

How Local Police Can Combat the Global Problem of Human Trafficking:

*Collaboration, Training,
Support for Victims, and Technology
Are Keys to Success*



CRITICAL ISSUES IN POLICING SERIES

How Local Police Can Combat the Global Problem of Human Trafficking: *Collaboration, Training, Support for Victims, and Technology Are Keys to Success*

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Acknowledgments

WHEN PERF DECIDED TO HOST A NATIONAL conference on the role of police departments and sheriff's offices in preventing and investigating human trafficking, we knew that it was imperative to have a diverse group of participants in the room. As awareness of human trafficking has grown in recent years, law enforcement agencies are increasingly expected to understand the different types of trafficking crimes, the warning signs when trafficking is occurring, and overall trends. While many agencies now provide basic training on human trafficking to officers, there is a lack of in-depth understanding of the topic, especially as it relates to assisting victims.

So PERF made sure that in addition to having police chiefs, sheriffs, and other law enforcement executives at the conference, we also had prosecutors, victim advocates, researchers, and representatives of various nonprofits and other non-governmental organizations in attendance. Collaboration is the key to success in combating human trafficking, and this meeting benefited from having a range of stakeholders contribute to the discussion.

Approximately 200 participants from all areas of the anti-trafficking field convened in Washington, D.C., on August 5, 2019 for this *Critical Issues in Policing* conference. (Registered participants at the meeting are listed on page 60.) Several said they had never participated in a human trafficking discussion involving people from so many different disciplines. This broad collection of stakeholders contributed to a robust discussion, and ultimately enabled the group to find important areas of agreement.

As always, PERF is grateful to the Motorola Solutions Foundation for its long-time support of the *Critical Issues in Policing* series. This is our 39th *Critical Issues* report. (Previous reports are listed on the back cover of this document and online at [https://](https://www.policeforum.org/critical-issues-series)

www.policeforum.org/critical-issues-series.) Motorola's commitment to PERF and the policing profession has allowed us to research the most pressing issues facing policing and to provide police chiefs, sheriffs, and others with guidance and recommendations they can use.

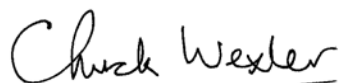
PERF is grateful to Greg Brown, Motorola Solutions Chairman and CEO; Jack Molloy, Senior Vice President for Sales, North America; Jim Mears, Senior Vice President; Gino Bonanotte, Executive Vice President and Chief Financial Officer; Tracy Kimbo, Chief of Staff, Global Enterprise and Channels; Monica Mueller, Vice President of Government Affairs; Shamik Mukherjee, Chief Marketing Officer; Karem Perez, Executive Director of the Motorola Solutions Foundation; and Wesley Anne Barden, Manager of Evaluation and Grantmaking at the Foundation.

Many PERF staff members contributed to this conference and report. Kevin Morison, PERF's Chief Program Officer, led the project team from start to finish. Senior Research Associate Sarah Mostyn and Research Assistant Nora Coyne were the lead authors of this report. Communications Director Craig Fischer edited the report and oversaw its production. Nora and Senior Research Assistant Amanda Barber conducted much of pre-meeting research, interviewed subject matter experts, and oversaw meeting planning. Dr. Jack McDevitt, Director of the Institute on Race and Justice at Northeastern University and a member of PERF's Research Advisory Board, provided insight and assistance throughout the planning process, and he contributed to the discussion at the meeting.

Meeting registration and communications were led by Membership Coordinator Balinda Cockrell and Assistant Communications Director

James McGinty. James also designed and executed audio-visuals and graphics used at the meeting and assisted with report editing. Senior Principals Dan Alioto and Dave McClure and Intern Tatiana Lloyd-Dotta provided additional assistance on the day of the meeting. Research Assistant Jessica Calahorano assisted with report preparation. My Executive Assistant Soline Simenauer kept me organized and on track throughout the project. Photography services were provided by Raphael Talisman. Dave Williams designed and laid out the publication.

Human trafficking is a difficult and complex problem, and everyone has a role to play in combating it. We hope this report helps foster greater understanding and cooperation among law enforcement, prosecutors, victim advocates, and other criminal justice stakeholders.



Chuck Wexler
Executive Director



Executive Summary: 10 Actions for Combating Human Trafficking

HUMAN TRAFFICKING OCCURS IN NEARLY ALL countries of the world and all parts of the United States. Estimates of the number of victims range from 20 million to 40 million globally. This modern-day organized crime is estimated to be a \$150-billion business worldwide.¹ Yet for many years, society as a whole, and the policing profession in particular, did not fully grasp the scale and complexity of the problem or its impact.

Recently, however, there has been more widespread recognition of the devastating effects of human trafficking on individual victims and on communities. This increased attention has led to calls for new legislation, greater awareness, improved investigations, and increased assistance to victims of trafficking. It also has created new challenges for local police departments and sheriffs' offices to take a larger role in combating human trafficking.

While human trafficking is a global concern, local law enforcement agencies play a central role in addressing the problem. More than in any other profession, police officers are likely to encounter victims and traffickers in their everyday work, through neighborhood patrols, traffic stops, and responding to calls for service. As a result, officers are in a special position to identify, intervene with, and ultimately rescue trafficking victims.

In fact, police officers are often the first representative of a government agency that trafficking

victims encounter. How officers and deputies manage that initial encounter and how they treat victims can ultimately determine whether victims get the help they need and whether traffickers are held accountable.

The services that victims receive can directly impact their ability to participate in the criminal justice process, which in turn can influence whether traffickers are prosecuted and held accountable for their crimes. So that initial encounter between officer and victim is crucial.

But most local law enforcement agencies are not adequately prepared to address the magnitude of the human trafficking problem. They often lack the basic training, skills, and resources to identify instances of human trafficking, successfully investigate these crimes, and provide meaningful assistance to victims.

The lack of preparedness and resources extends beyond policing. In many communities, there are few, if any, support services specifically for victims of human trafficking. And in communities where services exist, police may not know about those resources or how to access them. The type of coordination among police, service providers, and others that is required to combat trafficking does not exist in many communities today.

1. "Myths, Facts, and Statistics." Polaris. <https://polarisproject.org/human-trafficking/facts>.

PERF's Conference Brought Together a Diverse Mix of Organizations and Ideas

To explore the need for a multi-disciplinary response to human trafficking and the role law enforcement should take, PERF convened a national conference on August 5, 2019. This meeting brought together a diverse group of approximately 200 police and sheriffs' agency leaders, federal government officials, non-governmental organization representatives (NGOs), victim service providers, researchers, and subject matter experts.

The meeting covered the following key topic:

- Challenges in collecting data on human trafficking and tracking cases;
- The importance of training officers on recognizing and responding to instances of human trafficking;
- How to successfully build cases against traffickers, even when victims cannot participate;
- The range of services available to victims, and how services can be integrated into a multi-disciplinary response to trafficking;
- The benefits and challenges of human trafficking task forces; and
- The role that technology can play in human trafficking investigations and prosecutions.

Having a diverse mix of organizations at the conference led to a greater understanding of the challenges that individual agencies face, and to finding common ground to address those challenges. For example, police officials often express frustration that victims of human trafficking hesitate to call police or participate in criminal prosecutions. Victim advocates at the meeting emphasized that many human trafficking victims, because of the sustained trauma they have endured, often are afraid of being blamed for their situation or treated as criminals themselves.

But victim advocates and service providers were able to hear first-hand from law enforcement leaders about opportunities for greater cooperation. For instance, when police agencies are planning an anti-human trafficking operation, it can be beneficial to incorporate victim services into the overall plan, so that *help is immediately available to victims who are rescued*. But because police agencies work 24/7,

service providers need to be prepared to adjust their work schedules, so they can respond immediately when police encounter victims at any time of the day or night.

Adopting a More Expansive View of Human Trafficking and the Role of Police

To improve the response to human trafficking, experts at the PERF conference said that the way some people view human trafficking victims needs to change. Some still see human trafficking victims as criminals, because they may have engaged in prostitution or other criminal activity themselves. This can increase the trauma that victims experience and make them less inclined to cooperate with police and prosecutors who are pursuing the traffickers.

Conference participants said that how the news media depict human trafficking also needs improvement. Often, trafficking victims are portrayed as a child or young woman kidnapped off the street, transported across state or national borders, and forced to sell their body for sex or labor in a sweatshop without pay. While that profile does exist, it is far less common than victims who are lured into trafficking because they are poor, addicted to drugs, newly arrived in the United States, or have criminal records of their own. By failing to adopt an expansive view of trafficking victims, the community, as well as police and other agencies, can overlook large numbers of victims.

While a primary role of police agencies is to uncover and investigate criminal behavior, human trafficking demands a more holistic response from the police. In carrying out enforcement operations, police must also be victim-centered, meaning that the focus on providing support for victims is integrated into everything police do in this area.

In recent years, social service organizations dedicated to assisting human trafficking victims have emerged at the national, regional, and local levels. These agencies provide food, housing, counseling, legal support, medical treatment, and many other services to survivors of trafficking. These agencies are well versed in what human trafficking looks like, and in how to approach and earn the trust of victims.

Partnerships between police and victim service agencies can help police identify human trafficking and address the needs of the victims they encounter. This, in turn, can help police agencies more effectively investigate human trafficking crimes and hold offenders accountable.

10 Actions to Combat Human Trafficking Today

Following PERF's national conference, in consultation with meeting participants and other subject matter experts, PERF drafted 10 recommended actions that police and sheriffs' agencies and other stakeholders should adopt to improve their response to human trafficking. These recommendations are detailed below.

The subsequent chapters of this report expand on these recommendations and provide insight into the ways police can more effectively combat human trafficking by working with other agencies to assist survivors and hold traffickers accountable.

1. **Police chiefs, sheriffs, prosecutors, and other law enforcement leaders must see human trafficking as a priority and devote the resources and attention needed to combat it.**

Human trafficking happens all over the world and across the United States. But the hidden nature of the crime makes it difficult to detect, investigate, and prevent. These challenges should not deter police leaders from addressing the problem aggressively and comprehensively.

Every stakeholder in the criminal justice system needs to acknowledge human trafficking as a serious problem and make identifying and combating it a priority. It is especially important for this commitment to come from the top down, so that officers and deputies, first-line supervisors, and managers all know that their chief, sheriff, or lead prosecutor is prioritizing the issue and has clear expectations. Executives should use internal and external communications channels to raise awareness of human trafficking among their personnel and in their communities.

2. **Agencies should develop specific policies and guidelines for responding to human trafficking, and not rely on other policies that may touch on elements of human trafficking but do not address the crime directly.**

Human trafficking is a distinct and complex crime that demands its own set of agency policies that specifically address the key areas of human trafficking response and investigations. Agency policies should include guidance for officers, investigators, and supervisors in such key areas as reporting human trafficking under an accurate crime classification, evidence collection, interacting with victims in a victim-centered manner, officer conduct during undercover operations, supervision requirements for human trafficking operations, policies on interagency collaboration, and policies concerning undocumented trafficking victims.

Data collection is especially important in human trafficking cases. All officers need to understand how to report instances of trafficking with the proper crime code, which is critical for being able to quantify the problem and track trends. Officers must also be aware of the various kinds of trafficking evidence to look for and how to collect and store it properly. Evidence may include photos of crime scenes where trafficking took place; surveillance footage that can help establish a timeline for when the trafficking took place; text messages, phone records, social media posts, and other digital evidence; and financial records.

Ideally, anti-trafficking operations should be joint efforts among police, prosecutors, criminal justice partners, and social services organizations. Therefore, agencies should develop policies on interagency collaboration in advance of any operation. Policies should also emphasize that when officers or detectives interact with victims of trafficking, they should be familiar with victim-centered and trauma-informed practices that acknowledge the experience of the victim. This is similar to how police should treat victims of domestic violence or sexual assault. Finally, policies should address how the agency will utilize available visa programs to assist

undocumented trafficking victims (see Action #9, below).

- 3. Police and sheriffs' departments and prosecutors should approach suspected cases of human trafficking through a victim-centered, trauma-informed lens. For some agencies, this will require a cultural shift in how they view victims of trafficking.**

Many victims of human trafficking are engaged in behavior that, if not for the force, fraud, and coercion the victims are subjected to, would likely qualify as criminal acts. To effectively combat human trafficking, experts at the PERF conference emphasized that law enforcement personnel must recognize and approach victims of human trafficking as victims, not as criminals.

Victims of sex trafficking, in particular, are often physically and sexually abused by their traffickers and “buyers.” In addition, they are frequently forced to move from one place to another, and their identification documents are often withheld from them, which makes it more difficult for them to seek assistance from police. Some may have a criminal record related to their trafficking situation, and some may rely on drugs or alcohol as a coping method for their trauma.

These factors often make it difficult for people, including some police personnel, to see human trafficking survivors as crime victims rather than as criminals. It is important that law enforcement agencies adopt policies and provide training that recognize human trafficking victims *as victims*. Personnel should be trained to recognize the impact that trauma has on human trafficking victims, especially in how they may interact with police. All aspects of the law enforcement response to human trafficking should be victim-centered and should incorporate trauma-informed practices. (See page 10 for definitions of these terms.)

- 4. Agencies should provide regular, up-to-date training on human trafficking investigations to all police personnel, including first-line supervisors and managers. Training should be customized to meet the needs of personnel at various ranks and should include essential elements such as recognizing situations in which trafficking is occurring, understanding the impact of trauma on victims, and evidence and data collection practices.**

To effectively combat human trafficking and assist victims, all police personnel need to understand what human trafficking is, what it is not, and how to spot the signs that someone is being trafficked.

Training should go beyond basic definitions and indicators of human trafficking. Departments should also train their personnel on proper case classification, evidence collection, victim-centered practices, officer conduct during undercover operations, requirements for supervision of officers' performance, interagency collaboration, and how to treat undocumented trafficking victims.

As agency policies in these areas are changed, officers should receive updated training on the new policies. In addition to classroom instruction and roll-call briefings, experts say that agencies should provide scenario-based training on human trafficking so that officers can practice what they learn. (See page 23 for a more detailed discussion of human trafficking training.)

- 5. Agencies should involve victim service providers in their work against human trafficking. If feasible, agencies should also consider embedding trauma-informed victim advocates in their agencies who are trained on the unique needs of human trafficking victims.**

Police collaboration with victim service providers is key to ensuring that victims of human trafficking are promptly connected to appropriate services. Collaboration helps to get victims on a path to recovery sooner, and also supports investigations, because victims may be in a better position to assist.

There are several ways in which collaboration can take place, experts at the PERF conference said. Notifying victim service providers of upcoming trafficking “stings” and involving them in the operation ensures that providers are prepared to assist victims and have the necessary resources available. Embedded victim service providers do not play a role in the enforcement operation itself. Rather, they are available and on-scene at the conclusion of the operation to help victims. Many law enforcement agencies already embed system or community advocates in the response to sexual assault. In these circumstances, embedding a victim service provider means the advocate works alongside their police counterparts and focuses on assisting victims both immediately after the operation and longer term as well.

By having trained civilian professionals working alongside law enforcement, agencies can offer victims immediate assistance and connect them quickly to social services. Small departments or ones that don’t have the resources to fund a victim advocate should consider partnering with other agencies and service providers to ensure that services are delivered.

6. Technology can play a major role in identifying and rescuing victims, building cases against traffickers, and preventing human trafficking. Agencies need to understand and utilize the technological tools that are available.

The Internet and social media platforms are enabling more human trafficking activities than ever before, but the Internet can also play a role in police efforts to disrupt trafficking operations and identify and support victims.

Some local and national non-governmental organizations have launched innovative tools using artificial intelligence and other methods to assist police in identifying and disrupting trafficking operations. Participants at the PERF conference encouraged police and sheriffs’ agencies to work with outside organizations to understand

what these technologies do and how to utilize them most effectively. (See page 45 for more information on anti-trafficking technologies.)

7. Task forces are a promising approach to combating human trafficking. Effective task forces should include key elements such as specially trained law enforcement personnel who can recognize trafficking offenses, victim advocates, service providers who can respond immediately upon notification, and dedicated prosecutors who are trauma-informed and remain consistent throughout the process. Task forces also must be adequately funded.

Given the complicated nature of human trafficking cases, partnerships are vital to the success of both investigations and prosecutions. While many agencies have informal partnerships with local and federal criminal justice partners and non-governmental organizations, task forces formalize these relationships and bring needed expertise to the problem.

The U.S. Department of Justice views task forces dedicated to human trafficking as a best practice because they bring together local, state, and federal police agencies and prosecutors as well as victim service providers to collectively combat trafficking.² By having all partners involved at the beginning of a human trafficking investigation, agencies are better able to coordinate with one another to ensure thorough investigations and effective victim services, which can lead to more successful prosecutions.

Although task forces are beneficial to combating human trafficking, supporting and maintaining these groups can be challenging. A lack of consistent funding and resources can reduce a task force’s effectiveness, so task forces need strong leadership and commitments from all partners to ensure there are adequate resources to support staffing, training, equipment, and follow-up services. (See page 41 for more details on human trafficking task forces.)

2. “Advantages of a Task Force,” *Office for Victims of Crime Training and Technical Assistance Center*, <https://www.ovcttac.gov/taskforceguide/eguide/2-forming-a-task-force/21-advantages-of-a-task-force/>

8. While securing victim cooperation and testimony generally is ideal in human trafficking cases, police and prosecutors should not always count on victim participation, because it can lead to additional trauma for the victim in some cases. If necessary, police and prosecutors should look to alternative strategies, such as investigating other charging options and uncovering additional sources of evidence, to help ensure successful prosecutions.

Because of the trauma they have experienced, some victims of human trafficking may not be able to fully participate in police investigations and prosecutions. In these instances, police and prosecutors should be prepared to build their cases without the direct involvement of the victim. This can be challenging, because coercion of the victim is usually a central component of a trafficking case. However, as experts at the PERF conference pointed out, it is possible to build cases without victim participation.

Human trafficking almost always involves other crimes, such as drug sales, robberies, and sex crimes. By pursuing these co-occurring crimes, investigators and prosecutors can build strong cases that do not rely as heavily on the victim's participation or testimony.

Additionally, it is important for investigators to interview witnesses who can corroborate and verify components of the victim's account. Investigators and prosecutors also should monitor a suspect's behavior after arrest. Any indications of witness intimidation or tampering can provide further evidence of the suspect's criminal behavior and may be grounds for additional charges.

9. To help foreign national victims of trafficking and to build cases against their traffickers, agencies should learn about and make greater use of the T Visa process.

Many victims of sex and labor trafficking are not legal residents of the United States. These individuals are particularly vulnerable to traffickers who can exploit concerns over their immigration status by coercing the victims into

trafficking-related activities. These victims also may be reluctant to contact police because they fear being deported.

To address these concerns and encourage more victims to cooperate with law enforcement, the U.S. Citizenship and Immigration Services (USCIS) offers a visa specifically for victims of human trafficking. Under this visa, known as a T Visa, human trafficking victims can stay in the United States for four years. Conditions for the visa include a requirement that victims cooperate with law enforcement during this time.

Despite the benefits of the T Visa program to victims and law enforcement agencies, it remains underutilized. While there is a cap of 5,000 T Visas available each year, the number of applications and approvals remains far below the number. In 2019, USCIS received 1,242 T Visa applications, approved 500 applications, and had 2,358 pending.³

Because they are a key part of the T Visa process, law enforcement agencies need to become aware of the program's existence and how to utilize it. In addition, USCIS should expand its outreach and education efforts around T Visas. These efforts will help support and protect human trafficking victims who are concerned about their immigration status and will aid in the prosecution of traffickers.

10. Obtaining more complete data about the prevalence of human trafficking, as well as trafficking patterns and trends, should be a national priority. Agencies should be tracking all human trafficking cases and reporting this information to the federal UCR program.

To understand human trafficking, it is imperative to have data that tracks the extent and nature of the problem as well as patterns or trends about locations, victims, suspects, and other key factors. A 2008 federal law requires the FBI to collect human trafficking offense data. In January 2013, the Uniform Crime Reporting (UCR) began collecting both offense and arrest data on human trafficking from law enforcement

3. Annual data found on https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I914t_visastatistics_fy2019_qtr4.pdf.

agencies that participate in the UCR program.⁴ But the reporting of this data is incomplete, and the FBI cautions that the numbers that are reported “should not be interpreted as a definitive statement of the level or characteristics of human trafficking as a whole.”⁵

Data collection at the federal level should improve as more agencies transition to the National Incident-Based Reporting System (NIBRS). Human trafficking is considered a Group A offense under NIBRS, and more complete and detailed information about individual incidents is collected through NIBRS.⁶

Other organizations, such as Polaris,⁷ are attempting to fill the data gap by collecting and reporting human trafficking data from other sources, primarily tips from victims and witnesses. Although Polaris’s data set, which is based on calls to the National Human Trafficking Hotline, is extensive, it also is incomplete.

To address these data shortcomings, police agencies should create specific offense codes to identify and record all human trafficking offenses within their jurisdictions. Internally, this data can help agencies understand the extent of trafficking in their jurisdictions and how to identify victims and suspects. State and federal reporting programs should be upgraded to ensure they can accurately capture data reported by local agencies and report it in ways that are helpful to criminal justice agencies, victim service providers, researchers, and others.

In addition to providing data to a central repository, local law enforcement agencies should share their trafficking data with one another. As trafficking often spans multiple jurisdictions, information-sharing across agencies will benefit investigations, prosecutions, and victim assistance efforts. (For more information on data collection issues, see page 13.)

4. “2018 Crime in the United States,” FBI: Uniform Crime Reporting Program. See <https://ucr.fbi.gov/crime-in-the-u.s/2018/crime-in-the-u.s.-2018/additional-data-collections/human-trafficking>.

5. Ibid.

6. For more information about NIBRS and human trafficking, see <https://ucr.fbi.gov/human-trafficking>.

7. Polaris is a nonprofit organization that provides research and data collection, advocacy and outreach work, and other resources on human trafficking. The organization currently holds one of the largest known human trafficking data sets in North America. <https://polarisproject.org/>

What We Know About Human Trafficking

Definitions

To understand the nature and extent of human trafficking, it is important to be familiar with a few key terms. Definitions vary, but for the purposes of this report, the following definitions are used:

- Human Trafficking
 - The use of **force, fraud, or coercion** to obtain some type of labor or commercial sex act.⁸ Note that coercion is not required in cases of child trafficking.⁹
- Action-Means-Purpose (A-M-P) Model
 - Human trafficking involves three components: an action, a means, and a purpose. According to Polaris, in U.S. federal law “human trafficking occurs when a perpetrator, often referred to as a trafficker, takes an **Action**, and then employs the **Means** of force, fraud or coercion for the **Purpose** of compelling the victim to provide commercial sex acts or labor or services. At a minimum, one element from each column must be

present to establish a potential situation of human trafficking.”¹⁰

- For cases of sex trafficking involving minors, a means does not need to be presented in order to establish trafficking.

Action	Means*	Purpose
Induce Recruits Harbors Transports or Obtains	Force Fraud or Coercion	Commercial Sex (<i>Sex Trafficking</i>) or Labor/Services (<i>Labor Trafficking</i>)

* Minors induced into commercial sex are human trafficking victims—regardless if force, fraud, or coercion is present.

- Human Smuggling
 - Human trafficking does not require the movement of a person—someone can be trafficked without leaving their home. Human trafficking is not the same as human smuggling.

8. “What Is Human Trafficking?” Blue Campaign. Department of Homeland Security. <https://www.dhs.gov/blue-campaign/what-human-trafficking>.

9. “Child Trafficking.” National Human Trafficking Hotline. <https://humantraffickinghotline.org/type-trafficking/child-trafficking>

10. “Is It Human Trafficking?” Polaris. <https://polarisproject.org/is-it-human-trafficking>.

- Human smuggling, as defined by U.S. Immigration and Customs Enforcement, is “the importation of people into the United States involving deliberate evasion of immigration laws. This offense includes bringing illegal aliens into the country, as well as the unlawful transportation and harboring of aliens already in the United States.”¹¹
- While the two are different, human smuggling and human trafficking often occur together.
- Victim-Centered Approach
 - The U.S. Department of Justice, Office for Victims of Crime defines this approach as “the systemic focus on the needs and concerns of a victim to ensure the compassionate and sensitive delivery of services in a nonjudgmental manner.”¹²
- Trauma-Informed Investigations or Interviewing
 - Definition: The practice of approaching victims with an understanding of the neurobiology of trauma and its impact on how victims may respond to police officers and investigators. Using this knowledge, investigators seek to build rapport through non-leading, neutral, victim-sensitive, and developmentally appropriate investigative techniques.¹³

HUMAN TRAFFICKING IS BROADLY DEFINED as the use of force, fraud, or coercion to obtain some type of labor or commercial sex act from a person. Most news media depictions of human trafficking are of young women and girls being forced into prostitution. While this certainly happens, there are many other situations in which trafficking takes place. Polaris, a nonprofit organization that provides research and data collection, advocacy and outreach work, and other resources on human trafficking, has identified 25 distinct kinds of human trafficking.¹⁴

Global data on human trafficking

Worldwide, forced labor exploitation is estimated to account for approximately 80% of all human trafficking. The International Labour Office and the Walk Free Foundation, in partnership with the

International Organization for Migration, estimated in 2016 that there were 24.9 million victims of human trafficking around the world. Forced labor exploitation accounts for 64% of all human trafficking, sexual exploitation accounts for 19%, and state-imposed forced labor accounts for 17%.¹⁵

While human trafficking has been around for centuries, it is only in the last two decades that authorities internationally and in the United States have begun to establish standardized definitions of what constitutes human trafficking and protocols for how the crime should be investigated and prevented.

In 2000, the United Nations General Assembly adopted the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*. This protocol provides the first agreed upon international definition of trafficking in persons. It establishes other standardized definitions, as well as

11. “Human Trafficking and Smuggling.” U.S. Immigration and Customs Enforcement. <https://www.ice.gov/factsheets/human-trafficking>.

12. “Victim-Centered Approach.” Human Trafficking Task Force e-Guide. Office for Victims of Crime. <https://www.ovcttac.gov/taskforceguide/eguide/1-understanding-human-trafficking/13-victim-centered-approach/>.

13. For more information on trauma-informed investigative techniques, see the *Sexual Assault Response Team Toolkit*, National Sexual Violence Resource Center. Available at <https://www.nsvrc.org/sarts/toolkit/5-2>.

14. Polaris, (2017). *The Typology of Modern Slavery: Defining Sex and Labor Trafficking in the United States*, <https://polarisproject.org/typology-report>.

15. International Labour Organization, (2017). *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage*, p. 10, https://www.ilo.org/global/publications/books/WCMS_575479/lang--en/index.htm.

Figure 1: Presented by Polaris Law Enforcement Partnership Manager, Sam Gillis at PERF's meeting on August 5, 2019

Typologies of Trafficking

- Escort Services
- Illicit Massage, Health, & Beauty
- Outdoor Solicitation
- Residential
- Domestic Work
- Bars, Strip Clubs, & Cantinas
- Pornography
- Traveling Sales Crews
- Restaurants & Food Services
- Peddling & Begging
- Agriculture & Animal Husbandry
- Personal Sexual Servitude
- Health & Beauty Services
- Construction
- Hotels & Hospitality
- Landscaping
- Illicit Activities
- Arts & Entertainment
- Commercial Cleaning Services
- Factories & Manufacturing
- Remote Interactive Sexual Acts
- Carnivals
- Forestry & Logging
- Health Care
- Recreational Facilities



laws and practices on the prevention, investigation, and prosecution of human trafficking offenses and protection of trafficking survivors for ratifying parties to adopt.¹⁶

In the United States in 2000, the *Trafficking Victims Protection Act (TVPA)* was enacted into federal law. The TVPA classifies human trafficking as a federal crime and establishes ways to prosecute traffickers, protect victims, and prevent future instances of trafficking.¹⁷ Recognizing the international dimension of human trafficking, the law also created the Office to Monitor and Combat Trafficking in Persons (TIP Office), as part of the U.S. Department of State.¹⁸

Each year, the TIP Office produces the *Trafficking in Persons Report*, which discusses global trends and assesses how governments around the world are

working to prosecute traffickers, protect victims, and prevent future instances of trafficking based on the minimum standards set forth in TVPA. These standards have four key elements:¹⁹

1. The government of the country should prohibit severe forms of trafficking in persons and punish acts of such trafficking.
2. For the knowing commission of any act of sex trafficking involving force, fraud, coercion, or in which the victim of sex trafficking is a child incapable of giving meaningful consent, or of trafficking which includes rape or kidnapping or which causes a death, the government of the country should prescribe punishment commensurate

16. "Protocol to Prevent, Suppress and Punish Trafficking in Persons." Office of the High Commissioner for Human Rights. <https://www.ohchr.org/EN/ProfessionalInterest/Pages/ProtocolTraffickingInPersons.aspx>.

17. "Policy and Legislation." Polaris. <https://polarisproject.org/policy-and-legislation/>

18. "About Us – Office to Monitor and Combat Trafficking in Persons." Office to Monitor and Combat Trafficking in Persons. U.S. Department of State. <https://www.state.gov/about-us-office-to-monitor-and-combat-trafficking-in-persons-2/>

19. U.S. Department of State, (2019). *Trafficking in Persons Report*, p. 40, <https://www.state.gov/reports/2019-trafficking-in-persons-report/>

with that for grave crimes, such as forcible sexual assault.

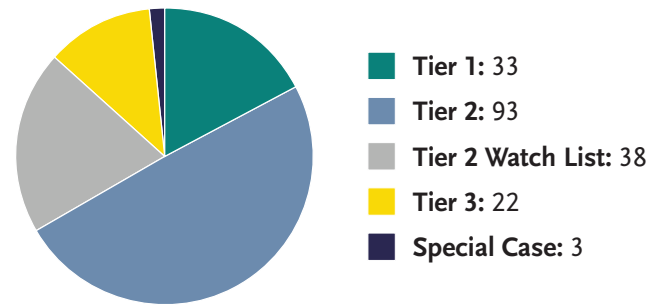
3. For the knowing commission of any act of a severe form of trafficking in persons, the government of the country should prescribe punishment that is sufficiently stringent to deter and that adequately reflects the heinous nature of the offense.
4. The government of the country should make serious and sustained efforts to eliminate severe forms of trafficking in persons.

Using these criteria, the TIP report classifies countries as one of four possible tiers:²⁰

- Tier 1: The government fully meets the TVPA's minimum standards.
- Tier 2: The government does not fully meet the TVPA's minimum standards but is making significant strides to reach full compliance.
- Tier 2 Watch List: The government does not fully meet the TVPA's minimum standards and although it is making significant strides to reach full compliance, there has either been a significant increase in the absolute number of trafficking victims or there is a failure to provide evidence of increasing efforts from the previous year.
- Tier 3: The government does not fully meet the TVPA's minimum standards and is not making significant strides to reach compliance. The United States may suspend some types of assistance to countries in this tier.

As seen in Figure 2, the 2019 TIP report ranked a total of 189 countries, and 33 of them, including the United States, ranked as Tier 1, meaning that they demonstrated serious and sustained efforts to eliminate trafficking. Approximately half of the countries ranked in the report are Tier 2, plus 38 in the Tier 2 Watch List category, and 22 are in Tier 3. Three countries (Libya, Somalia, and Yemen) are listed as Special Cases due to major conflict and political

Figure 2: Number of Countries in Each Tier Placement According to 2019 TIP Report²¹



Source: U.S. Department of State, Office to Monitor and Combat Trafficking in Persons

instability in the country, preventing a full evaluation of these countries' anti-trafficking efforts.

The TIP Report also provides global law enforcement data related to human trafficking, based on what foreign governments report to the Department of State. In 2018, the State Department was notified of 11,096 human trafficking prosecutions around the world, of which 457 were related to labor trafficking. There were 7,481 human trafficking convictions, including 259 labor trafficking convictions. These numbers fluctuate widely from year to year, because of a lack of uniformity in nations' reporting mechanisms and other factors.²²

Two primary sources of data on human trafficking in the U.S.

In the United States, there are two primary sources of data on human trafficking: the FBI's Uniform Crime Reports and the National Human Trafficking Hotline. While each source provides some valuable information, neither data set is comprehensive or thorough.

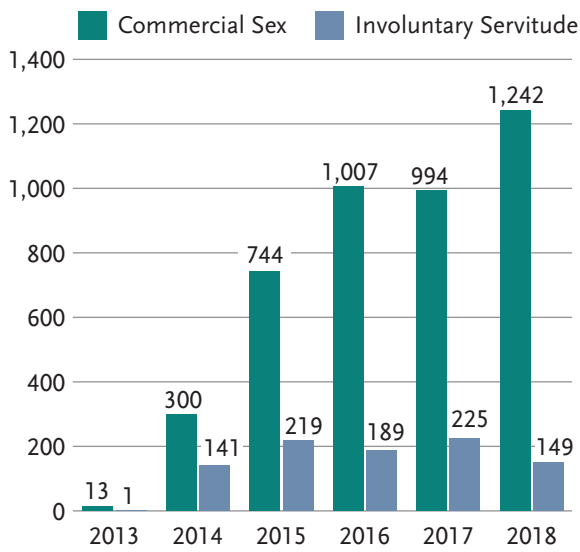
Uniform Crime Reports. The FBI began including human trafficking offenses and arrests in the Uniform Crime Reporting (UCR) program in 2013.

20. Ibid, pp. 36-37.

21. Ibid, p. 48.

22. Ibid, p. 38.

Figure 3: Yearly Human Trafficking Offenses Reported to UCR Program²³



“Even if something’s reported to a hotline or to the police as a human trafficking incident, it very rarely yields that type of conviction. The defendant often pleads to tangentially related crimes. That’s one of the complexities of these data. If somebody is reporting it, it doesn’t necessarily mean that it turns out to be a trafficking case, even if it has all of the red flags that would suggest it is.”

— **Kimberly Mehlman-Orozco, Freedom Light**

Human trafficking data prior to 2013 is not available through the UCR. The UCR tracks two human trafficking-related offenses: “Commercial Sex Acts” and “Involuntary Servitude.”²⁴

Between 2013 and 2018, the number of commercial sex offenses reported to UCR increased sharply (see Figure 3). However, these numbers likely represent only a small portion of the human trafficking offenses that occurred in those years, and therefore, do not necessarily represent a significant increase in the actual number of offenses. The increases may be due more to increasing levels of reporting. Not every jurisdiction in the country reports data to the UCR, and individual agencies often struggle with how to record these types of cases. Some agencies have a separate offense code for human trafficking, but others instead include human trafficking in other UCR crime categories.

A 2019 study funded by the National Institute of Justice found that local law enforcement agencies failed to consistently recognize sex and labor trafficking victims and did not always record cases as human trafficking on incident reports.²⁵ The study also found that many state crime reporting programs (to which many local agencies report data) have failed to create classifications or recording structures to report human trafficking offenses captured by local agencies. The study’s authors concluded that, “Given the issues around identification and reporting of human trafficking, it is likely that the UCR program undercounts ... the human trafficking victims who are identified by local law enforcement due to offense reporting problems, and undercounts human trafficking victims who exist in local communities but remain unidentified.”²⁶

23. Figure created with the annual data published by the FBI UCR Program, found on <https://www.fbi.gov/services/cjis/ucr/publications#Human-Trafficking> and <https://ucr.fbi.gov/crime-in-the-u.s/2018/crime-in-the-u.s.-2018/additional-data-collections/human-trafficking/table-1.xls>.

24. “2018 Crime in the United States,” FBI: Uniform Crime Reporting Program. See <https://ucr.fbi.gov/crime-in-the-u.s/2018/crime-in-the-u.s.-2018/additional-data-collections/human-trafficking>.

25. Farrell, Amy, et. al. “Capturing Human Trafficking Victimization Through Crime Reporting.” (2019) See <https://www.ncjrs.gov/pdffiles1/nij/grants/252520.pdf>.

26. Ibid.

National Human Trafficking Hotline. Another source of national data on human trafficking is activity on the National Human Trafficking Hotline. Since December 2007, the nonprofit group Polaris has operated the hotline—888-373-7888—as a 24/7 toll-free phone and text line that victims of human trafficking can contact to get help. The hotline also accepts calls from anyone who wants to report a tip about suspected human trafficking.

Each year, Polaris compiles and reports on the number of contacts to the hotline. Although the data do not reflect the full scope of trafficking in the United States, they do provide a baseline for measuring broad trends in human trafficking reports and changes over time.

As with UCR data, the number of human trafficking cases identified by Polaris has steadily increased over the past several years (see Figure 4). It is not known whether this increase is the result of greater awareness of human trafficking and the national hotline, or if it represents an actual rise in human trafficking in the United States, or is a combination of factors. The data do show that more victims of human trafficking are reaching out for help through the hotline.

Polaris categorizes the cases reported to the National Human Trafficking Hotline by type of offense and the situation in which the offense took place. Figure 5 lists the most common trafficking offenses reported to the national hotline.

>> *continued on page 17*

Figure 4: National Human Trafficking Hotline²⁷
Number of Reported Trafficking Cases per Year to the National Human Trafficking Hotline

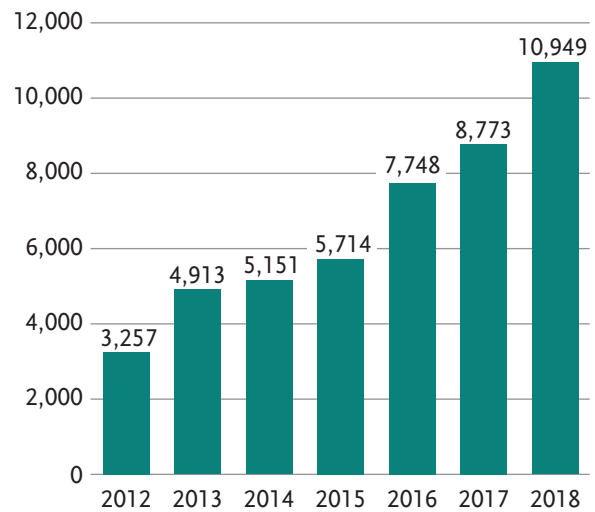


Figure 5: From “2018 Statistics from the National Human Trafficking Hotline,” Polaris

Top 3 Types of Trafficking Cases in 2018



27. Chart created with annual data from <https://humantraffickinghotline.org/states>.

Human Trafficking in the Native American Community

Many of the vulnerabilities and risk factors that human trafficking victims face are especially severe in the Native American community. Studies have found that Native Americans face higher rates of alcohol and substance abuse, mental health issues, suicide risk, poverty, being placed in foster care, and homelessness than the general population.^{28, 29, 30} Additionally, Native American women face higher rates of domestic violence and sexual assault than the general population.³¹ These risk factors can make Native Americans particularly susceptible to trafficking, yet they are often overlooked as victims.

There is very little national research on human trafficking in the Native American community, although there has been some local research. A 2011 study of 105 Native American women in Minnesota who were engaged in prostitution found that approximately half met the legal definition of sex trafficking.³² A 2009 study by the Minnesota Indian Women's

Resource Center found that 40% of their 95 clients had been involved in commercial sexual exploitation, and 27% described activities that met the state definition of human trafficking.³³

In combating human trafficking, many law enforcement agencies face challenges such as limited resources and staff, plus large patrol areas. These challenges are often exacerbated in tribal law enforcement. Indian tribes are sovereign under U.S. law, and therefore, state and local police have limited or no jurisdictional authority on most reservations.³⁴ Communication and collaboration between tribal and non-tribal law enforcement can be difficult, even though partnerships are especially important for investigating trafficking cases. Participants at the PERF conference stressed the importance of improving the response to trafficking among Native American populations through improved information-sharing and collaboration with local, state, and federal law enforcement agencies.



“A community that is often forgotten in conversations about human trafficking is the Native American community. The state of Minnesota has 11 different Native American reservations. A lot of these young people are getting trafficked and sent different places all over the state and country. If they come from one of these 11 reservations, those reservations aren’t necessarily tied into our state system or the federal system of missing persons. We need to do a better job of connecting the dots in these cases.”

— Sheriff David Hutchinson, Hennepin County, MN

28. Wilson, Valerie, and Zane Mokhiber. “2016 ACS Shows Stubbornly High Native American Poverty and Different Degrees of Economic Well-Being for Asian Ethnic Groups.” Working Economics Blog. Economic Policy Institute, September 15, 2017. <https://www.epi.org/blog/2016-acp-shows-stubbornly-high-native-american-poverty-and-different-degrees-of-economic-well-being-for-asian-ethnic-groups/>.

29. “American Indian and Alaska Native Heritage Month: November 2017.” Facts for Features. United States Census Bureau, October 6, 2017. <https://www.census.gov/newsroom/facts-for-features/2017/aian-month.html>.

30. Krogstad, Jens Manuel. “One-in-Four Native Americans and Alaska Natives Are Living in Poverty.” Fact Tank. Pew Research Center, June 13, 2014. <https://www.pewresearch.org/fact-tank/2014/06/13/1-in-4-native-americans-and-alaska-natives-are-living-in-poverty/>.

31. “The Facts on Violence Against Native American/Alaska Native Women.” Futures Without Violence, October 19, 2017. <https://www.futureswithoutviolence.org/the-facts-on-violence-against-native-americanalaska-native-women/>.

32. Farley, Melissa, Nicole Matthews, Sarah Deer, Guadalupe Lopez, Christine Stark, and Eileen Hudon. *Garden of Truth: The Prostitution and Trafficking of Native Women in Minnesota*. Minnesota Indian Women's Sexual Assault Coalition and Prostitution Research & Education, October 27, 2011. <https://www.niwr.org/resources/garden-truth-prostitution-and-trafficking-native-women-minnesota>.

33. Pierce, Alexandra. *Shattered Hearts: The Commercial Sexual Exploitation of American Indian Women and Girls in Minnesota*. Minnesota Indian Women's Resource Center, February 2, 2009. <https://www.niwr.org/resources/shattered-hearts-commercial-sexual-exploitation-american-indian-women-and-girls-minnesota>.

34. MacDougall, Ian. “Should Indian Reservations Give Local Cops Authority on Their Land?” The Presence of Justice. The Atlantic, July 19, 2017. <https://www.theatlantic.com/politics/archive/2017/07/police-pine-ridge-indian-reservation/534072/>.

Why is human trafficking so underreported?

Because human trafficking is largely an “underground” crime, reliable data on its prevalence are lacking. Outside the limited UCR data collected by the FBI and the national hotline cases reported by Polaris (both of which are capturing only a fraction of the actual number of trafficking cases and victims in the United States), there is very little quantitative data on human trafficking. This lack of data prevents lawmakers, police, and service professionals from understanding the magnitude of the problem and hampers the development of strategies to combat it.

Expert at the PERF conference said there are many reasons why human trafficking cases are underreported.

Lack of awareness. A key factor is a lack of awareness—in the community and among law enforcement personnel—about the signs of human trafficking. If residents do not know what human trafficking looks like and what the warning signs are, they can easily fail to notice cases, or even to have suspicions that could be reported to authorities. And many police officers and sheriffs’ deputies lack the knowledge to identify the signs of sex and labor trafficking. As a result, victims and traffickers go undetected.

Labor Trafficking Presents Unique Reporting Challenges

In general, there is greater public awareness of sex trafficking than labor trafficking, in part because the news media report on sex trafficking more frequently. In addition, labor trafficking often occurs in the legal economy. Victims are forced to work in agricultural or service sector jobs that make them indistinguishable from other, non-trafficked workers. As a result, it can be difficult for police or others to identify these laborers as trafficking

victims. Officers are unlikely to encounter victims of labor trafficking on the street and notice signs that they are being trafficked, as they might with victims of sex trafficking.

To improve recognition and reporting of labor trafficking, it is essential that officers be trained to identify the elements of force, fraud, and coercion in business settings, especially in the agricultural and hospitality industries and among domestic workers.



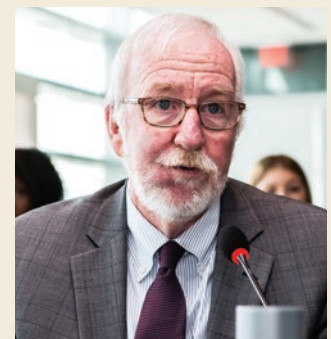
“There isn’t a natural intersection between police and victims of labor trafficking as there is with sex trafficking. Labor trafficking cases usually come to the prosecutor’s attention via a different type of arrest.”

“For instance, as a prosecutor I handled a case in Miami-Dade County that came in as a domestic violence case. It wasn’t until the investigation began to play out that we were able to identify the labor trafficking aspect of it.”

— Jane Anderson, Attorney Advisor, AEquitas

“From the law enforcement point of view, think about a person walking into a police department and saying, ‘I’m working for this employer and they’re not paying me what they said they would pay me.’ Most police organizations don’t have a place within their organization to send them. If somebody says that they’re involved in prostitution and being exploited and forced to sell sex, most police agencies can refer that person to their vice unit. But what can most police agencies do with the person who says, ‘I’m not being paid what I was promised to be paid?’”

— Professor Jack McDevitt, Northeastern University





“We need to examine the specifics of individual instances of exploitation, so we can understand the totality of the perpetrator’s conduct, the circumstances the victim was in, and the victim’s vulnerabilities that were targeted in the first place. We can then draw conclusions, as law enforcement, that individuals are victims of trafficking. Expecting victims to draw those conclusions is completely counter-factual, because they are rarely in a position to detect the full scope of the deception and manipulation used to recruit and exploit them.”

— Hilary Axam, Director, Human Trafficking Prosecution Unit,
U.S. Department of Justice

Traffickers’ control over victims. Another key reason why human trafficking is underreported is that victims are often hesitant or unable to identify themselves to police. Traffickers know how to instill fear in victims that if they try to escape or contact police, they or their loved ones will be harmed. Foreign national victims may be threatened by their trafficker with deportation if they are not legally living or working in the United States. Traffickers will often keep important documents from their victims, such as driver’s licenses or other forms of identification, passports, and birth certificates. Without official documents, some victims feel they have no legal standing to come forward.

Traffickers use a variety of control methods to maintain influence over their victims, including the following:³⁵

- Physical abuse
- Sexual abuse
- Emotional abuse
- Economic abuse
- Coercion and threats
- Intimidation
- Isolation
- Denying, blaming, and minimizing the victim’s experience
- Using privilege (using gender, age, or nationality to suggest superiority over the victim)

Impact of trauma on victims. The nature of trauma also reduces the likelihood of victims coming forward to law enforcement or service providers. Victims may feel ashamed and embarrassed about their situation or think that they are to blame for their circumstances. Trauma-coerced bonding, where the victim forms an emotional attachment to their trafficker despite repeated abuse, can occur. This can prevent the victim from wanting to leave their trafficker or report them to authorities.

Recognizing that an exploited person is actually a trafficking victim requires an understanding of how the person was lured into the exploitative situation, and what caused the person to continue providing labor, services, or commercial sex acts under those exploitative conditions. Participants at the PERF conference said it is important for law enforcement—and the community at large—to learn and recognize the warning signs of trafficking.

Improving Data Collection

Participants at the PERF conference discussed ways to improve the collection of data on human trafficking. A critical first step is for law enforcement agencies to understand how to identify and classify individual cases. This can be difficult because trafficking cases are complex and do not always fit clear definitions of sex or labor trafficking.

For instance, someone working at a strip club or massage parlor may be the victim of forced labor that is characteristic of labor trafficking, but that person also may experience commercial sexual exploitation

35. This list is taken from Polaris’s “Human Trafficking Power and Control Wheel,” which was adapted from the Domestic Abuse Intervention Project’s Duluth Model. <https://polarisproject.org/how-human-trafficking-happens/>



“It would help us identify trends and gaps across the country if we could get feedback on the tips we give law enforcement. We have great incoming data to the national hotline, but we don’t have a lot of feedback as to how those cases are worked. If we receive feedback, then we can say, ‘We sent out 50 labor trafficking tips in this area, and only two of them were worked on, and this is why.’

“Then based on that, we can work together to make sure we have enough capacity to respond, or if we need to provide more training, or whatever the case may be. Knowing what happens to the tip, whether it’s leading to a case or not and why, will tell us what we can do moving forward.”

— **Sam Gillis, Law Enforcement Partnership Manager, Polaris**

that is characteristic of sex trafficking. Focusing on strict definitions of the two broad categories can cause police personnel to oversimplify complicated trafficking patterns. Understanding the range of different trafficking scenarios can help law enforcement and other criminal justice partners begin to develop more effective strategies to combat the problem.

One concrete change that law enforcement agencies can make is to create separate reporting codes for human trafficking cases. Instead of categorizing human trafficking to fit existing codes, such as sexual assault, agencies should have a designated human trafficking crime code or series of codes. This will help agencies better understand the prevalence of trafficking in their jurisdiction and identify trends

in locations, victims, and suspects. Agencies should also be prepared to share this information with other jurisdictions, to increase awareness and inter-agency cooperation.

Another approach is for hotlines and social service organizations that work with human trafficking victims to share the tips they receive with law enforcement agencies, and for police agencies to follow up. This will help ensure that more cases are captured through official data reporting channels. It will also help service providers better understand what kinds of tips lead to investigations and prosecutions and what tips do not. This information can help them adjust their approaches to soliciting and collecting information.

Identifying Victims of Trafficking in Correctional Facilities

It is not uncommon for victims of human trafficking, particularly sex trafficking, to be arrested and incarcerated for crimes stemming from their victimization. Often the charges are for prostitution or drug offenses. The National Survivor Network conducted a survey of 130 trafficking survivors in 2016 to learn about their experiences with arrest and detention. It found that more than 90% had been arrested at least once, and approximately half believed their charges were directly related to their trafficking experience.³⁶

Agencies that operate jails, prisons, and community corrections programs are in a special position to spot human trafficking. When correctional staff members conduct an intake process for a new inmate, they may notice physical signs of trafficking, including tattoos or branding signs, hotel key cards, large amounts of condoms, or multiple phones. While these factors are not always linked to human trafficking, they are warning flags to note and investigate further.

Inmates also can be trafficked upon release from correctional facilities, either by other inmates or from traffickers on the outside. *The Guardian* recently conducted a year-long investigation into the ways traffickers prey on females in correctional settings across the United States.³⁷ A fellow inmate may be a recruiter or trafficker and may convince another inmate to stay with them after being released, under the

guise of providing shelter and assistance. Inmates may be connected to traffickers outside of jail and refer other inmates to their trafficker, who then makes contact through correspondence to the jail.

Traffickers can find out information about the inmates online, including their photo, criminal charges, and contact information. *The Guardian* investigation even found that some bail bondsmen were illegally providing information on women arrested for prostitution to suspected traffickers.

In order to gain an inmate's trust, traffickers may add money to their jail bank account, which is also accessible online. Corrections staff members should be aware of who inmates correspond with, and should note people who are writing to or calling multiple inmates. At times, inmates have been bonded out of jail by a trafficker, unknown to them.

When inmates are approaching their release date, they may not have a house or job to return to. Without established community support, inmates are particularly vulnerable to traffickers. Helping inmates with an exit plan and connecting them to support services in the community can reduce the risk of trafficking.

Marian Hatcher, a policy analyst and victim advocate for the Cook County (IL) Sheriff's Office, told *The Guardian*, "Our correctional facilities have a legal responsibility to protect the women who are under their charge."



"I think sometimes we fail to recognize the value of the intelligence coming out of a jail. In Suffolk County, we created a unit with a sergeant and three investigators whose sole responsibility is to work with female inmates, to try to get them to open up about their past experiences.

"We've found that upwards of 70% of them, at some point in their lives, have been victims of human trafficking. Over time, we've been able to cultivate relationships and develop witnesses and complainants out of these conversations. We've used their stories in successful prosecutions on human traffickers.

"In the jail, we have them for a period of time, whereas a police department might have them for only three or four hours, so we have more time to talk with them. I encourage everybody to work with your local jail on trafficking issues."

— Undersheriff Kevin Catalina, Suffolk County (NY) Sheriff's Office

36. National Survivor Network, (2016). *National Survivor Network Members Survey: Impact of Criminal Arrest and Detention on Survivors of Human Trafficking*, pp. 3-5, <https://nationalsurvivornetwork.org/wp-content/uploads/2017/12/VacateSurveyFinal.pdf>

37. Kelly, Annie, and Mei-Ling McNamara. "Revealed: How US Sex Traffickers Recruit Jailed Women for Prostitution." *Guardian News and Media*, June 29, 2018. <https://www.theguardian.com/global-development/2018/jun/29/revealed-how-us-sex-traffickers-recruit-jailed-women-for-prostitution-the-trap>.

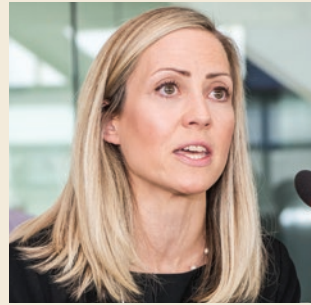
Child Trafficking

Child victims of human trafficking present special challenges for law enforcement agencies and service providers. Children are trafficked for both sex and labor. Often children are trafficked by someone they know and trust. The child may not fully understand what is happening to them or realize that it as a crime. Child trafficking victims may also feel that they would hurt their family if they told someone.

Children in the foster care system are particularly vulnerable to becoming victims of human trafficking, especially sex trafficking. In many cases, these children were traumatized in their original homes and may experience more trauma while in the foster care system, making them easy targets for traffickers to prey on. By showing victims the love and care that are often lacking at home, traffickers gain a child's trust, only to betray that trust and force the child into labor or sex work.

The National Center for Missing and Exploited Children (NCMEC), a nonprofit organization that serves as the national clearinghouse and resource center for

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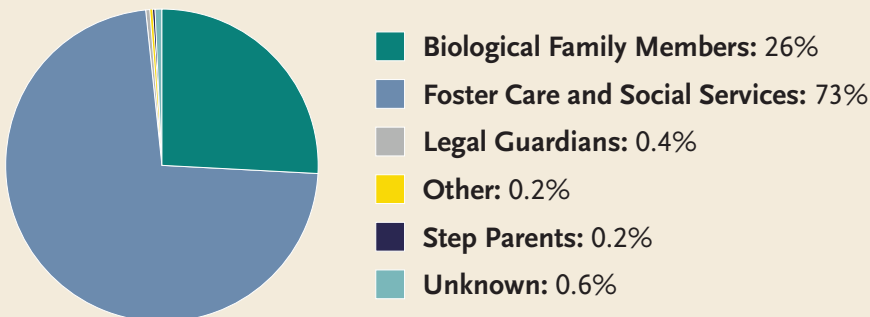
“Often these cases are not reported to law enforcement as child exploitation. We see them come into the child advocacy centers as child abuse, but a really good child abuse pediatrician

will take a look at a particular case, recognize that there's a third party involved, and begin to ask more questions.”

— Heather Fischer, Human Trafficking Program Manager, McCain Institute for International Leadership

Figure 6: Care Givers of Reported Missing Children where Child Sex Trafficking Is Suspected

Percentages based on more than 22,000 missing child cases reported to the NCMEC involving possible child sex trafficking between January 1, 2004 and December 31, 2018



Source: Presented by Strategic Advisor, Child Sex Trafficking, Eliza Reock, National Center for Missing & Exploited Children



Eliza Reock, National Center for Missing & Exploited Children



continued from page 21

information about missing and exploited children, received more 22,000 missing child cases involving possible sex trafficking between 2004 and 2018, or nearly 1,500 per year. NCMEC found that almost three-quarters of the children were in the care of social services at the time they went missing.³⁸



“There are approximately 8,000 children in the foster care system in New York City. We work very closely with our partners in the Administration for Child Services on our runaways and missing children cases. We find out where the child has been, who they have been with, and get a good briefing on the child. Sometimes it’s not just special victims or a human trafficking unit that gets a human trafficking case—it can start as a missing child case.

“When we recover a runaway or missing child, we try to get a good understanding of what’s been going on and what the potential nexus is between their disappearance and their environment. This is especially important with repeat runaways, people in the foster care system, and from broken homes.

“If you don’t have the information coming in about their situation, you’re not diagnosing the underlying reasons for their disappearance. You’re just putting them back in the same situation and it happens again, while you’re never getting to the root of the problem.”

— Inspector Paul Saraceno, New York City Police Department

38. As presented by Strategic Advisor, Child Sex Trafficking, Eliza Reock, National Center for Missing & Exploited Children

39. “Child Sex Trafficking.” National Center for Missing & Exploited Children. Accessed January 15, 2020. <http://www.missingkids.org/theissues/trafficking#bythenumbers>.

Making Human Trafficking Training More Effective

THE PERF CONFERENCE ON HUMAN TRAFFICKING covered a range of issues, including data collection, working with victims, investigating and prosecuting traffickers, and coordinating with victim service providers. For each of these topics, experts noted that there is a training component.

Police and sheriffs' personnel need to be trained on how to identify and record cases of sex trafficking and labor trafficking. They also need training in how to approach and communicate with trafficking victims and collect evidence. And they need to be aware of the social service resources for trafficking victims that are available in their communities and how to access them. In addition to training on specific topics, experts said that training can help give law enforcement personnel new perspectives and a greater understanding of what human trafficking is and how it impacts individuals and communities.

Law enforcement agencies are just beginning to develop specialized instruction in this area. This chapter provides guidance on what that training should cover, how it should be delivered, and what resources are available to assist with training.

New Perspectives on Human Trafficking Require Changes in Training

People's views of human trafficking—and sex trafficking, in particular—have evolved. More people have to come to view individuals who are trafficked as victims, not as criminal offenders.

This shift was documented by the University of Minnesota's Robert J. Jones Urban Research and Outreach Engagement Center (UROC). It analyzed print media coverage of sex trafficking in Minnesota from 1995 to 2014, as a way to measure public opinion on the issue.⁴⁰ The study found that overall news media reporting of sex trafficking increased in 2007 and then spiked significantly starting in 2013, demonstrating a greater focus on human trafficking. Additionally, the language used in print media reports over this time period generally shifted from using the term “prostitution” to “sex trafficking.” The tone of these articles also indicated a change in viewing women involved in sex trafficking as victims, rather than criminals.⁴¹

Changing viewpoints (and pressure from advocates who work with human trafficking victims) also prompted legal changes. In 2000, Congress passed the Trafficking Victim Protection Act (TVPA), which made human trafficking a federal crime. Since then, all 50 states have implemented similar legislation.⁴²

40. “Print News Media Coverage of Sex Trafficking and Prostitution in Minnesota, 2005-2014,” *Research Brief* (University of Minnesota, Robert J. Jones Urban Research and Outreach-Engagement Center), September 15, 2016. <https://uroc.umn.edu/sites/uroc.umn.edu/files/Research%20Brief%20-%20Media%20Coverage%20FINAL%209-20-16.pdf>

41. *Ibid.*

42. Farrell, Amy and Cronin, Shea. (2015). “Policing prostitution in an era of human trafficking enforcement.” *Crime, Law, and Social Change*, 64, pp. 211–228.



“If a police officer hears a complaint about a person not being properly paid by their employer, human trafficking alarms are not going off in the officer’s mind, if they haven’t been properly trained on identification and they don’t know how to ask the right follow-up questions.”

— Chief Scott Thomson, Camden County, NJ Police Department

Police agencies have changed their enforcement tactics to align with the new laws.

However, even though states have adopted legislation specifically criminalizing human trafficking, these laws often overlap with existing statutes on prostitution that remain in effect. In one study that examined how police agencies nationwide have responded to human trafficking legislation, researchers found that on average, prostitution arrests decreased nationwide following the adoption of specific human trafficking laws.⁴³ However, this was not true in all agencies.

The study found that arrests for prostitution and related crimes increased in some agencies following the legislation. Some police agencies said that they used arrests as a means to get victims off the street or to encourage them to cooperate with the investigation in exchange for reduced or dropped charges.⁴⁴

Victim service advocates at PERF’s meeting warned against this approach, instead encouraging agencies to connect victims with services and to adopt other trauma-informed approaches to victim interactions.

Participants at the PERF meeting said that training for police officers must change. Often the first point of contact that a victim has within the criminal justice system is a police officer or sheriff’s deputy. The initial police response sets the tone for a victim’s subsequent interactions with the system, and influences whether victims will be willing to participate in an investigation.

So in addition to being trained on how to identify victims, police personnel need training on how

to interact with victims in a trauma-informed manner, and how to work with other criminal justice agencies and social service and community advocates to help victims. Training on how to assist in the investigation and prosecution of human trafficking cases is also critical.

Experts at the PERF conference said the foundation of all police training on human trafficking must include a recognition that individuals who are being trafficked are, in fact, victims.

Training in Victimology – Recognizing the Signs of Human Trafficking

Identifying victims of trafficking remains a challenge for many law enforcement agencies and one of the top training needs that agencies have. In labor trafficking cases, officers often have trouble identifying victims who work within a legal labor market. In sex trafficking cases, officers must be able to recognize the presence of force, fraud, and coercion—the key legal elements of sex trafficking.

Participants at the PERF meeting said making these identifications can be difficult for many patrol officers, especially when a situation does not appear to be an expected or stereotypical case of human trafficking. Additionally, victims may not always identify themselves as such, particularly if they have developed bonds with the person victimizing them.

It is important to “know what to look for.” Polaris lists the following warning signs that victims do not have control over their own actions:

- Has few or no personal possessions
- Is frequently monitored

43. Ibid.

44. Ibid.

Figure 7: Trafficking Indicators from the Department of Homeland Security

<https://www.dhs.gov/blue-campaign/materials/indicator-card>

Trafficking Indicators

<ul style="list-style-type: none"><input type="checkbox"/> Is the victim in possession of identification and travel documents; if not, who has control of the documents?<input type="checkbox"/> Was the victim coached on what to say to law enforcement and immigration officials?<input type="checkbox"/> Was the victim recruited for one purpose and forced to engage in some other job?<input type="checkbox"/> Is the victim's salary being garnished to pay off a smuggling fee? (Paying off a smuggling fee alone is not considered trafficking.)<input type="checkbox"/> Was the victim forced to perform sexual acts?<input type="checkbox"/> Does the victim have freedom of movements?	<ul style="list-style-type: none"><input type="checkbox"/> Has the victim or family been threatened with harm if the victim attempts to escape?<input type="checkbox"/> Has the victim been threatened with deportation or law enforcement action?<input type="checkbox"/> Has the victim been harmed or deprived of food, water, sleep, medical care, or other life necessities?<input type="checkbox"/> Can the victim freely contact friends or family?<input type="checkbox"/> Is the victim a juvenile engaged in commercial sex?<input type="checkbox"/> Is the victim allowed to socialize or attend religious services?
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Report Suspicious Activity: **1-866-DHS-2-ICE** (1-866-347-2423)
www.dhs.gov/bluecampaign BC-IC1-xx 07/14

- Is not in control of their own money, financial records, or bank account
- Is not in control of their own identification documents (ID or passport)
- Is not allowed or able to speak for themselves (a third party may insist on being present and/or translating).⁴⁵

Other warning signs include details about an individual's living conditions, health, and behavior.

Because patrol officers are the criminal justice personnel who, in their everyday work, are most likely to encounter a victim, it is important for patrol officers to receive training and develop their skills on how to identify trafficking victims.

Learning to Work with Victims – Taking a Trauma-Informed Approach

For police agencies, identifying victims of human trafficking is just the initial step. Securing a victim's cooperation is critical to gathering the information and evidence needed for the investigation and prosecution of their traffickers. Many human trafficking victims are hesitant to cooperate with police for a variety of reasons, many of which stem from the trauma they have suffered at the hands of their traffickers. That is why it is important for police personnel to be trained to treat victims in a manner that recognizes the trauma they have experienced, so that victims will feel more comfortable cooperating with the police.

The impact of trauma on victims is still an emerging field. In both the mental health profession and policing, research on trauma has not been widely disseminated to practitioners or operationalized into everyday procedures. Participants at

45. "Recognize the Signs," *Polaris*, <https://polarisproject.org/human-trafficking/recognize-signs>

the PERF meeting said it is important that officers receive training to help them understand the impact of trauma on victims.

For example, it is common for victims of human trafficking to be combative, or to appear unaffected by their victimization when they encounter police officers. By understanding the impact of trauma on the brains and the behavior of victims, officers can respond in a more appropriate and effective manner.

At PERF's meeting, Bonnie Martin, a Licensed Professional Counselor and an expert in complex trauma, provided an overview of how trauma can manifest in a victim. Research in this area has focused on how the brain is impacted by trauma. Within the brain, trauma impacts four key areas: inhibitory/control, reward/salience, motivation/drive, and memory/learning. Trauma also impacts the limbic area of the brain that controls the brain's survival impulses—notably the amygdala, a part of the brain that regulates the “fight, flight, or freeze” response.⁴⁶

According to Ms. Martin, the way trauma impacts the brain can show up in a variety of behaviors. For some people, trauma will trigger the parasympathetic nervous system, resulting in behaviors including tears and constricted pupils. For others, the sympathetic nervous system may be triggered, which would result in different reactions, such as the absence of tears or outwards signs of distress.

It is important for first responders to recognize that trauma affects the brain and to understand the types of trauma response a victim may be exhibiting, as they attempt to communicate with and assist victims. For example, trauma may cause victims to freeze or shut down emotionally. To an officer who has not been trained in trauma-informed practices, it may appear that the victim does not really care about being victimized. Officers who have been trained in the impact of trauma on victims will be in a better position to recognize these reactions, initiate communications, and begin collecting valuable information to assist the victim and investigate the trafficker.

Increasingly, police departments are incorporating trauma-informed practices into their response to victims. For example, departments are adopting trauma-informed interviewing techniques with victims of sexual assault. This approach includes asking open-ended questions and letting the victim speak at length without interruption—even if they are not relating events in a logical or chronological order.⁴⁷ These types of trauma-informed practices should be reinforced throughout a law enforcement agency, especially among patrol officers who are often the first point of contact with victims of human trafficking.

Experts at the PERF meeting said training is the key to ensuring that victim-centered, trauma-informed practices take root in an agency. They recommended that training should include basic



“There’s a huge gap between experts in the neurobiology of trauma and the people who actually work on the ground with survivors. Understanding the science of trauma is important for police. When an officer goes on a call or they’re interviewing someone, they are engaging with somebody whose brain in that particular moment of stress is not able to optimally process what is happening.

“If you’re not trained in the neurobiology of trauma, you won’t understand that you’re dealing with a victim who has behaviors and emotions that are being mis-assigned and misunderstood. In those situations, it’s easy for a service provider or police officer to experience frustration, because they can’t seem to get through to the person.”

— **Bonnie Martin, Licensed Professional Counselor, SERVE Survivors**

46. The so-called “amygdala hijack” can occur among police officers as well, when they are confronted with highly stressful situations such as potential use-of-force encounters. For more information on amygdala hijack, see <https://www.healthline.com/health/stress/amygdala-hijack>.

47. Police Executive Research Forum, (2018). *Executive Guidebook: Practical Approaches for Strengthening Law Enforcement’s Response to Sexual Assault*, p. 35, <https://www.policeforum.org/assets/SexualAssaultResponseExecutiveGuidebook.pdf>



“One thing our agency did was to get training on trauma and trauma-informed interviewing styles for our whole department. That has been a very big asset to us. Our next step is to bring that training to every department throughout Vermont, so that every officer understands that when they are talking to victims, there’s actually a science and a style to doing that properly.”

— Lieutenant Lance Burnham, Vermont State Police

information on the neurobiology of trauma, how the body reacts to trauma, and how to recognize the various signs of trauma. Additionally, officers need training on how to respond to and interact with individuals suffering from trauma.

How to Implement Human Trafficking Training in Police Agencies

Implementing an effective human trafficking training program requires more than providing instruction on identifying victims, understanding trauma, and communicating with victims in a trauma-informed manner. Participants at the PERF conference emphasized that implementing this training also requires cultural change within agencies that matches the shifting attitudes in the community about human trafficking victims. Operationalizing the training and taking advantage of available tools—including existing training programs—are important in crafting a department-wide approach to human trafficking.

Creating cultural change

In recent years, society’s view of human trafficking victims has largely shifted away from regarding trafficking victims as criminals themselves. Many police agencies have made this shift as well. This change can be seen in the mission of many vice units. Instead of arresting prostitutes, they now focus on rescuing victims and apprehending traffickers. Participants at the PERF meeting said that instilling a cultural change throughout a law enforcement agency, not just within specialized units, is a first step to implementing an effective, agency-wide response to human trafficking.

Victor Williams, a retired Special Agent with ICE Homeland Security Investigations, currently

works with the organization ERASE Child Trafficking to provide training to police officers on human trafficking. At PERF’s meeting, he stressed that cultural change is essential to making real reforms:

“Police officers need to inform the top leaders of their agency about what they’re learning on the ground as they work with victims and the non-governmental organizations that support victims. That’s how you change the culture at the top.

“To change the culture, we have to educate people about what is driving trafficking. Too often, we blame the victim, not the person who’s creating the market in the first place. Often I hear people say, ‘Prostitution is the world’s oldest profession.’ And I say, ‘You want to know why? Because men are the world’s oldest customers.’ Trafficking does not exist unless someone is creating the market.

“We also have to ask, why and how did traffickers become traffickers? Something horrible had to happen to them, to treat another human being that way. We don’t want to talk about that. But if we don’t address all these issues, we’re just putting on band-aids. We need to go to the core of the problem.

“So we need to educate on all of these issues and train to that level of understanding. Because if you come out of our training but you don’t have a mindset change, then the culture will remain unchanged.”

Victor Williams,
ERASE Child
Trafficking



Support from police chiefs, sheriffs, and other high-level department leaders is essential, because they are the ones who can ensure that officers and detectives will receive the training and resources to respond to human trafficking. Because trafficking can be invisible to the untrained eye, it tends to receive less attention in police departments than other issues that are more visible in the community, such as violent crime, property crime, and quality-of-life issues.

Providing training that is practical

Training experts at the PERF conference said that an effective training program on human trafficking must go beyond a general understanding of what human trafficking is and the basic detection of the crime. Police personnel—patrol officers, detectives, and supervisors—must also receive training on how to properly investigate human trafficking.

Because patrol officers and deputies may not often encounter instances of human trafficking, police agencies should have clear policies and procedures, and officers should receive training on them. Participants at the PERF meeting said that an agency’s human trafficking policy should emphasize the commitment to providing a victim-centered, trauma-informed response to human trafficking, and should provide detailed response procedures. Topics covered in the policy should include the following:

- Case classification,
- Evidence collection,
- Victim-centered practices,
- Officer conduct during undercover operations,
- Supervision requirements,
- Interagency collaboration, and
- Handling trafficking victims who are undocumented immigrants.

Training must be customized to fit the roles and functions of the individuals being trained. Training for patrol officers and deputies will be different from the training that supervisors and specialized investigators receive. For example, training on victim identification should be geared toward patrol officers and deputies, as they will be the most likely to encounter a victim of human trafficking. Specialized investigators should receive training on what type of evidence is often associated with human trafficking cases and how to pursue different crimes likely to be connected to human trafficking cases, such as financial and drug crimes.

Experts at the PERF meeting recommended that human trafficking training include a cross-range of personnel who may be involved in the response to trafficking. “Human trafficking training has to be cross-functional,” said Rick Hoffman, a retired Major with the Raleigh (NC) Police Department and



“Officers want and need training that contains enabling learning objectives that apply directly to task or actions they can take to identify victims, enforce laws related to human trafficking, collect evidence and document these actions effectively. It is not enough to know. You must be able to apply the knowledge you have.”

“Human trafficking is about coercion, manipulation, and deception. Evidence of coercion is not tangible or easily identifiable because it is often concealed in what appears to be a choice, but a person’s circumstances would demonstrate that the choice was coerced. You must learn to document and investigate evidence of exploitation.”

— Major Richard Hoffman (Ret.), Iris Training, LLC



“Let’s make sure the officers know what they are seeing when they encounter human trafficking. But let’s also make sure they know what to do with both the traffickers and the survivors once they identify it.”

— Deputy Director William Fallon, Federal Law Enforcement Training Centers

founder of Iris Training, LLC. “You need to have a working group within the room. You need to have investigators who are assigned to drugs and gangs, and you need to have your technical people. And, of course, you need to have your frontline officers. Each one will have different roles to play in a human trafficking case and needs training on that role. But everyone also needs to understand how the others are approaching this problem.”

In addition to training within individual agencies, inter-agency training is also important for the response to human trafficking. “Outside of the police department, you need to have a prosecutor who tries these cases present at the training, because frequently there are obstacles in the transition from the investigation to the prosecution,” Major Hoffman said. “It needs to be cross-jurisdictional as well, with local, state, and federal partners within a geographic area. If you can get them to meet each other and work together in training, they’ll continue to do that during actual investigations.”

Participants at the PERF meeting also suggested that human trafficking training include scenario-based exercises as well as classroom instruction.

Classroom training covers topics such as policies, procedures, and relevant legislation. Scenario-based training enables officers to put that information into practice, which is especially important with human trafficking because officers may not encounter the crime very often in the field. Scenarios should emphasize how to approach and talk with traumatized victims, what type of evidence to look for, and what partners to contact to help the victim and

support the investigation. Training experts said that scenarios help to ingrain a victim-centered, trauma-informed approach to human trafficking throughout an agency.

Utilize outside training resources

For complex crimes such as human trafficking, it can be difficult for individual law enforcement agencies to design and implement a robust training program. That is why agencies should look to other resources to augment their own training. The PERF meeting included representatives of federal agencies and non-profit organizations that provide training and guidance in human trafficking.

Police agencies should engage with local service providers who assist trafficking victims to identify additional training opportunities.

FLETC is developing a human trafficking course. At the federal level, the Federal Law Enforcement Training Centers (FLETC) offer training to police and sheriffs’ departments on a wide range of topics, including the response to human trafficking. FLETC annually trains approximately 70,000 law enforcement personnel, mostly from 90 federal agencies, but that total also includes 10,000 state and local law enforcement personnel.

Recognizing the need for human trafficking training, FLETC is developing a new training program that will complement the Department of Homeland Security’s Blue Campaign, which focuses on raising awareness of human trafficking in law enforcement agencies.⁴⁸ As part of the Blue Campaign, DHS has developed an Internet-based training program that provides officers with basic information about how

48. The Blue Campaign is a national education campaign run by the Department of Homeland Security that seeks to prevent human trafficking and protect exploited persons. <https://www.dhs.gov/blue-campaign>

to recognize human trafficking encountered during routine duties, how to protect victims, and how to initiate human trafficking investigations.

In May 2019, FLETC piloted a two-day training on human trafficking at its Charleston, SC training center. The training focused on defining human trafficking, key indicators that police officers should be looking for to identify human trafficking, how to report on human trafficking, and how to investigate human trafficking cases.⁴⁹ A main component of the training focuses on interviewing victims.

FLETC is also working to develop train-the-trainer instruction on human trafficking.

Nonprofit organizations dedicated to combatting human trafficking can also be a valuable training resource. At the local level, law enforcement agencies can partner with nonprofit organizations in their communities who serve victims of human trafficking. These organizations can often provide officers with an accurate picture of what human trafficking looks like in their community. They also can provide information on local victim assistance resources that are available and how to access them.



“Our training was a two-week global training academy, where we brought in cohorts of prosecutors, investigators, and victim service workers, to work together from the outset. For the two-week training, they worked on an assigned case. We did didactic training, but it also has to include practical, hands-on training.

“We hired professional role players to portray victims. All of the participants—the investigators, the victim-witness coordinator workers, and the prosecutors—had to conduct victim interviews. They all had to do surveillance. They all had to find corroborative evidence. They all had to participate in the trial. So it was a holistic approach, a team approach, and a prosecution-guided approach, from the outset.

“The only point of training is to change behavior. And if you want to change behavior, you can’t have just one siloed group doing the training, and then another group doing something else. You need to bring them all together.”

**— David Rogers, Director of Law Enforcement Operations,
Human Trafficking Institute**

At the national and international level, the following organizations provide training and other assistance to local agencies:

National Center for Missing and Exploited Children. NCMEC provides a three-and-a-half-day training for local law enforcement focused on child sex trafficking cases. Topics include the scope of the problem, interviewing child sex trafficking victims, the role of technology in child sex trafficking cases, federal resources, and functions of local services providers. The training is open to local police and prosecutors in the state where the training is being held. Each training is customized to state laws and local direct service providers. The training is provided free of charge, but officers must apply and be selected to participate.⁵⁰

ERASE Child Trafficking. The mission of this international nonprofit is to eliminate child trafficking by focusing on education, recovery, and life reclamation. For law enforcement personnel, the organization offers courses such as an introduction to human trafficking, advanced investigations, and executive workshops. Taught by local and federal law enforcement personnel, the courses are customized

49. “New Human Trafficking Awareness Program Debuts at FLETC-Charleston,” *Federal Law Enforcement Training Centers*, [Press Release], May 2019. <https://www.fletc.gov/press-release/2019/05/28/new-human-trafficking-awareness-program-debuts-fletc-charleston>

50. “Our Work: Professional Training & Resources,” *National Center for Missing and Exploited Children*, <http://www.missingkids.com/ourwork/training>

to the regions in which they are held and focus on the specific needs of the attending agencies.⁵¹

Human Trafficking Institute. This organization describes its mission as “to decimate modern slavery at its source by empowering police and prosecutors to stop traffickers.” The Institute operates the Global Human Trafficking Academy, which

trains multi-disciplinary teams on how to identify human trafficking, use trauma-informed interviewing techniques, and develop successful prosecution strategies.⁵² A major focus of the Institute’s training is to bring together professionals from various disciplines—police, prosecution, and victims services—to train holistically as a team.

51. “National Human Trafficking Law Enforcement Training Program,” *ERASE Child Trafficking*, <https://www.erasechildtrafficking.org/human-trafficking-training>

52. “What We Do,” *The Human Trafficking Institute*, <https://www.traffickinginstitute.org/what-we-do/>

Improving Human Trafficking Investigations and Prosecutions

HUMAN TRAFFICKING CASES CAN BE DIFFICULT to investigate and prosecute for a number of reasons, starting with the fact that victims often are unable to cooperate, and police often lack resources to fully pursue these often-complex cases.

This chapter highlights ways to increase victim participation, improve investigations, and prosecute cases more successfully.

Police and Prosecutors Face Many Challenges with Human Trafficking Cases

In advance of PERF's conference, we asked registered participants to complete a brief questionnaire about the response to human trafficking and the primary challenges their organizations face.

Respondents from police agencies overwhelmingly said that their top challenge is the unwillingness of many victims to provide information and assist with an investigation. This was followed by a lack of resources and training.

Respondents from *non-law enforcement agencies* were asked to identify the top challenges that *they believe police agencies face* in human trafficking cases. This group cited a lack of training, lack of resources, and lack of victim services as the top three challenges. **Interestingly, the lack of willingness of victims to assist was farther down the list, ranking as the fifth most common response among the non-law enforcement group.**

Police and non-police respondents also were asked about common obstacles in the *prosecution* of human trafficking cases. Again, the police group said that victim participation in the legal process was the top challenge. Non-law enforcement respondents said that the lack of cooperation often stems from victims' fear and lack of understanding of the criminal justice system, rather than a flat unwillingness to cooperate. The lack of training and education for prosecutors was also cited as a challenge by the non-police respondents.

To summarize, police often express frustration over a lack of victim cooperation in investigating and prosecuting human trafficking cases. It is important for police personnel to understand and appreciate *why* victims may not be cooperating and to work to overcome the fear and confusion that some victims may experience.

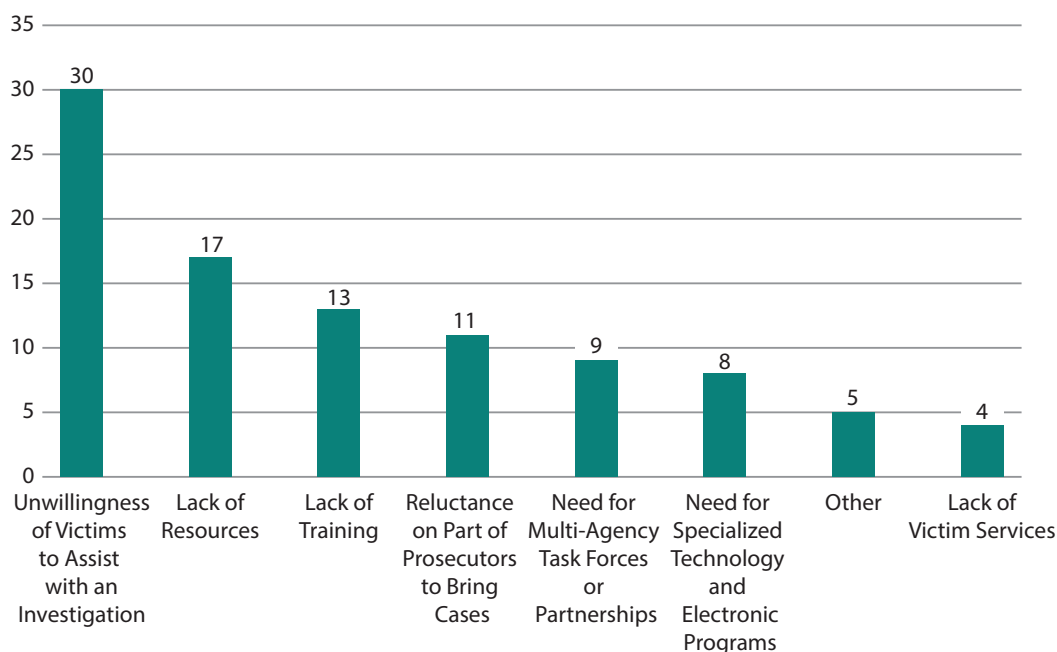
Labor trafficking and sex trafficking are often considered together as "human trafficking," but each category presents unique challenges for successfully building and prosecuting cases.

Sex trafficking cases: At PERF's meeting, several participants noted the challenges of proving the central elements of the federal sex trafficking statute for adult victims: force, fraud, or coercion.⁵³ To establish that force, fraud, or coercion was present, investigators and prosecutors often need to establish the victim's mindset during their trafficking and specifically

53. Federal law (22 USC § 7102) does not require proof of force, fraud, or coercion in cases of *child* sex trafficking with victims under age 18, because there is a presumption of coercion when victims cannot legally consent to sex.

Figure 8: PERF Questionnaire: Challenges for Law Enforcement Responding to Human Trafficking

What challenges does your agency face in recognizing, responding to, and investigating cases of human trafficking? n = 39



why they may have stayed with the trafficker if they had an opportunity to escape.

It can be difficult to build a strong case proving force, fraud, or coercion beyond a reasonable doubt without the victim’s assistance. Finding other evidence to describe and corroborate the victim’s state of mind is critical in these cases.

“It is a heavy burden to prove force, fraud, or coercion when you have a victim who is traumatized and reluctant. It requires intensive investigative efforts, but it can be done.”

— **Director Hilary Axam, U.S. Department of Justice, Human Trafficking Prosecution Unit**

Labor trafficking cases: Labor trafficking presents its own set of investigatory challenges. Because labor trafficking often takes place within the legal economy, it can be difficult to identify cases unless

a victim comes forward or someone provides a tip. Labor trafficking victims are often wary about coming forward because of threats of violence to them or their families, fear of deportation, or lack of knowledge of their legal rights. Some do not even consider themselves trafficking victims.

Many local law enforcement officials at the PERF meeting said that if they were to learn of labor trafficking in their jurisdiction, they would probably refer the matter to federal authorities to investigate and prosecute, because they lack training and resources to handle such cases. A recent federal law requires every U.S. Attorney’s Office to have a Human Trafficking Coordinator who, among other responsibilities, assists in prosecuting labor trafficking cases.⁵⁴

Experts at the PERF conference said that while local police officials may not always feel qualified to investigate labor trafficking, there are resources

54. “Abolish Human Trafficking Act of 2017, Public Law No: 115-392.” December 21, 2018. <https://www.congress.gov/115/plaws/publ392/PLAW-115publ392.pdf>



“When you give primacy to the needs of survivors as they identify their needs, and you prioritize their safety and security, that helps to reduce the chances of re-victimization in the course of the criminal justice process. It also pays dividends in yielding more successful outcomes in the investigation and prosecution. The needs of the justice system and the needs of the victim are not mutually exclusive.”

— Marie Martinez Israelite, Director of Victim Services,
Human Trafficking Institute

available to assist them, such as the U.S. Department of Labor and the Equal Employment Opportunity Commission, and their equivalents at the state and local levels. Agencies should familiarize themselves with these resources and learn how to work with them.

“Many sex trafficking cases have a strong intersection with domestic violence and/or intimate partner violence. Labor cases have a strong intersection with civil wage disputes. Organizations like the Department of Labor and Equal Employment Opportunity Commission frequently conduct investigations that can identify labor trafficking cases. Strong partnerships with a signed MOU can facilitate the exchange of information and allow human trafficking investigators to collaborate with these organizations to conduct criminal investigations when appropriate.”

— Major Rick Hoffman (Ret.), Iris Training, LLC

Keeping Victims Engaged with the Criminal Justice System

“I want to change the language on lack of victim cooperation. We have to understand that their inability to participate is usually not because of them being uncooperative or not wanting to help. It’s the trauma that has been inflicted upon them by the offenders that is making them unable to participate.”

— Jane Anderson, Attorney Advisor, AEquitas

Maintaining victim participation throughout a human trafficking investigation and prosecution can be a challenge. Victims may be distrustful of police, bonded with their trafficker, or too traumatized by their victimization to fully participate in the criminal justice process. Without a victim’s participation,

investigators may struggle to obtain evidence against traffickers, which in turn, makes prosecutions more difficult.

This can be frustrating to police investigators if they have not received training on how to work with traumatized victims. Human trafficking investigations and prosecutions also can be long and complicated, further straining a victim’s ability to stay engaged in the process.

Given these challenges, it is important that investigators and prosecutors build a rapport with victims early in the process and use trauma-informed protocols throughout an investigation and prosecution.

A key element of this approach is to have resources in place to support victims in their recovery. For example, residential placements help to keep victims safe and provide them with access to other resources such as counseling, education, and job training and placement.

Legal assistance is another important resource, because some victims may have been arrested and prosecuted in the past for offenses related to their trafficking, such as prostitution, drug crimes, loitering, or vagrancy. Having a criminal record can prevent the victim from obtaining employment, housing, immigration relief, loans, and other resources they may need for recovery. In addition to needing support as they help build the case against their trafficker, victims may need assistance dealing with their own criminal cases or trying to expunge their records.

Experts at the PERF meeting said that providing these types of resources to victims will help with their recovery and stability throughout a long criminal investigation and will likely increase the chances that victims stay engaged in the process.

Building Cases to Optimize Prosecution

Obtaining victims' cooperation is not the only challenge to prosecuting human trafficking cases. There are other barriers in police agencies and prosecutors' offices that can hinder the investigation and prosecution of human trafficking cases. These include high caseloads, the prioritization of other cases such as homicide, and turnover of personnel.

To build cases that can be successfully prosecuted, investigators and prosecutors must often turn to other strategies, such as prosecuting co-occurring crimes and developing evidence beyond the statements of victims.

Prosecuting Human Trafficking as a Criminal Enterprise

There are a lot of advantages to pursuing co-occurring crimes. It allows us to tell a story that is much more in line with the story of what the victim experienced. Recreating that reality shows that trafficking is not just one single criminal act. These are usually criminal enterprises, and we can more effectively paint that picture for the jury when we pursue the co-occurring crimes.

— Jane Anderson, Attorney Advisor, AEquitas

Human trafficking is seldom an isolated crime. In both sex and labor trafficking, it is likely that other illicit activity is occurring alongside the trafficking. As Rick Hoffman, a retired Major with the Raleigh (NC) Police Department, said at the PERF meeting, “Human trafficking as a crime exists only through the purposeful pattern of other crimes.”

These other crimes include assaults, drug sales, robberies, and sex crimes—all offenses that police agencies have more experience investigating than human trafficking. By pursuing these other charges in addition to human trafficking, investigators and prosecutors can build a stronger case and give juries a view of the criminal networks that are often behind trafficking. In addition, these other charges may not



Sandra Sparks,
Executive Director
of ERASE Child
Trafficking

rely as heavily on victim testimony as human trafficking alone does.

According to Jane Anderson, an Attorney Advisor at AEquitas, the co-occurring crimes associated with human trafficking frequently extend beyond the crimes connected to the monetary operations of the criminal enterprises. For example, she estimated that witness intimidation and tampering occur in a vast majority of human trafficking cases. By pursuing these other aspects of a case, investigators and prosecutors can help reassure witnesses and victims of their safety and bring additional evidence to light.

Sandra Sparks, Executive Director of ERASE Child Trafficking, said her organization teaches police agencies how to tailor techniques and skills used in investigating other crimes to investigating trafficking. The group's All Crimes Approach emphasizes the importance of looking for trafficking in the context of other criminal investigations.⁵⁵

Additionally, if there is witness intimidation or tampering, prosecutors can proceed with a “forfeiture by wrongdoing” motion. Under this legal precedent, if the defendant engages in efforts to keep a witness from testifying in court, the defendant forfeits the right to cross-examine the witness, allowing hearsay statements of that witness to be admissible.⁵⁶ Victims may be more willing to cooperate with an investigation if they do not have to testify in court.

Pursuing human trafficking as a criminal enterprise also can influence bail decisions and help keep suspected traffickers in custody while their cases are being investigated. In its 1966 ruling, *United States v. Nebbia*, the U.S. Court of Appeals for

55. “Human Trafficking Investigations – A New Approach.” *ERASE Child Trafficking*. <https://www.erasechildtrafficking.org/human-trafficking-crimes/>

56. Garvey, Teresa M. (2018) “Legal Jiu-Jitsu for Prosecutors in Intimate Partner Violence Cases: Forfeiture by Wrongdoing,” *Strategies: The Prosecutors’ Newsletter on Violence Against Women*, Issue #17, <https://aequitasresource.org/wp-content/uploads/2018/12/Legal-Jiu-Jitsu-for-Prosecutors-in-IPV-Cases-Forfeiture-by-Wrongdoing-2.pdf>

the Second Circuit held that bail would be granted only if the defendant could prove that the funds were obtained legally.⁵⁷ During her time as a prosecutor in Florida, Jane Anderson frequently used a “Nebbia Hold” in human trafficking cases, allowing prosecutors to conduct financial investigations into whether the money the defendant was attempting to use to post bail had been obtained through their human trafficking enterprises.

Developing Additional Evidence To Verify Victim Statements

“It is not the victim’s job to self-identify as a victim or even to connect the dots. Victims can tell the pieces of their story, but it is incumbent on investigators and prosecutors to recognize that those pieces of the story, taken together, add up to a scheme of unlawful coercion.”

— **Director Hilary Axam, U.S. Department of Justice, Human Trafficking Prosecution Unit**

Law enforcement participants at the PERF meeting said the main obstacle they faced in investigating human trafficking cases is the lack of cooperation from victims and witnesses. But prosecutors and victim advocates at the meeting said that there are additional strategies that investigators and prosecutors can take to build their cases that do not involve the victim testifying in court.

Even if victims are hesitant to engage fully in an investigation, most provide initial statements to the police. In these cases, investigators need to corroborate as much of the victim’s statement as possible

with additional evidence. Using corroborating witnesses is one way to help verify victims’ statements.

For example, if a victim is being trafficked out of a motel room, individuals who work at the motel can identify the victim and the trafficker, and provide additional details about activities, timelines, movements, and other aspects of the crimes. Putting these pieces together can help investigators and prosecutors establish coercion, a critical component in prosecuting human trafficking, without requiring the victim to recount those details.

Evidence collection is another important way to corroborate a victim’s statement. Officers and detectives need to be trained to search for and carefully collect a wide range of evidence to support what the victim has told them. This could include photos of crime scenes where the trafficking was taking place, surveillance footage that can help establish timelines, and digital evidence such as text messages between victims and their traffickers, social media posts, and location information from mobile devices.

Educating Judges and Juries

Although human trafficking has been a federal crime since 2000 and statutes now exist in every state,⁵⁸ experts at the PERF conference said there is limited case law to guide investigations and prosecutions at both the federal and state levels. Also, because human trafficking cases are not regularly prosecuted in many jurisdictions, judges and juries may not understand what human trafficking is and why these cases are difficult to investigate and prosecute. The role of educating judges and juries about human



“As a prosecutor, it’s my job to share information and educate the trier of fact. In human trafficking cases, it’s part of my job to educate the judge and members of the jury.”

— **Assistant State’s Attorney Mary Anna Planey, Cook County (IL) State’s Attorney’s Office**

57. United States of America, Appellant, v. Jean Nebbia, Appellee, 357 F.2d 303 (2d Cir. 1966). <https://law.justia.com/cases/federal/appellate-courts/F2/357/303/38529/>

58. See “Human Trafficking State Laws,” National Conference of State Legislatures. <https://www.ncsl.org/research/civil-and-criminal-justice/human-trafficking-laws.aspx>.



“We have the State Attorney’s Office come out on some of our operations. The prosecutors can engage the victims we encounter right there on the scene, although they’re kept separate from any of the potential arrestees and other aspects of the operation. That’s where the work of trying to rescue a victim starts—where the first concerted effort of the Police Department and the State Attorney’s Office takes place. We have been successful in cases because the prosecutors were there at the time, and they can see who will be their star witness in a criminal case.”

— **Commander Carlos Castellanos, Miami (FL) Police Department**

trafficking generally falls to the prosecutors who are presenting cases in court.

Educating judges often starts during pretrial motions, for example, by identifying any potential witness tampering, and explaining and requesting a “Nebbia Hold” if appropriate. During the trial, prosecutors may need to call expert witnesses who can explain the complexities of human trafficking and describe the trauma that victims encounter.

Expert witnesses also can help to dispel some of the myths about human trafficking, such as:

- the misconception that trafficking requires movement across borders,
- the myth that trafficking always involves kidnapping or physical violence,
- the misconception that if a person consented to any part of their trafficking, they cannot be considered a victim, or
- the myth that only women and girls are victims of sex trafficking.⁵⁹

Participants at the PERF meeting said that dispelling these myths is especially important for jury members, whose understanding of human trafficking is likely shaped by depictions in the news media, television, and movies, and may not be grounded in the realities of human trafficking.

Multi-Disciplinary Coordination

“Often, the difference between successful and unsuccessful cases is the relationships that get built among the practitioners, governmental and non-governmental, working hand in hand. People who

take the time to engage in these types of partnerships and have prosecutors and others engaged in the process from the start will have significantly better outcomes.”

— **David Rogers, Director of Law Enforcement Operations, Human Trafficking Institute**

A common theme expressed by participants at the PERF conference was that police and prosecutors must collaborate early and extensively in human trafficking investigations in order to achieve successful prosecutions.

In Miami, FL, the Police Department often brings in the Miami-Dade State Attorney’s Office early in human trafficking investigations. For example, when police are conducting sting operations, prosecutors are involved, so that they can monitor the operation and assist in making contact with and rescuing victims.

This coordination between police and prosecutors should continue throughout the investigation and prosecution. For example, because witness tampering and intimidation are common in human trafficking cases, police should be alert to the possibility of these crimes after the suspect has been arrested, especially if the suspect has been released pending trial. Bringing information about intimidation to the attention of prosecutors quickly allows prosecutors to bring additional, co-occurring crimes against the suspect or seeking a “Nebbia Hold” to prevent or revoke a defendant’s release on bail. Experts at the PERF meeting said that keeping an open line of communication between police and prosecutors is essential in human trafficking cases.

59. “Myths & Facts.” National Human Trafficking Hotline. <https://humantraffickinghotline.org/what-human-trafficking/myths-misconceptions>.

Victim services: Ongoing coordination between the police and victim service providers is also critical. These partners should be engaged as early as possible in investigations to help ensure victims have access to the resources they need and potentially to keep them engaged in the investigation. For example, victim services can assist in finding housing for victims, which provides them with some stability and gives investigators and prosecutors a known location for following up with them.

In Miami-Dade County, State Attorney Katherine Fernandez Rundle brought together the police, prosecutors, and victim service providers involved in human trafficking cases and put them in the same location to increase coordination and information-sharing. At PERF's meeting, Chief Assistant State Attorney Stephen Talpins described this approach:

"We have a long history of working very closely with our local agencies. In fact, we have a human trafficking building that is solely dedicated to the Human Trafficking Unit. We've got specially assigned prosecutors, police officers who are detailed to the unit from various agencies, and investigators from our office, many of whom have experience in homicide investigations. We also have counselors available."

Other non-governmental organizations (NGOs) also can provide critical help in human trafficking cases by providing specialized resources to support investigations.

For example, the **National Center for Missing and Exploited Children (NCMEC)** has a variety of resources to assist police in human trafficking investigations. These include case reviews, age progression



Stephen Talpins,
Chief Assistant State
Attorney, Miami-Dade
County

images, facial reconstruction imaging, landfill search assessment, and facilitation of biometrics collection.

NCMEC also has 14 dedicated analysts who focus on child sex trafficking cases. Analysts conduct open-source queries to find additional case information, search databases of attempted abductions and sex offenders, help with grid searching by providing aerial and topographic maps, and relay additional leads and tips to law enforcement. Police agencies can request their assistance with a missing or exploited child case. There is no charge for these services.⁶⁰

Hope for Justice, an international organization dedicated to ending modern slavery, is another NGO that helps police agencies to investigate human trafficking.⁶¹ The organization's U.S. office is staffed primarily with former law enforcement officers who are licensed private investigators. Given their backgrounds and expertise, these investigators can help provide staff support to agencies that lack the resources to conduct thorough human trafficking investigations.

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"We work on these investigations and help put enough meat on the bone, and then take the case to the prosecutor or to the local law enforcement agency. Then they take the case and run from there. The people who do the investigations are former law enforcement personnel, so they know what information to gather and how to work these cases. They also have the liaison skills to be able to pick up the phone and contact the people and resources that may be needed on a case."

— Richard Schoeberl, U.S. Investigations Team Leader, Hope for Justice

60. "Our Work: Case Resources." National Center for Missing & Exploited Children. <http://www.missingkids.org/ourwork/caseresources>.

61. <https://hopeforjustice.org/>.

Human Trafficking at Major Events

Events such as sports championship games, concerts, and other gatherings that attract large numbers of people bring an increased risk for human trafficking. In cities that host the Super Bowl or other major events, it is now standard practice for local, state, and federal law enforcement agencies to come together to raise awareness of human trafficking before the event, and to identify suspects and rescue victims. Other non-governmental organizations also have partnered with police in these efforts.

Preparation for these major events usually begins months in advance of the event. For the 2019 Super Bowl in Atlanta, GA, the FBI organized a task force that included more than 25 local, state, and federal law enforcement agencies, prosecutors' offices, and non-governmental agencies. Its 11-day campaign resulted in the arrest of 169 individuals, including 26 alleged traffickers and 34 people charged with attempting to engage in sex acts with a minor. Other charges included prostitution, pimping, drugs, and weapons-related offenses. Nine adult and nine juvenile sex trafficking victims were recovered.⁶²

For the 2020 Super Bowl in Miami, FL, the South Florida Human Trafficking Task Force began preparations in August 2019. The task force focused on raising awareness of a national hotline to report human trafficking that would prompt an immediate law enforcement response.⁶³ In the lead-up to and during the

Super Bowl, federal and local law enforcement, the Miami-Dade State Attorney's Office, the U.S. Attorney's Office, and the nonprofit organization Women's Fund Miami-Dade teamed up to identify sex trafficking victims and arrest traffickers and buyers. This collaborative effort led to the recovery of 20 sex trafficking victims. Five traffickers, 34 accomplices, and eight buyers were arrested in the operations.⁶⁴

Non-governmental agencies and private-sector organizations also can support anti-human trafficking efforts before major events. Prior to the 2019 Super Bowl, Delta Airlines partnered with Atlanta Mayor Keisha Lance Bottoms, Polaris, and others to host an employee rally to raise awareness of human trafficking. The event included instructions for employees on how to identify potential victims.⁶⁵

The National Center on Sexual Exploitation (NCOSE) also participated in anti-human trafficking measures in advance of the 2019 Super Bowl. NCOSE promoted the hashtag #TackleDemand, to focus on persons who create the demand for human trafficking at major events.⁶⁶ In May 2019, the Miami Super Bowl Host Committee announced it was partnering with The Women's Fund Miami-Dade for a Stop Sex Trafficking Campaign, which included raising awareness, producing training toolkits, assisting in victim recovery and support systems, and working to improve reporting and case management.⁶⁷

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62. Stevens, Alexis. (2019), "FBI: 169 arrested in human trafficking investigation leading up to Super Bowl," *Atlanta Journal-Constitution*, <https://www.ajc.com/news/crime--law/fbi-169-arrested-human-trafficking-investigation-leading-super-bowl/7WIDtEiQmwo2T6yy6tF2XL/>.

63. Viteri, Amy. (2019). "Law enforcement agencies prepare to crack down on human trafficking ahead of Super Bowl." *WPGL Local 10*, <https://www.local10.com/news/florida/miami-dade/law-enforcement-agencies-prepare-to-crack-down-on-human-trafficking-ahead-of-super-bowl>

64. "Combating Human Trafficking During Super Bowl LIV," *Miami-Dade State Attorney's Office*, [Press Release], February 20, 2020. <http://www.miamisao.com/combating-human-trafficking-during-super-bowl-liv/>

65. Lapchick, Richard. (2019). "The state of human trafficking and sports," *ESPN*, https://www.espn.com/espn/story/_/id/25876477/the-rise-exposure-human-trafficking-sports-world

66. "National Center on Sexual Exploitation Raises Awareness about Sex Trafficking at Super Bowl LIV," *National Center on Sexual Exploitation*, [Press Release], January 2019. <https://endsexualexploitation.org/articles/tackle-demand-statement/>

67. "Miami Super Bowl Host Committee Announces its Official Anti Sex Trafficking Campaign in Partnership with the Women's Fund of Miami-Dade and the Office of the Miami-Dade State Attorney," *Miami Super Bowl LIV Host Committee*, [Press Release], May 2019, <https://www.miasbliv.com/newsroom/miami+super+bowl+host+committee+announces+its+official+anti+sex+trafficking+campaign+in+partnership+with+the+womens+fund+of+miami+dade+and+the+office+of+the+miami+dade+state+attorney/>

In recent years, researchers have begun examining the relationship between major events and human trafficking. One study, by the McCain Institute for International Leadership at Arizona State University, suggested that these major events do not necessarily spark a significant increase in overall human trafficking as widely perceived, but rather a *concentration of the demand*. “The Super Bowl itself does not create the condition in which sex trafficking flourishes; rather, traffickers will bring their victims wherever there is demand and money to be made,” the group’s report said.

A concern among some human trafficking victim advocates is that the increased awareness of human trafficking during major events, while well-intentioned, may hurt ongoing efforts to combat human trafficking. In advance of the 2018 Super Bowl, which was held in Minneapolis, the University of Minnesota’s Robert J. Jones Urban Research and Outreach-Engagement Center (UROC) conducted a review of previous research on the link between sex trafficking and Super Bowls. Like the McCain Institute study, this report found that while there is some evidence that the Super Bowl correlates with increased activity in the online commercial sex market, it is not the only precipitating factor, and any impact from the Super Bowl on human trafficking does not last long in that location.⁶⁸

The researchers highlighted some of the potential negative consequences of overstating the connection between Super Bowls and human trafficking. For example, the report noted that unsubstantiated and highly exaggerated statistics tend to circulate in advance of major events. Estimates of the number of prostitutes and human trafficking victims associated with the Super Bowl often range from 10,000 to 150,000. The report warns that exaggerating these numbers could harm other efforts to combat sex trafficking by compromising the credibility of other statistics.

Additionally, a review of awareness campaigns associated with these events tended to show stereotypical portrayals of victims and coercion. Educational materials often depicted victims as young girls who had been kidnapped from their own communities and brought to the site of the event. Such portrayals distort the fact that victims are more diverse and that coercion is not always physical. Use of these stereotypes may stigmatize victims who do not fit the perceived profile and undermine the ability of police and the public to recognize the diverse range of trafficking offenses and victims.

Host cities and their law enforcement and non-governmental partners should still work together to combat human trafficking at major events such as the Super Bowl. However, they should offer realistic portrayals of what the problem looks like and continue to support year-round outreach and enforcement operations.

68. Martin, Lauren and Annie Hill. (2017). “Sex Trafficking and the 2018 Super Bowl in Minneapolis: A Research Brief,” *University of Minnesota*, <https://uroc.umn.edu/sites/uroc.umn.edu/files/SuperBowl%20Research%20Brief%20PUBLIC%20document%206-3-17.pdf>

Task Force Model – Formalizing a Multi-Disciplinary Approach

Cooperation between police and prosecutors on human trafficking investigations can take multiple forms. Some jurisdictions have dedicated personnel in each agency who coordinate with other agencies on a largely informal basis. Other jurisdictions have created formal task forces dedicated to investigating and prosecuting human trafficking.

The U.S. Department of Justice, Office for Victims of Crime has identified multi-agency task forces as a best practice in the response to human trafficking.⁶⁹ Task forces create opportunities to collaborate, share resources among partners, conduct joint training, provide a more effective response to incidents of human trafficking, foster agency and community support of anti-trafficking efforts, and promote a unified community message on human trafficking.

Experts at the PERF meeting also said there can be challenges in starting and maintaining task forces:

Funding: Many task forces receive funding through state and federal grants. If that funding is discontinued or reduced, it can be difficult for the task forces to remain in operation.

Personnel: For understaffed agencies, assigning personnel to a task force dedicated to human trafficking can be difficult.

Training: Human trafficking cases are complex, and investigating them requires special knowledge and skills. Task forces need to ensure that personnel receive the necessary training.

Collaboration and Leadership: Effective task forces require dedicated and strong leadership to ensure the necessary cooperation and collaboration among task force participants.

Several state and local governments around the country are addressing those challenges and operating effective task forces.

The **Ohio Organized Crime Investigations Commission (OOCIC)**, sponsored by the Ohio Attorney General’s Office, has helped create four human trafficking task forces across Ohio. Each regional task force is comprised of multiple local law enforcement agencies and prosecutors. The task forces also have embedded service providers who respond to the scene when a victim is identified, so that the victim can receive services right away.

When the OOCIC approves a request to form a task force, members can operate anywhere within the boundaries of the regional task force, including outside their home agency’s jurisdiction. This is important because human trafficking is often multi-jurisdictional. The OOCIC also helps by providing investigative help and criminal intelligence.

In the last five years, the Ohio task forces have identified 349 trafficking victims, referred 932 potential victims to social service organizations, and charged 180 suspects on 878 trafficking-related counts.⁷⁰ The task forces also provide training to law enforcement personnel and others who play a role in combating human trafficking. These include fire/EMS personnel, communications staff, hospital and hotel workers, teachers, and social service caseworkers.

“Some of the best tips I get are from patrol officers. Your best resource, as a human trafficking investigator, is the young patrol officer who wants to dig for information and pass it on to you. But that won’t happen if the officer isn’t trained in what to look for or doesn’t know how to pass that information on. I’ve seen a direct correlation between our human trafficking trainings and an increase in tips we’ve received.

“One thing that determines the effectiveness of a task force is resources. Training and awareness of this issue are paramount for success. Officers in every agency across this country should have a basic working knowledge of what human trafficking looks like.

“The main reason for this is because human trafficking is hidden beneath other crimes law enforcement deals with everyday such as domestic calls, disturbances, traffic stops and the like. When

69. “Advantages of a Task Force,” *Office for Victims of Crime Training and Technical Assistance Center*, <https://www.ovcttac.gov/taskforceguide/eguide/2-forming-a-task-force/21-advantages-of-a-task-force/>

70. Hilbert, Matthew. “How Ohio Helps Local Police Fight Human Trafficking.” *Community Policing Dispatch* (January 2020). https://cops.usdoj.gov/html/dispatch/01-2020/ohio_trafficking.html.



Detective Aaron Dennis, Columbus Division of Police, Member of the Central Ohio Human Trafficking Task Force

officers are trained to detect this crime and pass the information on, that directly leads to victim rescues and trafficker prosecutions.

“With the Central Ohio Human Trafficking Task Force, we get 400 tips a year, and we have to triage them. We have to say, ‘All right. Who am I going to help? Which offender am I going to go after?’ Because if you don’t focus your resources, you’re not going to have a positive result. Focusing resources means having a Human Trafficking Unit or Task Force set up in the proper manner to investigate this crime. Intelligence gathering, trauma-informed victim interviews, access to human trafficking databases and tip management are just a few items that must be managed properly to be successful.”

— Detective Aaron Dennis, Columbus Division of Police, Member of the Central Ohio Human Trafficking Task Force

In Illinois, the **Cook County Human Trafficking Task Force** is organized into four components:

- A Core Team is composed of the Cook County State’s Attorney’s Office, the Salvation Army STOP-IT Program, and the U.S. Attorney’s Office. These agencies oversee task force operations.
- A Steering Committee consists of 28 organizations, including the Chicago Police Department, Cook County Sheriff’s Office, Illinois State Police, and other law enforcement agencies, as well as legal service providers, social service agencies, and other community-based organizations.
- Five subcommittees of the task force focus on health care, victim services, training, labor trafficking, and LGBTQ victims.

- A Law Enforcement Working Group, chaired by the U.S. Attorney’s Office and the Cook County State’s Attorney’s Office, brings together local and federal law enforcement members to discuss individual trafficking cases and ensure collaboration.

Between 2010 and 2018, the task force secured 131 county indictments and prosecuted 172 defendants; 48 traffickers were charged in 33 federal cases. In addition, the task force trained 14,652 individuals, including health-care professionals, law enforcement officers, educators, and social workers. The task force has connected 272 survivors to recovery services.⁷¹

Federal agencies often are an important component of human trafficking task forces. Many task forces include agents from the FBI and prosecutors from local U.S. Attorneys’ Offices who provide expertise and assistance in investigations, prosecution, and sometimes funding.

Additionally, federal officials can help coordinate decisions on whether a particular case should be tried at the state or federal level. Experts at the PERF conference pointed out that, depending on the circumstances, there can be advantages to pursuing some cases in the federal system and other cases in state courts.

“The beauty of the task force model is that if local, state, and federal agencies work together, they can complement one another’s statutes. There are now state-level statutes in every state. The federal government also has a robust law. Sometimes the federal statute is better, but not always. And so the task forces have to work together and start having the conversations about who should handle each case.”

— David Rogers, Director of Law Enforcement Operations, Human Trafficking Institute

The U.S. Department of Justice’s **Human Trafficking Prosecution Unit** is another resource for local and state officials who want to elevate certain cases to the federal court system. Formed in 2007 as part of the Civil Rights Division within the Justice Department, the unit’s prosecutors work to streamline investigations, identify trafficking networks, and ensure that trafficking statutes are used consistently. The unit can also provide victim assistance resources,

71. “About the Cook County Human Trafficking Task Force,” *Cook County Human Trafficking Task Force*, <https://www.cookcountytaskforce.org/about-us.html>

legal guidance, and coordination on cases that cross jurisdictions.⁷²

Since the passage of the Trafficking Victims Protection Act in 2000, the Department of Justice has brought more than 800 federal trafficking cases against approximately 1,800 defendants.⁷³ At the PERF meeting, Hilary Aham, Deputy Director of the Human Trafficking Prosecution Unit, encouraged local police leaders to contact the unit for assistance with their human trafficking cases.

The federal government also provides financial support to state and local agencies to form human trafficking task forces. The Department of Justice's **Office for Victims of Crime (OVC)** and **Bureau of Justice Assistance (BJA)** have grant programs to fund task forces. In addition, OVC has an online guide to forming a human trafficking task force. It covers the basics of understanding human trafficking, forming a task force, operating a task force, supporting victims, building cases, and the role of the courts.⁷⁴

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Department of Homeland Security's Anti-Trafficking Strategy

In January 2020, the U.S. Department of Homeland Security (DHS) released its *Strategy to Combat Human Trafficking, the Importation of Goods Produced with Forced Labor, and Child Sexual Exploitation*. The strategy document, which outlines DHS's long-term approach to combating human trafficking, focuses on five main goals:⁷⁵

1. Prevent human trafficking by educating the public.
2. Protect victims of human trafficking and assist them on their road to recovery.
3. Prosecute cases of trafficking and take enforcement action against traffickers.
4. Develop strong partnerships throughout the homeland security enterprise.
5. Enable DHS to combat human trafficking as efficiently and effectively as possible.

The report highlights the anti-trafficking programs that DHS component agencies operate. In particular, **Immigration and Customs Enforcement, Homeland Security**

Investigations (HSI) operates investigative and educational programs on a range of trafficking-related topics:⁷⁶

- Transnational Child Sexual Abuse
- Child Pornography and Online Sexual Exploitation
- Convicted Sex Offender Data Sharing with Other Countries
- Investigating Imported Goods Linked to Forced Labor
- Human Trafficking Training for Law Enforcement
- Online Safety Education
- Victim Assistance
- Peer Support and Mental Health Programming for Personnel Involved in Child Exploitation Investigations

HSI also maintains the anonymous online **HSI Tip Form** and the HSI phone Tip Line (866-347-2423).⁷⁷

72. "Human Trafficking Prosecution Unit (HTPU)," *United States Department of Justice*, <https://www.justice.gov/crt/human-trafficking-prosecution-unit-htpu>

73. "Assistant Attorney General Eric Dreiband Delivered Remarks at the National Human Trafficking Summit," *United States Department of Justice*, May 2019. <https://www.justice.gov/opa/speech/assistant-attorney-general-eric-dreiband-delivered-remarks-national-human-trafficking>

74. "Human Trafficking Task Force e-Guide." *Office for Victims of Crime Training and Technical Assistance Center*. <https://www.ovcttac.gov/taskforceguide/eguide/>

75. U.S. Department of Homeland Security, (2020). *Department of Homeland Security Strategy to Combat Human Trafficking, the Importation of Goods Produced with Forced Labor, and Child Sexual Exploitation*, page iv. https://www.dhs.gov/sites/default/files/publications/20_0115_plcy_human-trafficking-forced-labor-child-exploit-strategy.pdf.

76. Ibid, pp. 37–38.

77. "HIS Tip Form." U.S. Immigration and Customs Enforcement. <https://www.ice.gov/webform/hsi-tip-form>.

National Johns Suppression Initiative

The National Johns Suppression Initiative (NJSI) is a multi-agency, multi-state effort to depress and disrupt the demand for sex trafficking. Started in 2011 by Cook County, IL Sheriff Thomas J. Dart, the NJSI launches coordinated stings across the country, usually twice a year during the Super Bowl and in the summer months when demand is high.

At its first operation in 2011, eight agencies participated in stings focused on buyers. Since then, there have been 18 NJSI operations with participation from more than 140 agencies. While primarily consisting of law enforcement partners, NJSIs also are supported by the nonprofit organization Demand Abolition and other service providers. Each NJSI operation is overseen by Marian Hatcher, Senior Project Manager and Human Trafficking Coordinator for the Cook County Sheriff's Office.

At the PERF meeting, Ms. Hatcher said the success of the initiative depends on a combination of law enforcement collaboration, education, technology, and services for victims. Agencies that are part of the NJSI use a combination of traditional investigative methods, such as reverse stings, and more advanced techniques using technology. For example, agencies have used artificial intelligence-driven chat bots to interact with buyers online and have posted decoy ads on trafficking websites.

Marian Hatcher,
Senior Project
Manager and
Human Trafficking
Coordinator, Cook
County (IL) Sheriff's
Office



One approach developed by CHILDSAFE, AI and Seattle Against Slavery and used by the NJSI is to send messages to potential buyers in an effort to deter their activity. “When we deployed the bot from Seattle Against Slavery across six jurisdictions, we made contact with over 9,000 buyers. And that was our pilot. Since then, we’re probably at over 30,000 contacts with buyers in four of our sting operations,” Ms. Hatcher said.

Since the NJSI was launched, over 9,500 buyers have been arrested. In a recent operation spanning 11 states and involving 26 law enforcement agencies, more than 500 buyers were arrested, and an additional 18 suspects faced trafficking charges. Additionally, 34 individuals, including three minors, were recovered and offered services.⁷⁸

78. “National Sex Buyer Sting Nets More than 500 Arrests,” *Cook County Sheriff's Office*, [Press Release], July 2019. <https://www.cookcountysheriff.org/national-sex-buyer-sting-nets-more-than-500-arrests/>

Utilizing Technology in the Investigation and Prosecution of Human Trafficking

As with many other crimes today, technology plays a major role in facilitating human trafficking—and in supporting investigations and prosecutions.

Through the Internet, human trafficking can occur almost anywhere and at any time. Police agencies need to understand how to identify and disrupt human trafficking online. They also need the tools to capture digital evidence in these cases and better support prosecutions. Although police agencies are becoming more adept at identifying and investigating cybercrimes, gaps remain in the technology available to them and their ability to use that technology.

Gaps in Law Enforcement’s Technology Needs

Julia Deeb-Swihart, a Computer Science Ph.D. student at the Georgia Institute of Technology, has studied police strategies and needs for combating human trafficking.⁷⁹ At the PERF conference, she outlined several challenges that police agencies face in using technology in human trafficking cases.

Many police departments have a weak information technology infrastructure, which makes information-sharing difficult. Information is often siloed in multiple databases, making information-sharing and analytics difficult within and between agencies.



“We saw there was a big need and interest from police for technology in human trafficking investigations. Police want more sophisticated tools, but a lot of their existing tools don’t mesh with the needs of human trafficking cases they are working. Unfortunately, they’re retrofitting tools that are really designed for other types of cases.”

— Julia Deeb-Swihart, Georgia Institute of Technology

A 2016 study by RTI International showed that many police agencies do not have the needed tools to perform basic analytics. In a survey of 749 agencies, only 14% had technology to search data shared across silos, 10% had data-mining tools for massive databases, and 5% had software that could discover connections between data.⁸⁰ Because there are no national standards for software at police agencies, external information-sharing is difficult. Neighboring agencies that want to collaborate with each another and share information may find that their software is incompatible. In many agencies, these problems are compounded by a lack of funding and training to build out the needed infrastructure.

Current technological tools do not always fit the specific needs of human trafficking investigations.

For example, geographic information systems (GIS) are often used by police agencies to map different types of crimes to identify trends and movements. But “this doesn’t really work well when you have human trafficking data, which has vague information,” Ms. Deeb-Swihart said. “A victim might say, ‘I was taken to the metro Atlanta area.’ How do you put that on a map?”

One valuable tool in human trafficking investigations is software that can identify and flag online advertisements that may involve human trafficking. However, most of these programs are focused on sex trafficking; technology to investigate labor trafficking is lagging.

79. Full study can be found at: Deeb-Swihart, Julia, Endert, Alex, and Bruckman, Amy. (2019). “Understanding Law Enforcement Strategies and Needs for Combating Human Trafficking,” *CHI Conference on Human Factors in Computing Systems Proceedings*. <https://www.cc.gatech.edu/~aendert3/resources/2019SwihartUnderstanding.pdf>

80. Strom, Kevin. (2016). *Research on the Impact of Technology on Policing Strategy in the 21st Century*. (RTI International and Police Executive Research Forum: Research Triangle Park, NC): pp. 6-7. <https://www.ncjrs.gov/pdffiles1/nij/grants/251140.pdf>

Some technologies raise privacy concerns.

Many of the tools currently used involve scanning the Internet, social media platforms, and other data sources for information. This surveillance raises privacy issues, especially with individuals who may be voluntary sex workers (and not sex trafficking victims) and whose data may be included in this surveillance.

Some Promising Technologies for Human Trafficking Investigations

At the PERF meeting, non-governmental organizations discussed some of the technologies they have developed to assist in the identification of human trafficking.

Freedom Signal. Seattle Against Slavery is an anti-trafficking organization that focuses on labor and sex trafficking. With assistance from technology companies such as Microsoft and Amazon Web Services, Seattle Against Slavery developed Freedom Signal, a platform of different technologies designed to disrupt sex trafficking online.⁸¹ The technologies can collect phone numbers of potential human trafficking victims through automated online searches and allows service providers to contact them directly. As of August 2019, Seattle Against Slavery connected with over 1,200 potential victims identified through the platform.

Freedom Signal also has tools focused on deterring buyers. These include decoy chatbots that pose as minor or adult sex trafficking victims to interact

with potential buyers online. Once they connect, the technology redirects potential buyers to “deterrence websites,” which produce messages such as “You could be arrested for buying sex online” and provide links for more information on human trafficking. Over a three-year period, Freedom Signal intervened in 17,000 attempts to buy sex online.

A New York Times story explained how technology can help deter sex trafficking:

A man texts an online ad for sex.

He gets a text back: “Hi Papi. Would u like to go on a date?” There’s a conversation: what he’d like the woman to do, when and where to meet, how much he will pay.

What he doesn’t expect is this: He is texting not with a woman but with a computer program....

He doesn’t expect the text a few days later with a picture of a man sitting in jail, and this message: “This is the New York Police Department. Your response to an online ad for prostitution has been logged. Offering to pay or paying someone for sexual conduct is a crime and punishable by incarceration up to 7 years. The NYPD posts hundreds of decoy advertisements that are indistinguishable from the real thing. People who show up in response to our ads are likely to get arrested.”

He doesn’t know which ad he texted triggered the message. He doesn’t know what could happen next. But he knows the police have his number, in every sense.⁸²

“This technology has led to our area becoming incredibly adept at identifying the level of trafficking that’s going on, and how law enforcement—city, county, and state—can intervene on a collective level,” said Robert Beiser, Former Executive Director of Seattle Against Slavery.

>> continued on page 48



Robert Beiser, former Executive Director of Seattle Against Slavery

81. “Freedom Signal: Disrupting sex trafficking buyers and reaching victims with cutting-edge technology.” <https://www.freedomsignal.org/>.

82. Artificial Intelligence Joins the Campaign Against Sex Trafficking.” *New York Times*, April 9, 2019. <https://www.nytimes.com/2019/04/09/opinion/ai-joins-the-campaign-against-sex-trafficking.html>

Collective Liberty: Using Technology and Training to Disrupt Human Trafficking

Human trafficking is an increasingly complex crime. It typically involves extensive use of the Internet, including the Dark Web. There are often multiple crossover offenses such as drug trafficking and white collar crimes. And the illegal activity can span multiple jurisdictions.

As discussed at the PERF conference, many law enforcement agencies lack the technology and expertise needed to gather the digital evidence and connect the dots in human trafficking cases.

Collective Liberty, a non-profit group founded in 2018 in Washington, DC, is working to help law enforcement overcome these obstacles by providing both technology tools and training. The organization works with networks of law enforcement agencies, service providers, and other stakeholders to disrupt different types of human trafficking.⁸³

“[Human trafficking] is one of the oldest crimes in the world, but the modern American iteration isn’t very well understood, or it’s minimized by vast sections of the public,” Collective Liberty CEO Rochelle Keyhan recently told the Washington Post.⁸⁴ “There was a huge gap when it came to tech-related solutions,” said Ms. Keyhan, a former prosecutor of gender-based violent crimes in the Philadelphia District Attorney’s Office.

How It Works

Collective Liberty developed a pilot, web-based platform called Forging Freedom, which is a knowledge management system, networking and discussion group, and training resource center. The platform assembles a wide range of information from sources such as news reports, court documents, websites that promote prostitution, and even the first-hand accounts of human trafficking survivors.

Using artificial intelligence and machine learning, the system identifies connections among individuals, their criminal histories, and possible involvement in not only human trafficking, but also crimes such as wage theft, money laundering, and tax evasion. Collective Liberty turns this information over to law enforcement agencies to support their investigations, which often focus on the financial crimes that are uncovered. These cases are often easier to prosecute, and they spare human trafficking survivors from having to testify in court.

In addition to data analysis and dissemination, Collective Liberty aids law enforcement through workshops and trainings on how to handle different types of human trafficking. For example, a free training held recently for law enforcement in Waco, TX covered commercial storefront brothel trafficking, demand-focused investigations, and hotel- and motel-based trafficking utilizing the Internet.⁸⁵ National law enforcement experts helped guide participants through a hands-on case study starting from community complaints to trial and sentencing.

In 2018, Collective Liberty trained over 7,000 members of law enforcement, code enforcement, and service providers in understanding systems that enable “commercial front” brothel trafficking. Collective Liberty also provided legislative analysis and support to jurisdictions, resulting in stronger laws that target illicit massage businesses and commercial front brothels.

Collective Liberty employs its multidisciplinary program in 204 jurisdictions across 37 states. It has five full-time and five part-time employees.

83. Collective Liberty. <https://collectiveliberty.org/>

84. Gaynor, Michael J. “D.C. Start-up Collective Liberty uses technology and data to help police stop human trafficking.” Washington Post. March, 2020. https://www.washingtonpost.com/lifestyle/magazine/dc-start-up-collective-liberty-uses-technology-and-data-to-help-police-stop-human-trafficking/2020/03/13/72ccf670-58c4-11ea-9b35-def5a027d470_story.html

85. Texas District & County Attorneys Association (TDCAA). Heart of Texas Human Trafficking Coalition training in August in Waco. <https://www.tdcaa.com/heart-of-texas-human-trafficking-coalition-training-in-august-in-waco/>

Spotlight. Another technology widely available to law enforcement is Spotlight, developed by the nonprofit organization, Thorn.⁸⁶ It is primarily used to identify child victims of sex trafficking. Spotlight scans online advertisements for sex and compares phone numbers and images to open-data sources on missing children, including the National Center for Missing and Exploited Children’s register of missing children.⁸⁷ Spotlight is used by 1,796 agencies in all 50 states and Canada.

Other participants at the PERF meeting cautioned that Spotlight, while a useful tool, has limitations. For example, Spotlight analyzes only 16 websites and has data going back only to 2014. Therefore, some participants said Spotlight should be used to complement other investigative efforts.

Experts at the PERF conference said human trafficking investigators also need to learn how to analyze some common apps for sending money to people or businesses, such as Venmo, which may have payment logs that are useful to an investigation.



“Spotlight crawls the Internet and pulls out advertisements for sex that are suspected of involving juveniles or some type of human trafficking. I may be in Atlanta looking at an ad, and Spotlight will point out to me if this same ad has also been seen in other states, other jurisdictions, or if someone has already flagged that particular ad as being investigated by another agency.

“So Spotlight helps with both de-confliction and victim identification.”

— **Sergeant Ernest Britton, Atlanta Police Department**

86. “Spotlight helps find kids faster.” *Thorn*. <https://www.thorn.org/spotlight/>

87. Frost, Natasha. “Amazon’s AI is being used to rescue children from sex trafficking,” *Quartz*, June 13, 2019. <https://qz.com/1636498/thorn-uses-amazon-powered-ai-to-save-minors-from-sex-trafficking/>

Providing Support to Victims of Human Trafficking

THE ROLE OF LAW ENFORCEMENT IN COMBATING human trafficking does not end when a victim is identified and removed from their trafficker. Human trafficking cases are complex, and investigating them can be a lengthy process, requiring sustained contact with the victim. Throughout this process, it is critical that police understand the trauma that victims experience, and know about the resources that are available to help victims survive and heal.

Because victims often have been trafficked for years, a sustained, multi-disciplinary approach to recovery is typically required to address the immediate and longer-term needs of victims who have been neglected for a long time.

Victim service experts at the PERF meeting identified seven critical needs that victims of human trafficking may have:

- Counseling and mental health support;
- Medical care;
- Peer support;
- Assistance with obtaining identification and bank accounts;
- Job skills, education, and training;
- Employment opportunities; and
- Housing.

Partnerships between police and victim service providers are crucial to ensuring that survivors receive immediate and comprehensive care. At the PERF conference, law enforcement and victim service providers discussed several ways they can partner to help trafficking victims.

Embed Victim Advocates in Human Trafficking Units

Some police agencies embed a domestic violence or sexual assault advocate in their departments, and the same approach can be used with human trafficking advocates. An advocate can help victims locate services immediately and guide them through the criminal justice process if they are able to help with an investigation. Having a highly trained civilian serve in this role often makes the victim feel more comfortable and willing to work with the police.

Marie Martinez Israelite, Director of Victim Services at the Human Trafficking Institute, explained the value of embedding victim advocates in police units that combat human trafficking. “An advocate serves as the linkage between all of the partners, and they’re also responsible for knowing all of the rights that a trafficking victim is entitled to under federal and state laws. They serve as that constant, consistent person who can link the victim to the services they may need, whether it’s local, state, or federally-funded services.”

“I’m a civilian embedded in the South Burlington Police Department, in our Bureau of Criminal Investigations, and I work statewide helping victims to obtain services,” said Human Trafficking Case Manager Katie Newell. “It’s been a really great experience. The individuals I serve are not required to work with police, but we’re able to work parallel with law enforcement. It’s my job to be a neutral point of contact for this person.”

Building Trust with Victims Through Meeting Basic Needs

Traffickers control all aspects of their victims' lives—what they do, where they go, and with whom they interact. This means traffickers also are providing many of the victim's basic needs, including food, clothing, and shelter. When victims are removed from the trafficker, often they are immediately without those necessities. One of the top priorities for police when they encounter a trafficking victim should be to determine what immediate support the victim needs.

Victim service experts at the PERF meeting said the first 24 hours are crucial for supporting victims and building their trust in the criminal justice system. When police have firmly established partnerships with victim service agencies, they can meet victims' immediate needs such as housing and health care, as well as services that can be provided later, such as counseling.

The partnership between the Cook County (IL) Sheriff's Office and a support organization called Restoration61 is an example of how this relationship can be built. Restoration61 is a nonprofit organization that provides intervention and restorative services to victims of sexual exploitation.⁸⁸ When the Sheriff's Office recovers a victim of sex trafficking, Restoration61 representatives help ensure the individual gets the immediate assistance that is needed, especially food and clothing. The group can also conduct an assessment to help build a longer-range recovery plan for the victim.



“Regardless of how badly a trafficker is treating a victim, they’re often providing things that the victim is otherwise missing: food, shelter, comfort.

“When the victim is recovered, and we take those things away and don’t replace them with anything else, that’s when victims don’t stay engaged in the process.”

“So we have to figure out how to meet the basic needs of victims. That’s what we need to take care of first, before we can even get to an investigation.”

— Teresa Stafford, Chief Advocacy Officer, Cleveland Rape Crisis Center

Involve Social Service Partners in Enforcement Planning

Some participants at the PERF meeting suggested that in advance of a human trafficking sting operation or similar enforcement actions, police should notify trusted social service partners and include them in the planning and implementation of the enforcement operation.

In this way, social service agencies can ensure that resources are immediately available to assist victims who are recovered in the operation. These agencies can also suggest ways to ensure that the operation is victim-centered and that police recognize who the victims are and what needs they may have.

For many police and sheriffs' agencies, it can feel uncomfortable to include social service agencies in their planning. It is essential for police and local service providers to develop a strong relationship of trust before police can share non-sensitive information about their plans to conduct a sting or other enforcement action.

Corinne Stannish, a retired captain with the Sarasota (FL) Police Department, said this approach of sharing information required a culture shift for the department, but it paid immense dividends.

“For the Sarasota Police Department, it really helped to partner with a local anti-trafficking NGO and have them on the operations with us,” said Captain Stannish, who now works with Selah Freedom, an anti-trafficking organization.⁸⁹ “Police operations

>> *continued on page 52*

88. “Restoration61, About Us.” <https://restoration61.org/>.

89. Selah Freedom: Bringing Light into the Darkness of Sex Trafficking.” The organization hosts advocacy and awareness events, offers trainings, and provides outreach and residential services to victims. <https://www.selahfreedom.com/>.

THRIVE Clinic Provides Medical Treatment in a Trauma-Informed Manner

For victims of human trafficking, escaping their trafficker is just the start of recovery. The effects of trauma can be long-lasting, and victims often require a range of support services. Understanding the possible options for obtaining services can be intimidating for victims. Often, they face barriers to accessing services, such as a lack of health insurance, limited English language proficiency, inconsistent access to transportation, and housing instability.

One critical but sometimes overlooked support service for victims of human trafficking is medical treatment. While being trafficked, most victims do not receive regular medical attention or health care. Multi-disciplinary programs that bring together a range of physical and mental health services can provide victims with a simpler, more comprehensive process and an easier time accessing the services they need.

One example of this approach is the THRIVE (Trafficking Healthcare Resources and Interdisciplinary Victim Services and

Education) Clinic.⁹⁰ Started in 2015 through the University of Miami Miller School of Medicine, THRIVE is a multi-disciplinary medical program designed to address the health care needs of human trafficking survivors in a trauma-informed manner. The clinic provides a range of health care services, including gynecology, oncology, dental care, psychiatry, neurology, dermatology, orthopedics, and pediatrics.

What distinguishes THRIVE is that each component of its program, from intake to discharge, is designed with the survivor experience in mind. For example, a patient navigator is present at all appointments to support the survivor and escort them through the process.

The clinic is currently funded through a three-year grant awarded by the U.S. Department of Justice in 2017. Patients are referred to the program from local law enforcement agencies, the U.S. Department of Homeland Security, and the Miami-Dade State Attorney's Office.⁹¹



“The THRIVE Clinic is a re-engineered medical model. Victims need all kinds of service providers, but we don’t send our patients out into the health system to receive those services. Those services are all available at THRIVE.

“In a typical clinic, someone calls your name to come to the front desk for intake. But we saw how our patients reacted to that—it’s re-traumatizing for them. Now they’re admitted right into the examination room. We have navigators and peers who chaperone survivors the entire time that they’re in this big medical center.”

— Dr. JoNell Potter, University of Miami, Miller School of Medicine

90. “THRIVE Clinic.” University of Miami, Miller School of Medicine. <http://obgyn.med.miami.edu/research/thrive-clinic>.

91. “UHealth and Jackson Tackle Human Trafficking Prevention and Treatment.” University of Miami, Miller School of Medicine. <http://med.miami.edu/news/uhealth-and-jackson-tackle-human-trafficking-prevention-and-treatment>.

are now more victim-centered. Instead of doing prostitution operations the old way, where we would arrest everyone and the victims went to jail along with the traffickers, the department now pre-plans its operations with our NGO partners who can help us with the victims.”

“It’s really important to involve your NGO service providers in the community before you need them. Do not call your service partners at 11 p.m. on a Friday night when you’re about to conduct an enforcement action to tell them that you’re potentially going to need 20 beds for victims. You have to know service providers in your community before you have a case and work collaboratively with them.

“Your partners need to be prepared to meet victims’ needs, and everyone needs to be aware of each other’s expectations. Police agencies don’t need to share law enforcement-sensitive information with non-law enforcement people in your operations planning. But you do need to share information that the NGO will need to collaborate effectively with you and support victims in your case.”

— **Marie Martinez Israelite, Director of Victim Services, The Human Trafficking Institute**



Corinne Stannish,
retired Captain,
Sarasota (FL) Police
Department

Social Service Partners Need to Be Available Around the Clock

A key consideration for police and sheriffs’ departments when partnering with social service agencies is whether those organizations will be available when they are needed. This is especially important in the area of human trafficking, because a police officer or sheriff’s deputy may encounter a victim who needs support services at any hour of the day or night.

Many service providers operate with small staffs and limited budgets, which means they may not have the capacity to be on-call 24 hours a day. When establishing partnerships, it is important to ensure that everyone understands the expectations of what services will be available when, and then works together to address any challenges.

For example, if a police department or task force can give a local service provider sufficient notice of a planned operation, the service provider may be able to adjust its staffing to ensure that victim services will be available when they are needed.



“We work very closely with law enforcement, specifically with the Cook County Sheriff’s Office and the surrounding suburbs. Restoration61 serves as a triage point for these agencies to connect victims with services and care, focusing on the first 24 hours to 30 days after initial contact.

“Even though we’re not embedded in police departments, we work very closely with them. When law enforcement recovers a victim, the police can reach out to us and say, ‘Here’s who we’ve recovered. We think these are her needs. Will you come and do an assessment with her?’ We always come in with food, clothing, and hygiene products. We walk in and just start building trust for the journey ahead.”

— **Kara Doan, Chief Operations Officer, Restoration61**



“When you’re partnering with a police department, understand that we run 24/7, and 3:00 in the morning is no different to us than 3:00 in the afternoon. So if you want to partner with us, you’re taking that on as well. We need to sit down beforehand and work out protocols to make this work.”

— Chief Jeffrey Kruthoff, Springboro (OH) Police Department

Stephany Powell, a retired vice unit Sergeant with the Los Angeles Police Department, now works as Executive Director of Journey Out, a nonprofit dedicated to helping victims of commercial sexual exploitation and sex trafficking.⁹² At the PERF meeting, she stressed the importance of service agencies being available to police departments and sheriffs’ offices when their assistance is needed.

“Journey Out is the service provider primarily for the Los Angeles Police Department. We’re embedded in the department, as well as in some smaller law enforcement agencies. We are available 24 hours a day to these departments,” she said.

“That’s important because when I was a vice cop with the LAPD, if I called a nonprofit for help after 5 p.m. and they were closed, that wasn’t any help to me. And if something doesn’t work, there’s a tendency to not call back again.”



Stephany Powell,
Executive Director,
Journey Out

Foreign National Victims: Understanding the Challenges and Resources

Although precise numbers are hard to find, the U.S. Department of State has estimated that 15,000 or more people a year are trafficked into the United States.⁹³ Traffickers often take and withhold important documents such as IDs, passports, and birth certificates from their victims. Some traffickers use the victim’s immigration status as a threat to coerce them to remain compliant.

In addition to facing the same difficulties as domestic trafficking victims, foreign national victims often face additional challenges, which can include language barriers and unfamiliarity with U.S. laws and the legal system. They also face potential problems with U.S. immigration enforcement if they come forward as a victim of human trafficking.

Experts at the PERF conference said local law enforcement agencies can play an important role in helping these victims by becoming familiar with and utilizing the main forms of immigration relief that are available to victims of human trafficking.

There are two primary U.S. visas that trafficking victims may qualify for: *U nonimmigrant status (U Visa)* and *T nonimmigrant status (T Visa)*. Both visas allow victims to remain in the United States for four years while assisting a criminal investigation, and each provides a path toward permanent residency for victims who cooperate with police.

The U Visa grants nonimmigrant status to victims of a range of crimes, including human trafficking. The victim may have originally come to the

92. For more information, see <https://journeyout.org/>.

93. U.S. Department of State, (2004). *Trafficking in Persons Report*, p. 23, <https://2009-2017.state.gov/documents/organization/34158.pdf>

United States for any reason, but the crime must have occurred while they were in the U.S. A condition of the U Visa is that a law enforcement agency must certify that the victim has been helpful, is currently being helpful, or will likely be helpful in the investigation or prosecution of the case. To make this certification, the agency submits Form I-918 Supplement B.⁹⁴ Exceptions to this requirement are made if the victim is under age 18 or is unable to cooperate because of physical or psychological trauma.

U.S. Citizenship and Immigration Services (USCIS) is limited to approving no more than 10,000 U Visa applications a year, yet the number of applicants far exceeds this cap. As of October 2019, the number of pending applications is over 234,000.⁹⁵ Given this backlog, the wait time for approval can be years.

The T Visa was created specifically for foreign national victims of human trafficking in the United States. To qualify, victims must have been trafficked into the United States and must comply with reasonable requests from law enforcement agencies. Unlike the U Visa, the T Visa does not require applicants to receive an official certification of their cooperation from law enforcement, although a declaration of cooperation is encouraged, through Form I-914 Supplement B.⁹⁶ If this declaration is not provided, applicants still must show they are cooperating by providing a witness statement explaining why they do not have a declaration from law enforcement and whether they can provide other records or forms of evidence establishing cooperation.⁹⁷

Compared to the U Visa, the T Visa is widely underutilized. This is partly due to a lack of awareness among local police departments about the program and their role in the process. Although the T Visa program is ultimately a federal responsibility, local police play a critical role by signing off on the certification form. Having the certification form significantly benefits the victim's case.⁹⁸

There is also no statute of limitations on when a certification can be provided, and police can provide the certification "even if there is no arrest, no charges filed, no formal investigation, no prosecution, no conviction, or even if the case is closed," according to USCIS.⁹⁹ In addition, law enforcement agencies that sign a certification are not held liable if the victim commits any future crimes while in the country.

The number of T Visa applications approved per year is capped at 5,000, but this limit has never been reached. Although the review and approval time is generally shorter than with the U Visa, as of October 2019, there were 2,358 T Visa applications still pending.¹⁰⁰

Victims of human trafficking also may be eligible for shorter-term immigration relief through the Continued Presence (CP) program. CP allows trafficking victims to remain in the United States for two years while they serve as a potential witness to a criminal case. (The case does not have to be accepted for prosecution in order to receive CP.)

Federal law enforcement agencies must sponsor a victim's CP application, so it is imperative that when local or state agencies identify a victim of

94. "Victims of Criminal Activity: U Nonimmigrant Status." U.S. Citizenship and Immigration Services. <https://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/victims-criminal-activity-u-nonimmigrant-status>.

95. "Form I-918, Petition for U Nonimmigrant Status, by Fiscal Year, Quarter, and Case Status (Fiscal Year 2019, 4th Quarter, Jul. 1-Sep. 30, 2019)." U.S. Citizenship and Immigration Services. https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I918u_visastatistics_fy2019_qtr4.pdf.

96. "Form I-914, Application for T Nonimmigrant Status." U.S. Citizenship and Immigration Services. <https://www.uscis.gov/i-914>

97. "Victims of Human Trafficking: T Nonimmigrant Status." U.S. Citizenship and Immigration Services, September 3, 2009. <https://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-human-trafficking-t-nonimmigrant-status>.

98. Sloan, Madeline. "T Visas Protect Victims of Human Trafficking And Strengthen Community Relationships," Police Executive Research Forum, 2020. <https://www.policeforum.org/assets/TVisas.pdf>.

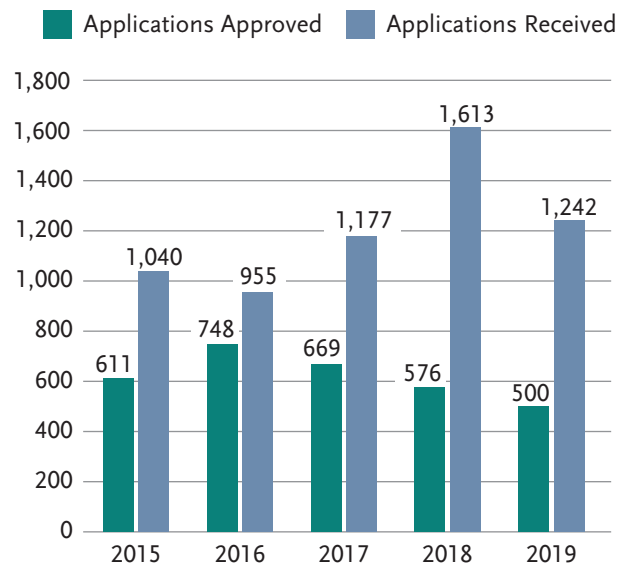
99. "Information for Law Enforcement Agencies and Judges." U.S. Citizenship and Immigration Services. <https://www.uscis.gov/tools/information-law-enforcement-agencies-and-judges>

100. "Form I-914, Application for T Nonimmigrant Status by Fiscal Year, Quarter, and Case Status (Fiscal Year 2019, 4th Quarter, Jul. 1-Sep. 30, 2019)." U.S. Citizenship and Immigration Services, January 14, 2020. https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I914t_visastatistics_fy2019_qtr4.pdf

trafficking, they quickly notify the federal agencies to expedite the process. While CP status is a more immediate form of immigration relief than either the U Visa or T Visa, it does not have all the same benefits and protections, and does not provide a path toward lawful permanent residency. CP status does provide victims with short-term relief they may need in order to apply for either a U Visa or T Visa.

Figure 9: T Visa Utilization, 2015–2019

Created with annual data from U.S. Citizenship and Immigration Services¹⁰¹



101. Annual data found on https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I914t_visastatistics_fy2019_qtr4.pdf

Conclusion:

Making Human Trafficking a Priority and Developing New Ways to Combat It

WHEN THE FEDERAL TRAFFICKING VICTIMS Protection Act was enacted in 2000, human trafficking was still a relatively new concept in the policing profession and in the community at large. In the 20 years since the law was passed, awareness of human trafficking has exploded.

All 50 states have enacted laws against trafficking. Major airlines, Amtrak, bus companies, hotels, and other businesses have launched public information campaigns and training for their personnel to detect and respond to signs of trafficking. News media coverage of human trafficking has increased dramatically (although the coverage often fails to capture the full picture of what human trafficking is). And many types of non-governmental organizations have been established or expanded to raise awareness of trafficking and provide services to victims.

Similarly, the policing profession has stepped up its efforts against trafficking. State and local agencies have formed human trafficking task forces and have devoted special attention to combating trafficking at major events such as the Super Bowl and other sports championships. Police and sheriffs' agencies are working to train their personnel in how to identify trafficking victims, and many of them are partnering with service agencies to provide increased support to victims who are rescued. Some are using technology in innovative ways to disrupt sex trafficking in particular. These and other interesting approaches are documented in this report.

Even with the increased attention and clear progress, the fact remains that many police departments and sheriffs' offices are not fully prepared to

respond to human trafficking in their jurisdictions. There are still law enforcement officers who have not been trained in how to recognize victims of human trafficking, both sexual and labor exploitation. When police officers and sheriffs' deputies do come upon victims, they do not always know how to approach the victims in a victim-centered, trauma-informed manner, which experts stress is crucial for the recovery of the victim and the successful prosecution of the trafficker.

There are still communities where the key services that trafficking victims need—health care, emergency and long-term housing, psychological treatment, and much more—are either nonexistent or underfunded. And where services do exist, police and service providers are not always working together and ensuring that victim service agencies are seamlessly integrated into anti-trafficking operations.

For trafficking victims who are foreign nationals, some of the options to assist them—especially T Visas, which allow victims to remain in the country as they cooperate with police and prosecutors—are under-utilized, in part because law enforcement agencies are not aware of or making full use of these options. And when it comes to labor trafficking, many local law enforcement agencies either aren't focused on the problem, or they rely almost entirely on federal authorities to address it.

This report identifies the gaps in the response to human trafficking and provides specific steps that police departments and sheriffs' offices, and their partner agencies, can take to improve that response.

The 10 recommended actions presented in the Executive Summary of this report represent the key steps that agencies should focus on as they work to improve their anti-trafficking efforts. Several of these recommendations are concrete actions that agencies can implement relatively quickly, such as adopting human trafficking policies and providing officers with additional training. Others, however, will require more fundamental changes in how agencies view trafficking and trafficking victims, and how they are willing to engage with service providers.

From the perspective of police chiefs and sheriffs, PERF's most important recommendation is the first one: that they must make combating trafficking a priority in their agencies and devote the attention and resources that the problem deserves.

This report, and especially the 10 recommended actions, were shaped in large part by the discussions

at the national conference that PERF held in August 2019. What made this meeting different was that PERF brought together the full range of people who are critical to addressing the problem of human trafficking: police leaders, prosecutors, federal officials, victim advocates, and service providers.

Many of the attendees commented that our conference was one of the few times they had ever sat down with people outside their area of expertise to openly discuss and work through the complicated issues that human trafficking presents.

These types of multi-disciplinary discussions need to continue at the national and local levels. Only by sharing ideas and exploring new ways of working together can the policing profession and its partner agencies find effective solutions to the large and complex problem of human trafficking.

About the Police Executive Research Forum

THE POLICE EXECUTIVE RESEARCH FORUM (PERF) is an independent research organization that focuses on critical issues in policing. Since its founding in 1976, PERF has identified best practices on fundamental issues such as reducing police use of force; developing community policing and problem-oriented policing; using technologies to deliver police services to the community; and developing and assessing crime reduction strategies.

PERF strives to advance professionalism in policing and to improve the delivery of police services through the exercise of strong national leadership; public debate of police and criminal justice issues; and research and policy development.

The nature of PERF's work can be seen in the reports PERF has published over the years. Most of these reports are available without charge online at <http://www.policeforum.org/free-online-documents>. All of the titles in the *Critical Issues in Policing* series can be found on the back cover of this report and on the PERF website at <https://www.policeforum.org/critical-issues-series>.

In addition to conducting research and publishing reports on our findings, PERF conducts

management studies of individual law enforcement agencies; educates hundreds of police officials each year in the Senior Management Institute for Police, a three-week executive development program; and provides executive search services to governments that wish to conduct national searches for their next police chief.

All of PERF's work benefits from PERF's status as a membership organization of police officials, who share information and open their agencies to research and study. PERF members also include academics, federal government leaders, and others with an interest in policing and criminal justice.

All PERF members must have a four-year college degree and must subscribe to a set of founding principles, emphasizing the importance of research and public debate in policing, adherence to the Constitution and the highest standards of ethics and integrity, and accountability to the communities that police agencies serve.

PERF is governed by a member-elected President and Board of Directors and a Board-appointed Executive Director.

To learn more about PERF, visit www.policeforum.org.



MOTOROLA SOLUTIONS
FOUNDATION

About the Motorola Solutions Foundation

The Motorola Solutions Foundation is the charitable and philanthropic arm of Motorola Solutions, the leading provider of mission-critical communications, software and video solutions that help build safer cities and thriving communities. The Motorola Solutions Foundation makes strategic grants, forges strong community partnerships and fosters innovation by funding programs in public safety education, disaster relief, employee programs, and education,

especially science, technology, engineering, and math. In supporting public safety education, the Foundation focuses on supporting families of fallen public safety officers, advancing the education of public safety professionals and supporting community public safety education programs. The Motorola Solutions Foundation provides over \$11 million in support to over 250 charitable organizations and universities in over 30 countries annually.

**For more information on the Motorola Solutions Foundation,
visit www.motorolasolutions.com/foundation.**

For more information on Motorola Solutions, visit www.motorolasolutions.com.

APPENDIX:

Participants at the Critical Issues Meeting – The Police Response to Human Trafficking

August 5, 2019 – Washington, D.C.

Participants' titles and affiliations are those at the time of the meeting.

**Health and Human Services
Director Lesley Abashian**
CITY OF FAIRFAX (VA)

Senior Director Kristen Abrams
MCCAIN INSTITUTE FOR
INTERNATIONAL LEADERSHIP

**Senior Legislative Affairs Advisor
Anthony Acocella**
FEDERAL LAW ENFORCEMENT
TRAINING CENTERS

Sergeant Clay Acosta
VIRGINIA BEACH (VA) POLICE DEPARTMENT

Visiting Fellow Erin Albright
U.S. DEPARTMENT OF JUSTICE,
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