom-and-pop” operation? If you continue your investigation, will you have the chance to take down a large organization? What is the likelihood of your being able to rescue more victims? Although this will not always be feasible, in many circumstances, the victim may have insight as to the safest time to leave. These questions and more are what you will have to consider every time you encounter one of these cases.

Once you have made the decision to rescue a victim, you must have a plan in place that includes keeping him or her out of harm’s way. This involves more than just saving the victim from the trafficker. Many of these victims are in a country that is new to them, and it is up to you to protect them from the press and people of their own nationality. In many nationalities, even though persons were forced into sexual servitude against their will, many of their own people will want to disown them. It is critical that you make sure that you do not expose your victim to that type of disgrace because the victim may become less communicative. Is there a safe and appropriate location for your victim, such as a domestic violence shelter or safe house? If at all possible, victims should have some input in deciding when a “rescue” should take place.

Slide 89: Information Needed

Human Trafficking

Information That Helps Identify Trafficking Victims

- Immigration status
- Employment
- Safety/Coercion
- Social networks

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Notes

Slide 90: Immigration Status

Human Trafficking

Immigration Status

- What is their immigration status?
- How did they enter the U.S.?
- Do they have personal documents such as
 - Identification papers, passports, birth certificates?
- Who was in control of documents and travel arrangements?
- Do they have authorization to work in the U.S.?
- Were they told what to say to immigration agents or officials when they arrived?

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Notes

Immigration Status

When you approach possible victims, you do not want to bluntly ask about their immigration status because these victims have been programmed to fear this issue. If one person has total control over the personal identification papers of the victims, then that person is more than likely either the trafficker or a person who is involved with the traffickers. This situation is often referred to as “document servitude,” since such persons are told their documents will be returned to them once they have completed their servitude. It is important to advise the victims that you want to help them get back their personal

identification papers so that they can possibly begin receiving the appropriate services and legal assistance.

If the victims are not citizens, try to ascertain their immigration status. Ask how they entered the United States; this includes beginning at their home country. Were they smuggled? Do they have personal documents, such as personal identification, birth certificate, or passport? (It is important to note that juvenile victims are often coached by traffickers to give an adult age should they be discovered.) Did someone acquire fraudulent documents for them? How did they get here and who helped them? Do they have authorization to work in the U.S.? What were they told to say to immigration officials when they arrived?

Slide 91: Employment

Human Trafficking
BJA Bureau of Justice Assistance

Employment

- Did they come to the U.S. for a specific job or purpose?
- Are they doing different work than expected?
- Who is their employer?
- Does employer provide housing, food, clothes, or uniforms?
- Employment contract—What did it say?
- Do they owe money to their employer?
- Did employer/boss tell them what to say to police?

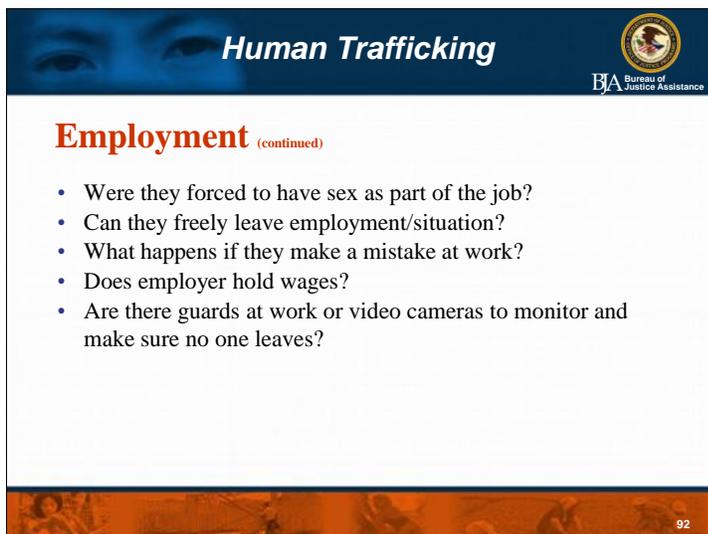
91

Notes

Employment

When addressing employment with victims, determine if the jobs they say they are performing correlate with their physical appearance and surroundings. An example would be a female who tells you that she is performing field labor—look at her hands and clothing. Are her hands calloused, and is her clothing covered with sweat and dirt? Does where she lives resemble a brothel with small, separate rooms containing little or no personal items? Inquire in an informal manner whether victims are pleased with their current employment, and if they had the chance, would they change anything. Do not speak above their educational level by asking them formal questions about labor contracts. Expect that the victims are going to be coached on their responses when dealing with law enforcement. It is important to take the time to listen to the story and look for indicators that show that the story is incorrect.

Slide 92: Employment (cont.)



The slide features a dark blue header with the text "Human Trafficking" in white, a small circular logo on the right, and a close-up image of a person's eyes. The main content area is white with the title "Employment (continued)" in red. It contains a bulleted list of five questions. The footer is orange with the number "92".

Human Trafficking

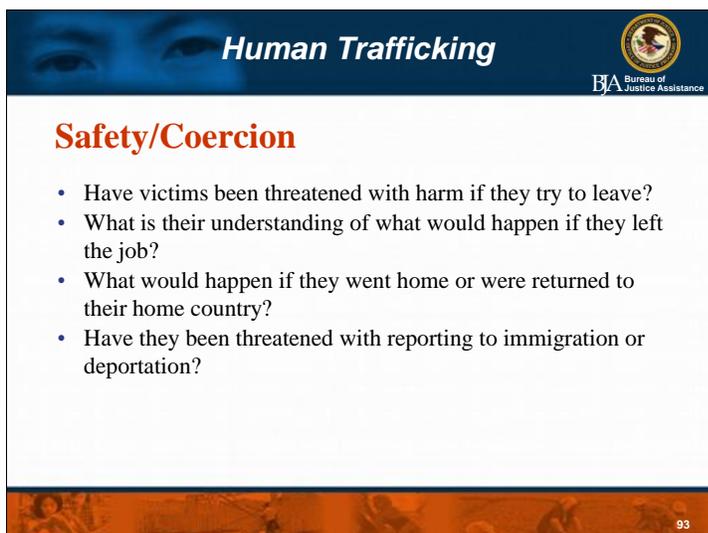
Employment (continued)

- Were they forced to have sex as part of the job?
- Can they freely leave employment/situation?
- What happens if they make a mistake at work?
- Does employer hold wages?
- Are there guards at work or video cameras to monitor and make sure no one leaves?

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Notes

Slide 93: Safety



The slide features a dark blue header with the text "Human Trafficking" in white, a small circular logo on the right, and a close-up image of a person's eyes. The main content area is white with the title "Safety/Coercion" in red. It contains a bulleted list of four questions. The footer is orange with the number "93".

Human Trafficking

Safety/Coercion

- Have victims been threatened with harm if they try to leave?
- What is their understanding of what would happen if they left the job?
- What would happen if they went home or were returned to their home country?
- Have they been threatened with reporting to immigration or deportation?

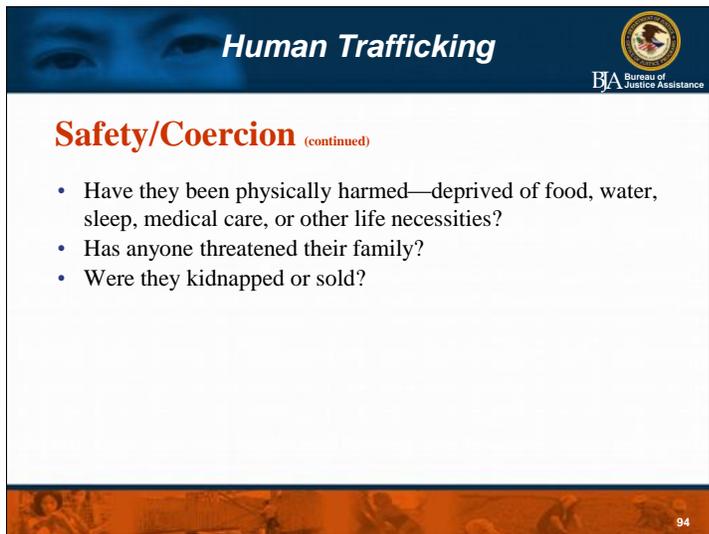
93

Notes

Safety/Coercion

Personal safety and the safety of their families are critically important to these victims. This is one of the biggest issues involved in dealing with human trafficking victims. The immediate safety consideration is to get the victim away from their trafficker, out of the media eye, and away from others of their culture who may choose to disown them. It is then important to assure victims that the safety of their families will be a high priority. Then through casual conversation, determine how safe they felt when they were with the trafficker. Did they feel that the safety of their families was in jeopardy?

Slide 94: Safety (cont.)



Human Trafficking 

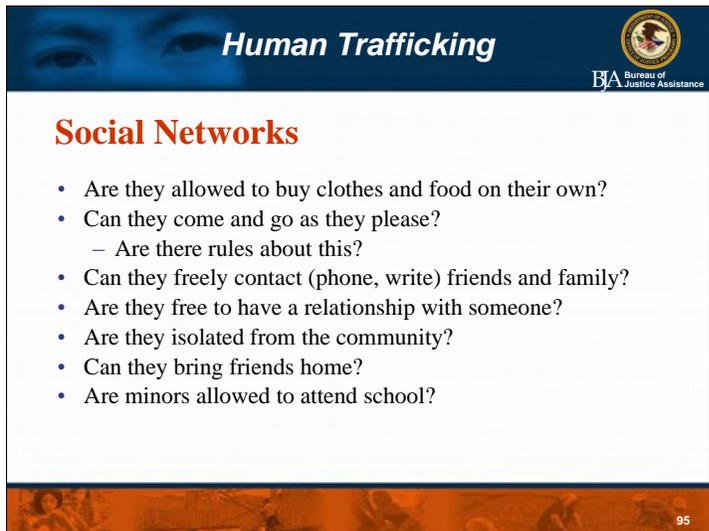
Safety/Coercion *(continued)*

- Have they been physically harmed—deprived of food, water, sleep, medical care, or other life necessities?
- Has anyone threatened their family?
- Were they kidnapped or sold?

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Notes

Slide 95: Social Networks



Human Trafficking 

Social Networks

- Are they allowed to buy clothes and food on their own?
- Can they come and go as they please?
 - Are there rules about this?
- Can they freely contact (phone, write) friends and family?
- Are they free to have a relationship with someone?
- Are they isolated from the community?
- Can they bring friends home?
- Are minors allowed to attend school?

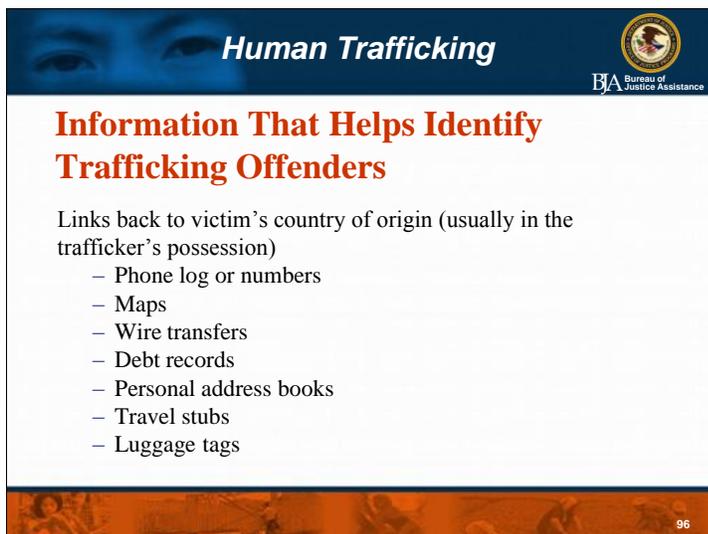
95

Notes

Social Networks

Gaining information about the victim’s social networks is a good way to gauge the victim’s freedom. It is very important to understand that even though a victim may be able to go to the store alone, go to church, or have other social interactions, it by no means equates to that victim being free. Many times the victims are kept in line by threats of violence or by seeing violence inflicted on someone else with the explanation that the same would happen to them or their family members if they interact with others and tell their story.

Slide 96: Information to Identify Offenders



The slide features a dark blue header with the text "Human Trafficking" in white. To the right of the header is the BJA Bureau of Justice Assistance logo. The main content area has a white background with the title "Information That Helps Identify Trafficking Offenders" in red. Below the title, it lists several indicators: "Links back to victim's country of origin (usually in the trafficker's possession)", "Phone log or numbers", "Maps", "Wire transfers", "Debt records", "Personal address books", "Travel stubs", and "Luggage tags". The slide number "96" is visible in the bottom right corner.

Notes

Information That Helps Identify Trafficking Offenders

It is important to be especially attentive when looking for indicators that involve links back to the victim's country of origin. Many traffickers are from the same area or region as their victim; therefore, they can explain why they have maps. However, they cannot explain why they are in possession of the victim's personal items and debt logbooks. (More often than not, the trafficker will maintain a debt logbook so that he or she can show the victim the status of their debt.) The trafficker will often be in possession of wire transfers made by the victim so that they can show the victim was earning money and sending some money home. Although family members are not usually aware of the victim's situation, you may come across a wire transfer of money from the family to the trafficker. This might indicate that the family is trying to help pay off the debt.

If you do recover a map during the course of your investigation, examine the route taken on the map. Is the route the most direct possible route or is the route out of the way? Traffickers will often keep personal address books listing family information about the victim as a means to coerce the victim into cooperating. One of the strongest indicators of human trafficking is encountering an individual who is in possession of another's personal identification/documents.

Slide 97: Information to Identify Offenders

Human Trafficking

Information That Helps Identify Trafficking Offenders (continued)

- Do they maintain employee records?
- Do they file social security deductions?
- Who does their payroll?
- How are employees paid?
- How do they determine employee wages?
- Who is their accountant?
- What are their hours of operation?

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Notes

Slide 98: Victim Issues

Human Trafficking

Victim Issues

- May not identify themselves as victims
- May not speak English
- Likely to lie or use rehearsed stories initially
- May be behaviorally dependent on trafficker
- Cultural or religious background may deter victims from telling the full story
- Victims may be reluctant to speak to someone wearing a gun, badge, or uniform—may be culturally conditioned to fear law enforcement

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Notes

Victim Issues

There are many issues involved in dealing with human trafficking victims, and this is where the victim service providers will be one of your best assets. Most victims are very reluctant to identify themselves as victims for many reasons. In many cases, the victims may not be aware that what has happened to them is a crime and that they are, in fact, victims entitled to help. Many victims consider themselves to be victims of circumstance, not victims of crime. Some may self- identify as victims but not admit it to law enforcement for fear of deportation.

When the victim begins to tell his/her story, you need to listen carefully. You can tell the difference between a rehearsed story and the truth. Listen to the story and then ask questions that would require the individual to go into more detail about his/her situation and experiences. Hold a casual conversation with the victim and find out more about him/her before your official interview. Most of these victims come from countries where the government is corrupt. By being compassionate and bonding with the victims, you will make them feel safe, and you will get the information that you need to help them and assist with your investigation.

Be ready for varying degrees of resistance from the victim. Trafficking victims are kept in bondage by traffickers through the use of fear, intimidation, abuse, and psychological controls. Victims may be so psychologically fragile that they are psychologically dependent on their trafficker. Victims may have reservations based on religious convictions. They may be concerned about loss of honor or social stigmatization. Victims may also be suffering from a form of Stockholm Syndrome wherein they find identity with and sympathy for their captors. The victims may not want their families to know about their current situation. They may feel pressured to continue in their activities in order to provide for their families back home.

Many victims may resist communicating with you, not because of who you are but because of who they have been told you are. These victims have gone through terrible ordeals, and you are possibly their first contact with law enforcement in the United States. You will have to work with victims to get them to a level where they feel comfortable with you. It is important to give the victims their choice of speaking with a male or female officer or investigator.

The days of responding to a call for service and making an arrest, writing a report, and walking away are gone. Now is the time for looking deeper into the incident and attempting to resolve the core problem. These victims have the same basic needs as we do—put yourself in their position.

Slide 99: Victim Issues (cont.)

The slide features a dark blue header with the text "Human Trafficking" in white, a small seal of the Bureau of Justice Assistance, and the text "BJA Bureau of Justice Assistance". Below the header, the title "Victim Issues (continued)" is displayed in red. A bulleted list contains the following items: "Victim should be given a choice of speaking with male or female investigator", "Victim may not want family to know of his/her circumstances", "Victim may exhibit" (with sub-bullets for "Stockholm Syndrome" behavior and Empathy for traffickers), "How and why victim's story may change", and "Safety of the victim's family in the home country". The slide number "99" is in the bottom right corner.

Notes

Stockholm syndrome: the phenomenon in which victims display compassion for and even loyalty to their captors. It was first widely recognized after the Swedish bank robbery that gave it its name. For six days

in August 1973, thieves Jan-Erik Olsson and Clark Olofsson held four Stockholm bank employees hostage at gunpoint in a vault. When the victims were released, their reaction shocked the world: they hugged and kissed their captors, declaring their loyalty even as the kidnappers were carted off to jail. Though the precise origin of the term *Stockholm syndrome* is debated, it is often attributed to remarks during a subsequent news broadcast by the Swedish criminologist and psychiatrist Nils Bejerot, who had assisted the police during the robbery.

No widely accepted diagnostic criteria exist to identify Stockholm syndrome, also known as terror-bonding or traumatic bonding. Nonetheless, the Swedish clerks' puzzling response to their ordeal has been emulated over and over again in a series of high-profile cases.

<http://www.time.com/time/nation/article/0,8599,1919757,00.htm>

Slide 100: Case Management

Human Trafficking

Case Management—Next Steps

- Contact your local FBI office
- Contact your local ICE office
- Contact your local prosecutor
- Contact the DOJ Complaint Line
- Contact your local NGOs (if not already done)

Bureau of Justice Assistance

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Notes

Case Management—Next Steps

Once you have discovered what you believe to be a case of human trafficking, it is time to call in federal partners and victim service providers. These are the people/organizations that will help investigate the case, rescue the victim, and prosecute the trafficker.

None of these entities can do the job alone. Local law enforcement is needed because they know the community; FBI and/or ICE is needed for the assistance they provide outside the jurisdiction; and the service providers are needed to help the victim. All of this ultimately helps build the case. This is why it is important to meet with all the partners and plan out a strategy prior to working a case.

Slide 101: Investigative Techniques

Human Trafficking

Investigative Techniques

- Surveillance
- Undercover agents/officers
- Trash pull (garbage searches)
 - Travel documents
 - Telephone bills
 - Bank and credit information
 - Other indicators of trafficking

101

Notes

Investigative Techniques

There are several investigative tools that are valuable in investigating and prosecuting these types of cases. They include garbage searches (mainly looking for documents that indicate national and/or international travel); search warrants; use of undercover agents and surveillance; subpoenaed toll records; and wiretaps. It is necessary to gather corroborating evidence as well as having the testimony of the victim.

Slide 102: Investigative Techniques (cont.)

Human Trafficking

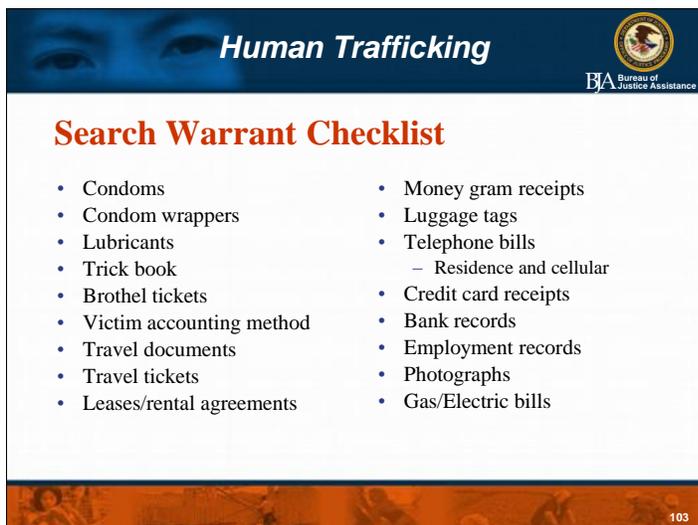
Investigative Techniques (continued)

- Subpoenas for telephone toll records
- Wiretaps
- Search warrants
 - Seize all paperwork found during search
 - Could be “smoking gun” evidence
- Bonding documents

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Notes

Slide 103: Search Warrant Checklist

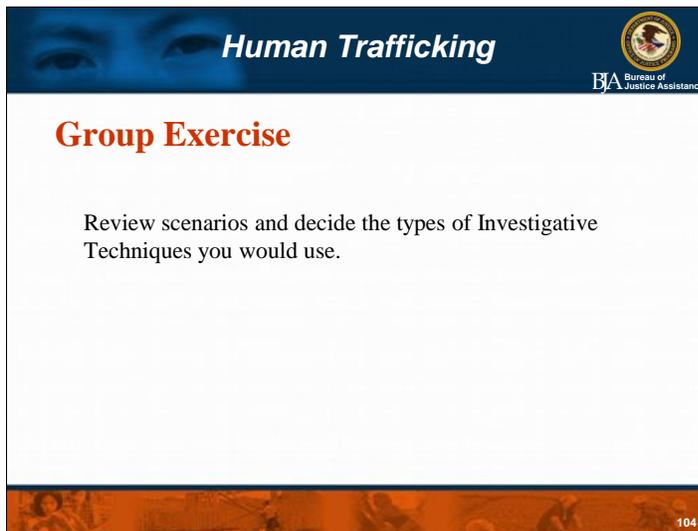


The slide features a dark blue header with the text "Human Trafficking" and the BJA Bureau of Justice Assistance logo. The main content area is white with a red title "Search Warrant Checklist" and a two-column list of items. The footer is orange with the number "103".

- Condoms
- Condom wrappers
- Lubricants
- Trick book
- Brothel tickets
- Victim accounting method
- Travel documents
- Travel tickets
- Leases/rental agreements
- Money gram receipts
- Luggage tags
- Telephone bills
 - Residence and cellular
- Credit card receipts
- Bank records
- Employment records
- Photographs
- Gas/Electric bills

Notes

Slide 104: Exercise



The slide features a dark blue header with the text "Human Trafficking" and the BJA Bureau of Justice Assistance logo. The main content area is white with a red title "Group Exercise" and a single paragraph of text. The footer is orange with the number "104".

Group Exercise

Review scenarios and decide the types of Investigative Techniques you would use.

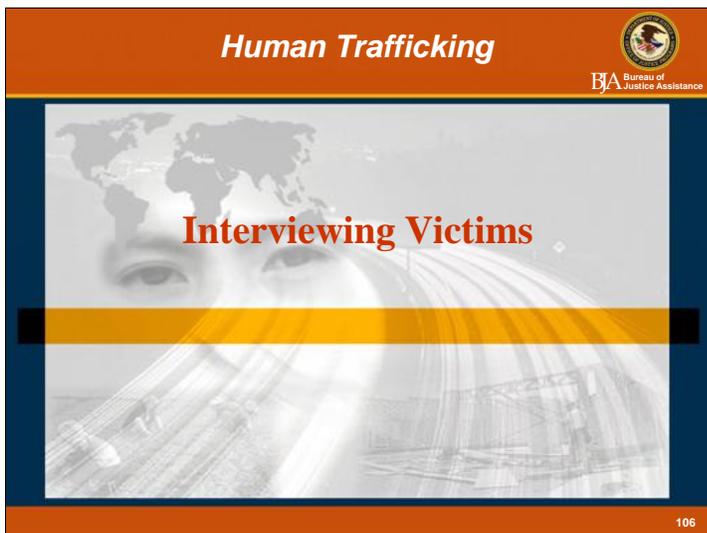
Notes

Slide 105: Questions



Notes

Slide 106: Interviewing Victims



Notes

Interviewing Victims

Slide 107: Topics

Human Trafficking

TOPICS

- Interview Considerations
- Interview Preparation
- Introduction to Victim
- Child Victims
- Sex Trafficking Victims
- Group Exercise

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Notes

Slide 108: Victim Interview Considerations

Human Trafficking

Victim Interview Considerations

- Look for comfortable space with no physical barriers (i.e., tables)
- Do not videotape or audiotape initial conversations
- Prepare questions prior to your interview
 - Never start with the ultimate question: “Are you a trafficking victim?”
- Use informal conversation
- Watch for nonverbal cues
- Do not make promises
- Keep note taking to a minimum
- Allow victim to set length and pace—be patient

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Notes

Victim Interview Considerations

When deciding where to conduct the victim’s interview, try to find a warm and friendly environment. Most law enforcement agency interview rooms are too sterile for interviewing victims of human trafficking. Remember that you will need to gain the victim’s trust, so find an atmosphere that is conducive to rapport building. Churches or local domestic violence shelters may offer their established counseling rooms for this purpose.

When interviewing victims, understand that their story is going to develop over time. Your initial interviews with victims will be bonding sessions; therefore, they do not need to be videotaped unless your agency has a policy stating otherwise. Also, ask your local federal prosecutor if they require audio- or video-taped statements.

Rather than direct questioning, try to form your questions using an informal, conversational tone. This is a good way to bond with the victim and ultimately will help you to obtain needed information. It is important to know the culture of the victim so that you can detect non-verbal cues. Make no promises. The smallest promise not kept will result in the victim losing faith in you. Keep note taking to a minimum. If possible, have a second person keep the notes. Let the victim set the pace and length of the interview, keeping in mind that if it is a child you may have to cut the interview short.

Slide 109: Victim Interview Considerations (cont.)

Human Trafficking

BJA Bureau of Justice Assistance

Victim Interview Considerations (continued)

- Initial questions properly posed may reveal human trafficking
- It is critical to separate victim from his/her trafficker before questioning begins
- NGOs and victim advocates can play a vital role in victim interviews
- Conveying a sense of safety to emancipated victims is of paramount importance

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Notes

It is important to separate victims from their trafficker before the interview begins. Also separate individual victims, who have been rescued from a brothel. Some women among the victims may be informers, for the trafficker. Keep in mind that even if you find an informer, that person still is most likely a victim. Local service providers can assist in preparing victims for interviews by caring for their needs. Remember that a victim is the best judge of what makes him or her feel safe. Safety is not just separating victims from the trafficker by putting them in the back of a patrol car. You must remove the victims completely from the scene.

Slide 110: Interview Preparation

Human Trafficking

Interview Preparation

Interpreters:

- Who is available?
- Who can be trusted?
- Pitfalls to avoid
 - On-scene interpreters affiliated with traffickers
 - Possible bias of interpreters
 - Possible prior relationships between the victim and the interpreter
 - Regional dialect variations

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Notes

Interpreters can help to simplify a case or send you down the wrong path. Look within your own agency to find an interpreter whom you trust. You also can look to your local human trafficking coalition partners or the local health department for interpreter recommendations. Be wary of anyone who insists on interpreting, as they may have ties to the trafficker. Do not allow your interpreter to build a relationship with the victim. Make sure that your interpreter does not become an investigator. Also, just because someone speaks a certain language does not mean that person will be able to interpret for everyone of that language due to regional dialects.

Slide 111: Interview Basics

Human Trafficking

Your Introduction to the Victim

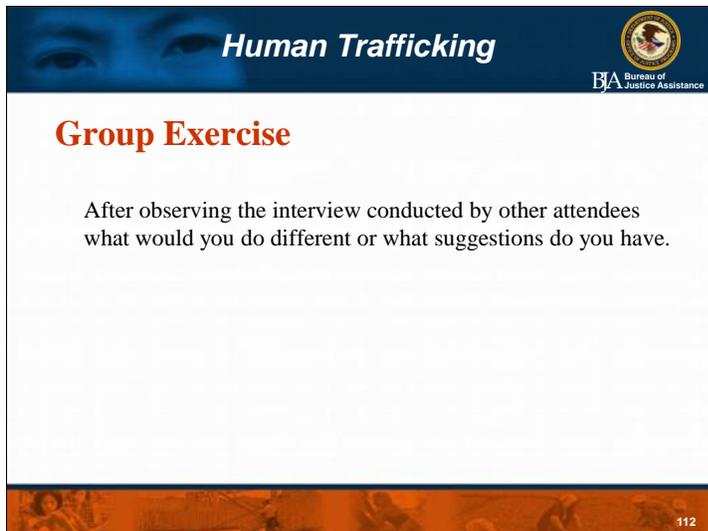
- Your attire
 - Casual dress; No uniform or badge; No weapon
- Introduced to the victim
 - Third-party introduction by someone the victim trusts
 - Best to introduce yourself first by name, without reference to LE title
 - Explain and stress that you are there to assist him or her
- Nonverbal communication
 - Stance (eye-to-eye); Open versus closed body language; Relaxed

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Notes

Consider the way you are dressed for the interview. If you are wearing a gun, agency emblem, insignia, or if you are overly dressed compared to your victim, you need to change your attire to something more casual. If you are receiving the case/information from a service provider, it is a good idea to have that service provider introduce you to the victim as someone that he or she trusts. Use your first name and leave titles at the door. Watch your body language. The victim can tell when you care and are interested in what they have to tell you.

Slide 112: Exercise



The slide features a dark blue header with the text "Human Trafficking" in white and the BJA Bureau of Justice Assistance logo on the right. The main content area is white with the title "Group Exercise" in red. Below the title, the text reads: "After observing the interview conducted by other attendees what would you do different or what suggestions do you have." The slide number "112" is in the bottom right corner.

Notes

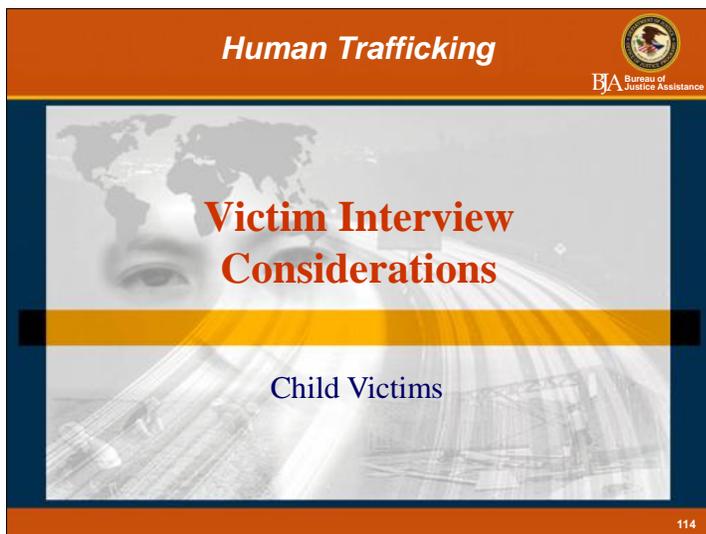
Slide 113: Questions



The slide features an orange header with the text "Human Trafficking" in white and the BJA Bureau of Justice Assistance logo on the right. The main content area is white with the title "Questions" in red. The background of the content area shows a world map and a person's face. The slide number "113" is in the bottom right corner.

Notes

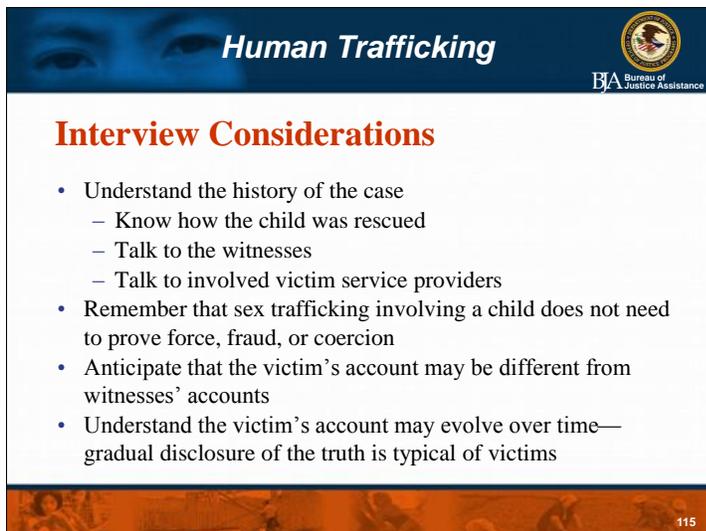
Slide 114: Child Victims



Notes

Child Victims

Slide 115: Interview Considerations



Notes

With children's cases, it is important that you understand the history of the case in order to accelerate the bonding process with the child. With sex trafficking cases involving children, you do not need to prove force, fraud or coercion. It is assumed that the child does not want to be in that situation.

Slide 116: Interview Process

Human Trafficking

Interview Process

- Ideally conducted by the Child Protection Team/Services
- Different from traditional forensic interviews
- Child may
 - Be hostile/afraid
 - Try to protect trafficker
 - Try to set tone of interrogation
- Child’s history of interaction with adults may influence his or her interview behavior
 - Sexual abuse
 - Prostitution
- Consider developmental issues based on age

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Notes

Interview process

Child Protection Teams (CPTs) are specifically designed, equipped and staffed to handle child victims of sexual assault. If you have such a team in your area, use their services.

Although you may have six to seven (DCF, FBI, ICE, SAO, USAS, local law enforcement) people who need to witness the child interview, that is too many people to have sitting in on an interview.

Slide 117: Interview Process (cont.)

Human Trafficking

Interview Process (continued)

- Rapport building may take longer with children
- May require multiple interviews to develop rapport and trust and obtain information
- Different dynamics from traditional child sexual abuse interviews
 - Trafficking abuse is typically outside of the child’s normal surroundings
 - Often involves multiple offenders

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Notes

Rapport building with a child is crucial to obtaining the case building information you need. In the initial interviews, you will need to talk on the child’s level about things that interest him or her. It may take

several rapport-building interviews before the child is ready to talk about his or her victimization. A trafficked child has experienced victimization similar to children who are sexually abused.

However, there are added difficulties in working these cases because the child usually has been victimized by multiple offenders (depending on when you make a rescue, the child could have been forced to have sex with hundreds of men); the victimization has occurred in unfamiliar surroundings; and, the perpetrators are usually unknown to the victim.

Slide 118: Child Victim

Human Trafficking

BJA Bureau of Justice Assistance

Empowering the Child Victim

Help them understand

- There is a way out
- You will help them
- It is not their fault
- They are victims
- They will be cared for

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Notes

Empowering the child victim

Be careful about empowering the child victim while trying to comfort him or her. Cultural differences may dictate that you should not touch the child. Also remember the child as been victimized by strangers, so touching may be inappropriate and have a negative effect.

Slide 119: Corroborative Information

Human Trafficking

Obtaining Corroborative Information

- To obtain a narrative account of the abuse
 - Ask nonspecific questions
 - Begin a general dialogue, get them talking
 - Seek out an overall picture of abuse
- Consider nontraditional ways for the child to communicate
 - Drawings
 - Clay models
 - Anatomically correct dolls, stuffed animals

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Notes

Obtaining corroborative information

In trying to obtain corroborative information, ask non-specific questions to start a dialogue with the child. Get a narrative account of the abuse and build your case from that information. Specific questions should not be asked until the child is comfortable. Do not over-interview a child. Be careful when using non-traditional communication with a child, such as drawing or working with clay. While these methods may be appropriate for a child from the U.S., they may confuse a child from a third-world country who has never seen clay or drawn a picture.

Slide 120: Narrative Account of Abuse

Human Trafficking

Obtaining a Narrative Account of the Abuse

- Use narrative account to focus on specific information
- Keep them on track
- Start building foundation for corroboration
- Understand child victims may not tell their account in chronological order or the first person
- Events may be referenced in relation to activities in their lives versus actual dates

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Notes

Obtaining a narrative account of the abuse

Once you have a generic overview of the abuse, you can utilize that information to focus on areas that you need to clarify. You will have to keep the child focused. Remember that even though this may be a child from a third-world country, she/he is still a child at heart. You may have to make the interview interesting by taking breaks, talking about subjects that interest the child, or going for a walk. Be prepared to do whatever it takes to get the information you need. Children have a tendency, especially after being traumatized, not to remember information in a chronological order. You may have to reconstruct the time line. Many children remember incidents based upon whatever else was occurring at the time. For instance, a child may remember that she was victimized right after a cartoon that she liked to watch was on TV. With research, you may discover that the show airs only on Friday at 5 p.m.

Slide 121: Child Interviews

Human Trafficking

Child Interviews

- Remember you are interviewing a child. Some circuits have a 3 interview rule. Does your circuit have any restrictions on child interviews?
- Under Federal law there is no 3 interview rule; however, remember you are interviewing a child and over-interviewing can have adverse consequences

Notes

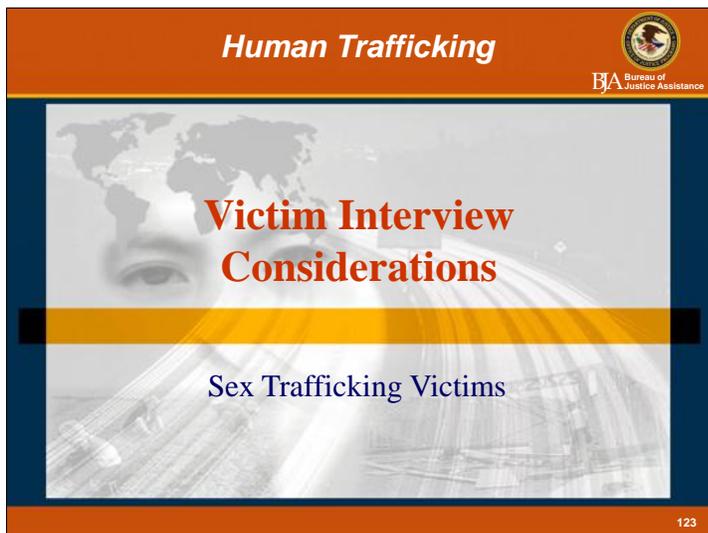
In some circuits, jurisdictions have a limit on the amount of time a child of sexual abuse can be interviewed. The federal government does not have a restriction on the length of interviews. Make sure you are aware of the legal guidelines in your area.

Slide 122: Questions



Notes

Slide 123: Sex Trafficking Victims



Notes

Sex Trafficking Victims

Slide 124: Sex Trafficking

Human Trafficking

Sex Trafficking

- Sex trafficking involves the use of force, fraud, or coercion to induce a commercial sex act by an adult
- The element of consent distinguishes prostitution from forced prostitution
- Even those who initially consent to prostitution may become victims of trafficking
- Some traffickers are former victims

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Notes

Sex Trafficking

Adult sex trafficking cases have the same standard of proof as adult forced labor. When interviewing sex trafficking victims, you must determine if the victim has consented to being a prostitute. Keep in mind that initially, she may have consented to being a prostitute. However, if she changed her mind later and wanted to leave but was not allowed, then she is a trafficking victim. If the victim advises that she was brought into the U.S. and consented to prostitution, then you can still apprehend the suspect for harboring illegal people, transporting illegal people, or living off the profits of a prostitute.

Slide 125: Understanding the Victim

Human Trafficking

Understand the Victim

- May have romantic relationships with their traffickers and attempt to protect them
 - Ultimate form of coercion, requires no threats or violence
- Debt bondage is the most common form of coercion
 - Ask victims how much they owe
 - Do victims maintain their own personal records?
- Frequently moved and may not know their exact location
- Threats of force or deportation often sufficient to keep victims under trafficker's control

Notes

Traffickers will lure victims by telling them that if they come to the U.S., they can be the trafficker's girlfriend. This ploy works especially well if the female has a child and they tell her that the trafficker will adopt the child.

Slide 126: Interview Considerations

Human Trafficking

Interview Considerations

- Consider gender issues
- Be culturally sensitive
- Know that shame may inhibit victims from disclosing abuse
- Be prepared for rehearsed stories—especially from underage victims
- Show victim pictures of suspects when asking questions
 - Traffickers often operate under aliases
- Understand you are interviewing a victim rather than an offender

Notes

Consider using a female detective if the victim feels uncomfortable dealing with a male. Remember that a victim can tell if you are interested in them or care about them, even if they cannot speak your language. Make sure that you understand the culture you are dealing with, because in some cultures it is inappropriate for a female to talk to a male about sex even when they are a victim. Also understand that in some cultures a female will be disowned by her family and village, even though she is a victim.

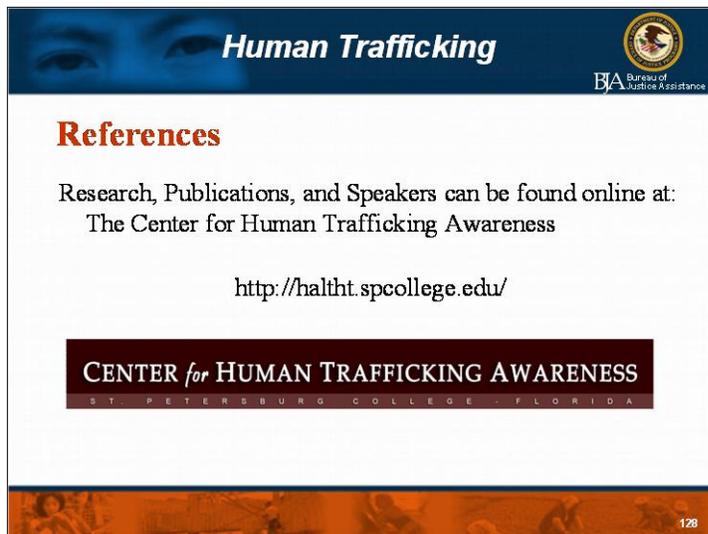
If you can obtain photos of the suspect, utilize a photo line up as traffickers will operate under many aliases.

Slide 127: Questions



Notes

Slide 128: References



Notes

References

Appendix A: Human Trafficking Indicators

General Indicators:

- Live on or near work premises
- Restricted or controlled communication/transportation
- Frequently moved by traffickers
- Large number of occupants for living space
- Lack of private space/personal possessions/financial records
- Limited knowledge about how to get around in a community

Physical Indicators:

- Injuries from beatings or weapons
- Signs of torture (e.g., cigarette burns)
- Brands or scarring indicating ownership
- Signs of malnourishment

Financial/Legal Indicators:

- Someone else has possession of legal/travel documents
- Existing debt issues
- One attorney claiming to represent multiple illegal aliens detained at different locations
- Third party who insists on interpreting
- Did the victim sign a contract

Labor Camp/Sweatshop Indicators:

- Security intended to keep victims confined
- Barbed wire
- Bars on windows
- Self-contained camps
- Bouncers, guards, and/or guard dogs
- Shopping allowed only at “Company Store”

Brothel Indicators:

- Large amounts of cash and condoms
- Customer logbook or receipt book (a.k.a. “trick book”)
- Sparse rooms
- Men come and go frequently

Appendix B: Case Scenarios

Mai Ling's Story

I am from China and I came to the U.S. because I wanted to make money to support my family. My father is very ill and cannot work anymore and my mother is already gone. My husband died two years ago in an accident and I have one son.

I had heard of many people coming to the U.S. to make money. I knew a woman in the market who could help me to get to the U.S. and I asked her to make some arrangements. She said I would have to pay \$5,000 to get to the U.S. and that I would have to pay off another \$15,000 dollars more once I got here by working in a restaurant, factory or somewhere else. I thought that if I worked really hard, I could pay it off in no time and could send money home. I was able to borrow the \$5,000 from some people and was told to get a passport.

I came to the U.S. on a boat with about 100 other people, men and women. It took about one month and we stopped in many places and picked up more people. There was not very much food on the boat and it was cold and dirty. We had to sleep on the floor and I was scared of the other people, especially the men whose language I did not understand. We were so close to the U.S. when the police stopped the boat and we were all arrested. I have been here in jail for two weeks and I don't know what is going to happen to me. I really want to work here because now I owe \$5,000 to the people in China.

Rosie's Story

I came to the place where I heard women can get help if they need it. I have been in the U.S. for two years working for a family and they never pay me. I need someone to help me get my money from them. I work over 16 hours a day.

The man in the family keeps my documents in a safe and it is very hard for me to leave the house and not have the couple or children around me. (They think I am at church now — I don't have very much time.) They have threatened to send me home to Guatemala if I don't do what they want.

I have a hard time telling anyone about the family's 25-year-old son — he attacks and rapes me when no one else is home. I feel sick with terrible headaches and I can't eat. My employer tells me to stop imagining that I am sick and that I am lying so I can get out of doing my work. They will not take me to the doctor.

Lonna's Story

I am from a small village in Peru and I came to the U.S. when I was 19 years old, married to a United States citizen man that I met in my country. He came to Peru on a business trip and I met him in the restaurant that I worked in that was visited by many tourists. He was very nice to me and we dated for some time. He met my parents, he bought me presents, we took trips around Peru together...he seemed to me to be a very good person, someone who would be a good father and someone who believed in God.

He came back to Peru a few more times and he asked me to marry him. I felt that I loved him and that he would take good care of me. So, we got married in Peru and left for the United States.

When we got here, it wasn't what I expected. In fact, it was very different from what he had told me and he was also a different person. We lived outside the big city in a small house. I don't think he has much

money and doesn't even have a real job. He got the house and some money from his mother who died two years ago. He wouldn't buy me any clothes or other things, he said he couldn't afford it and that I needed to go to work and make money. But, I don't speak very good English and he wouldn't let me go to school. How could I get a job? Then, he started to abuse me. He would hit me and yell at me all of the time if I did something he didn't like. He also forced me to have sex with him.

I wanted to go home but he took my passport when we got here and kept it locked up in a safe in the bedroom. I couldn't talk to my parents and ask for their help. After a while, I wanted to die and always thought about killing myself. One day when he was abusing me, I hit him back and he called the police. The police took me to the domestic violence shelter where I am right now.

Tatiana's Story

I am from Ukraine and came to the U.S. two years ago because life is very difficult in my country. Even though I have two years of college there are no jobs because men always get the first chance to have work. I had moved to the city from my town and worked in a bar for a while. I made very little money there and it was dangerous. It was there that I met Yuri who said I could make a lot of money in prostitution in the US. I was a little bit scared because I had never tried prostitution before and I knew that the Russian mafia was involved in this business.

Yuri made the arrangements for me to come to Los Angeles as a tourist. I gave him all my money to get me here and Sergei met me at the airport. At first Sergei was very nice. He took me to good restaurants and let me stay at his apartment. He told me I was his girlfriend, and that I was 'special.' Two weeks later, he took me to an apartment in San Fernando Valley where I met two other women and we each had our own room. I later learned that Sergei said all of 'his girls' were 'special.' He took all of our money because he said we had to pay him for getting us to the US, for rent, for protection, etc. We were not allowed to leave our rooms and had to meet a quota of men each day. If we didn't, Sergei would hurt us or threaten to turn us in to US immigration or the police. There were also armed men on the premises who Sergei said would kill us if we tried to run away.

Although I knew I would be having sex with men, I didn't expect these types of conditions. We were told never to tell the Johns of our situation. We moved to three different apartments before the police found out about us. I was arrested with one of my customers. He is already out of jail and I think I might be deported soon because my tourist visa expired a long time ago. I am at the hospital now because when Sergei hit me, he made me bleed from my ears. An 'advocate' is here to talk to me and I am afraid.

Maria's Story

My name is Maria Juan. I come from a small village in Guatemala. At the age of 11, my parents sold me to a male adult villager named Fernando. Fernando was allowed to have sex with me in my own family home. I gave birth to his child in the village when I was 12 years old, and was informed shortly thereafter that Fernando and I were going to be smuggled into the U.S. I absolutely did not want to go anywhere since I had a baby and my entire family lived in the village; but Fernando beats me often and I am only 12 years old, so I must comply with his wishes. My family agrees to take care of my baby which I leave behind in my village.

A "coyote" smuggled us both into the U.S. We wind up living with Fernando's brother and his brother's wife in Cape Coral, Florida. His brother owns a landscaping business which he operates with eight other men. I am forced to wake up early every morning and cook for the entire work crew. When they leave, I must clean the entire home. When Fernando's brother's wife leaves the home, she takes all the telephones

and locks them up so I cannot call home to Guatemala. I am not allowed to leave the house. Fernando beats me often and I think I am once again pregnant.

Fernando and his brother argue about money. Fernando owes his brother \$2,000. Fernando tells his brother to have sex with me in exchange for the debt owed. When his brother grabs me and begins to sexually assault me, I scream, cry and resist; however, his brother's wife refuses to help me. Instead, she gathers her two children and locks herself and the kids in their bedroom as I am raped in the family home. Fernando is angry often and beats me regularly even though I now know I'm pregnant since my body has changed and I am "showing." Very infrequently I am allowed to accompany the family to the grocery store; however I am locked in the car all the time and not allowed to come into the store with them. I am thirteen years old and I want to go home.

One morning, Fernando beat me savagely and left for work with the rest of the work crew. I began to suffer violent cramps and Fernando's brother's wife saw me and she got very nervous. She ran across the street and asked a Hispanic neighbor lady to drive us to the hospital. The neighbor lady agreed to go and Fernando's brother's wife got some phony identification cards from her bedroom and presented the cards to the hospital staff. I had my baby, however, he was very premature and they took my baby away to a special hospital. The neighbor lady looked pretty distressed over this entire process but I was never left alone so I could not tell her about my situation. After a few hours, we were allowed to go home. I felt very weak and sick and I don't know what is to become of my baby.

A few days later, I was back to my old routine of being forced to get up early, cook for the entire home, clean after they go to work and when the brother's wife leaves, she locks all the telephones up. One morning I was home alone and I heard a knock on the door. I had been given strict orders never to open the door, but I could see it was the neighbor lady so I walked into the side yard and she joined me there. She said the hospital keeps calling her wanting to know why I haven't contacted them about my baby. I cried and told the neighbor lady my whole story; from being sold in Guatemala at the age of eleven forward to now. The neighbor lady told me to grab some personal belongings and come with her. She took me to her home and then drove me to a battered women's shelter. I was contacted by the police there and initially refused to talk to them because I feared Fernando and being deported back to my country to possibly be rejoined with my angry family. The neighbor lady encouraged me to cooperate and "help myself", so I told the police everything.

After several more interviews with police from different agencies, I was told Fernando, Fernando's brother and his brother's wife have been arrested after the police knocked down the doors of the home and they took many items into evidence. I am at present in a foster home with an elderly Hispanic lady who cares for me.

Appendix C: Rosaria's Story

Sixteen-year-old Rosaria is from Tepoztlan, Mexico. A family friend talked to her parents about an education and job opportunity for Rosaria in Florida as a housekeeper in a hotel. They said she would also be given the opportunity to go to school. Rosaria is the oldest of four girls, and her parents agreed to send her to the US because she would be able to send money home. Rosaria was excited about this new opportunity.

The family friend took Rosaria to a house with several other girls, each of them going to the US for job and education opportunities. They transported the girls across the border, and in Texas they took identification documents from everyone and separated the girls into different vehicles. Rosaria was taken to a trailer in Immokalee, FL, where she was held in isolation. She was raped and abused physically and emotionally for several weeks. Then she was forced into prostitution with eight other women. She was able to run errands to the grocery store with a guard.

Rosaria speaks limited English. She is fearful of the authorities because she does not have her documents and she was told by her captors that the US police are corrupt and they would beat and deport her. She was coached by her captors to say she is 18 years old and here by choice. She is ashamed of what has happened and does not want to reveal her situation to anyone because of her cultural and religious background.

What the Investigator knows:

Rosaria was picked up by police, along with seven other women, at a trailer on a migrant farm. There was evidence of prostitution, including several mats on the floor, condoms and lingerie. The police found identification documents for Rosaria and the other girls – the documents were being held by one of the men on the farm suspected of human trafficking. Even though Rosaria says she is 18, her documents show that she is actually only 16. The investigator is trying to develop a larger case involving each of the eight women who were found. Even though it is not necessary to prove coercion on a minor, the investigator wants as much information as possible to help the case for the other women, some of whom are 18 years or older.

Appendix D: Human Trafficking Acronyms

BFT	Bona fide T Visa (enables VSFT to access refugee benefits)
CERT	Certification by HHS for refugee benefits
CEOS	Child Exploitation and Obscenity Section/ Criminal Division
CP	Continued Presence (temporary immigration relief)
CRT	Civil Rights Division/Criminal Section
DHS	U.S. Department of Homeland Security
DOJ	U.S. Department of Justice
DOL	U.S. Department of Labor
DOS	U.S. Department of State
DSS	Diplomatic Security Service/State Department
EAD	Employment Authorization Document (comes with CP)
G/TIP	Office to Monitor and Combat Trafficking in Persons (State Dept.)
HHS	U.S. Department of Health and Human Services
ICE	Immigration and Customs Enforcement (Dept. of Homeland Security)
IOM	International Organization for Migration (assists with repatriation)
LEA	Law Enforcement Agency
LEA Supp	T-visa (I-914B) form prepared by LEA re: VSFT and assistance
LPR	Lawful Permanent Resident (available to T visa holders after 3 years)
MAA	Mutual Assistance Associations
NGO	Non-governmental organizations (provides victim services)
ORR	Office of Refugee Resettlement (HHS agency that issues benefits certifications)
OSC	Office of Special Counsel for Immigration-Related Unfair Employment Practices/CRT
OVC	Office for Victims of Crime (funds NGOs)
PHAB	Parole and Humanitarian Assistance Branch (ICE) – issues CP
SOL	Statute of limitations
SPBP	Significant public benefit parole (temp immigrant relief issues by PHAB)
T	T visa (4-year status; may become LPR)
TIP	Trafficking in Persons
TPWETF	Trafficking in Persons and Worker Exploitation Task Force (complaint line)
TVPA	Trafficking Victims Protection Act of 2000
TVPRA	Trafficking Victims Protection Reauthorization Act of 2003
U	U visa (for victims of 23 federal, state, local crimes, 4-yr status, no HHS benefits)
USAO	U.S. Attorney’s Office
URM	Unaccompanied Refugee Minor Program (for alien juveniles/ORR)
USCIS	U.S. Citizenship and Immigration Services (adjudicates T visas)
VOLAG	Voluntary Agency (HHS refugee assistance organizations)
VSC	Vermont Service Center (USCIS office that handles T visas)
VSFT	Victim of a severe form of trafficking
WHD	Wage and Hour Division (DOL)