

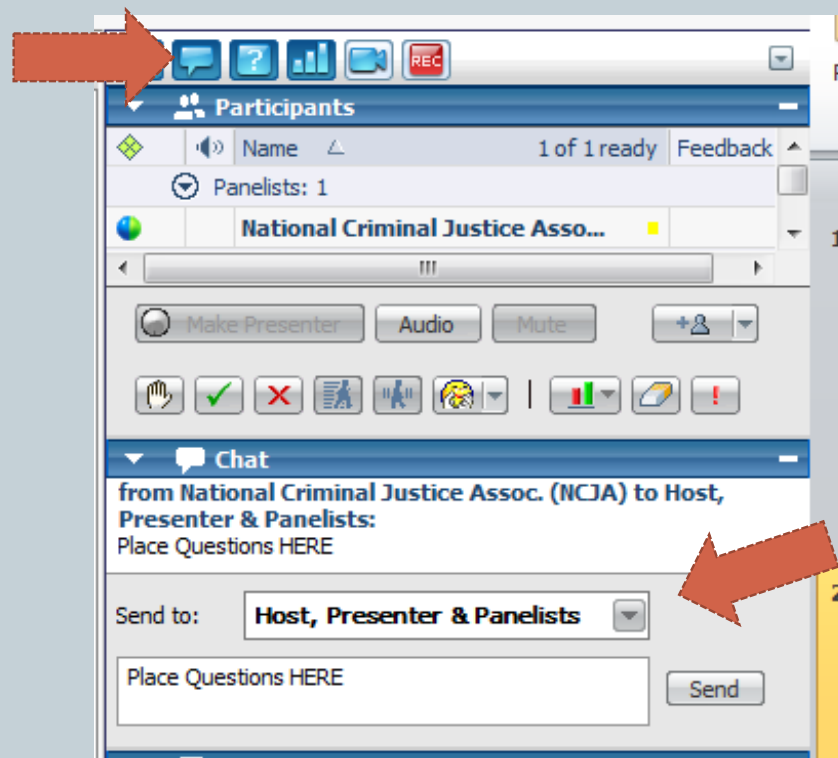
Human Trafficking:

The Stats, The Trends and The Law Enforcement Response

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Orange County Human Trafficking Task Force (OCHTTF)

Human Trafficking Reporting System and What We Know From Research

Jack McDevitt

Northeastern University

Overview of Presentation



- Estimates of Magnitude of Problem
- Background on Human Trafficking Legislation
- Overview of current national data collection system
- Review of prior research on law enforcement

The Problem of Human Trafficking

- Recognized as growing problem in 1990s
- Slavery not a new phenomena, trafficking may be many new causes
 - Demand for inexpensive labor
 - Increased movement of people for work, sometimes across borders
 - Increased communication, transportation
 - Growth of transnational criminal networks which facilitate illicit activity
- Definition
 - U.S. Government defines trafficking as:
Recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act or labor in which the act is induced by force, fraud or coercion or, in the case of commercial sex acts which the person forced to perform such an act is under the age of 18.
 - Definition does not require movement.
 - Encompasses wide range of activity

U.S. Legislative Response

- **Victims of Trafficking and Violence Protection Act, 2000**
 - Passed by congress October 2000 (PL 106-386) reauthorized in 2003, 2005
 - Allowed criminal sanctions to be applied when psychological coercion used (previously limited to physical force or threats)
 - Enhanced penalties
 - Makes trafficking victims eligible for benefits (requires certification from HHS, T-Visa)
 - Public awareness and reporting on international responses
 - Prevent, Protect and Prosecute were key features of U.S. response
 - Protection and Prosecution largely law enforcement (in coordination with victim service provider) function
 - Resources were made available to support local law enforcement identification, investigate and bring trafficking cases forward for prosecution

Estimates of Magnitude of Problem

- 27 million persons Worldwide
 - ▣ Kevin Bales “Free the Slaves”
- 800,000 persons trafficked across borders each year
 - ▣ TIP Report 2007
- 14,500-17,500 persons trafficked within the United States
 - ▣ Tip Report
- 1318 “T” visas granted DHS 2000-2008

Reasons we don't know the number

- Hidden population of victims
- Victims fear reprisals from traffickers
- Victims unfamiliar with Agencies of the Justice system
- “New Crime” for law enforcement
- Victims often do not identify themselves as Human Trafficking victims

Background on Human Trafficking

□ Federal definition

The recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act or labor in which the act is induced by force, fraud or coercion or, in the case of commercial sex acts which the person forced to perform such an act is under the age of 18.

Note: U.S. definition does not require movement.

□ Federal legislation passed 2000, 2005, 2008

□ 43 states have state legislation

Human Trafficking Reporting System

- ❑ Main goal:
 - ❑ To collect detailed information on human trafficking investigations investigated by law enforcement agencies across the U.S.
- ❑ Began with collection of data on investigations of human trafficking from federally funded human trafficking task forces.
 - ❑ 42 federally funded task forces across the U.S.; represent agencies that are trained to identify and investigate cases of human trafficking.
 - ❑ Led by local law enforcement agencies who partners with federal, state and local law enforcement, victim service providers and other non-governmental agencies.

Federally Funded Human Trafficking Task Forces



Bureau of Justice Statistics Study

- Utilized HTRS data from 2008-2010
- **2,515 incidents identified**
 - ▣ 82% of the incidents involved Sex Trafficking
 - ▣ 62% of Labor Trafficking victims were older than 25
 - ▣ 13% of Sex Trafficking victims were older than 25
 - ▣ **CJ System Response**
 - 42% of cases with know suspects resulted in arrest
 - 2/3 of cases prosecuted were prosecuted locally
 - Of those sentenced 1/3 received a sentence of 1 year or less

Offenders and Victims

□ Offenders

- ▣ 81% Male
- ▣ 73% U.S. Citizen

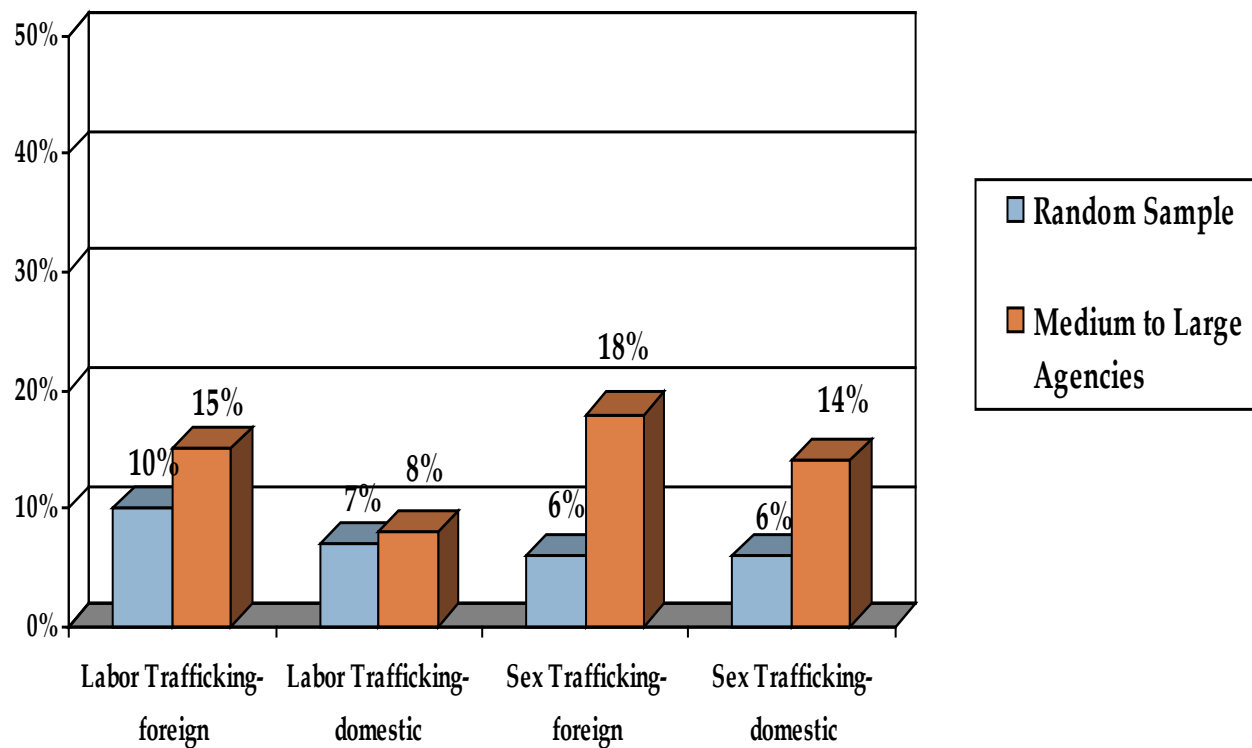
□ Victims

- ▣ 92% Female
- ▣ 55% U.S. Citizens

National Police Survey

- National Law Enforcement Human Trafficking Survey of 3,300 local, county and state law enforcement agencies funded by NIJ
 - ▣ National random sample (response rate 60%)
 - ▣ Supplemental sample of all agencies serving populations over 75,000 (response rate 75%)
 - ▣ Two questionnaires design
 - short questionnaire on perception, preparation and identification of human trafficking cases between 2000 and 2006
 - detailed questionnaire for those agencies who investigated a case of human trafficking about nature of cases and their experiences
- Case studies of Multi-Agency Law Enforcement Task Force Responses
 - ▣ Survey of primary local law enforcement partners for each of the 42 federally funded human trafficking task forces (response rate 86 percent)
 - ▣ Case studies of each of the 42 task forces
 - ▣ Intensive case studies in Boston, MA; Phoenix, AZ; and Houston, TX

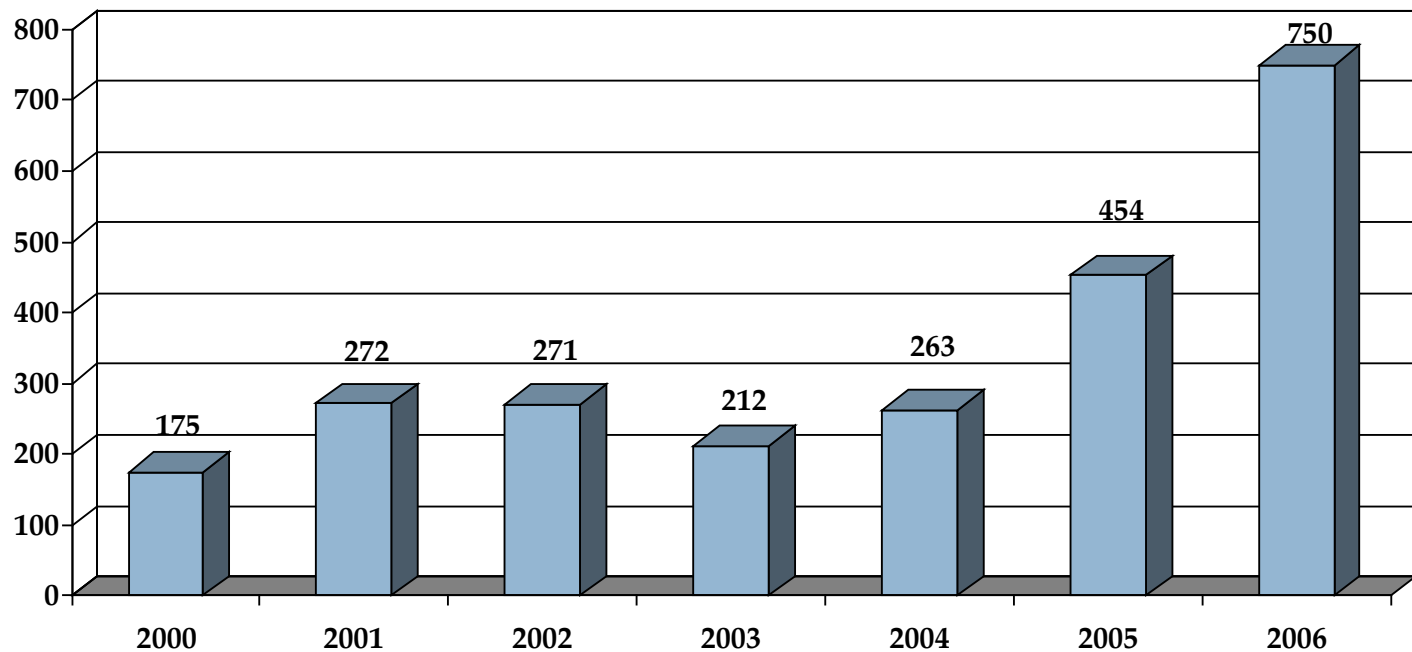
Findings: Law Enforcement Perceptions



Capacity of Local Law Enforcement to Respond to Human Trafficking

- 75% of local law enforcement leaders think human trafficking is non-existent in their community
- Local law enforcement minimally prepared to identify and respond:
 - 18% of municipal and county agencies have had some type of human trafficking training
 - 9% have a protocol or policy on human trafficking
 - 4% have designated specialized units or personnel to investigate human trafficking
- Only 7 percent of municipal and county agencies investigated human trafficking cases
 - Larger agencies more likely to perceive trafficking to be a problem, take steps to prepare their officers to identify cases, investigate human trafficking cases and

Number of Cases Identified by L.E. Survey Respondents Going Up



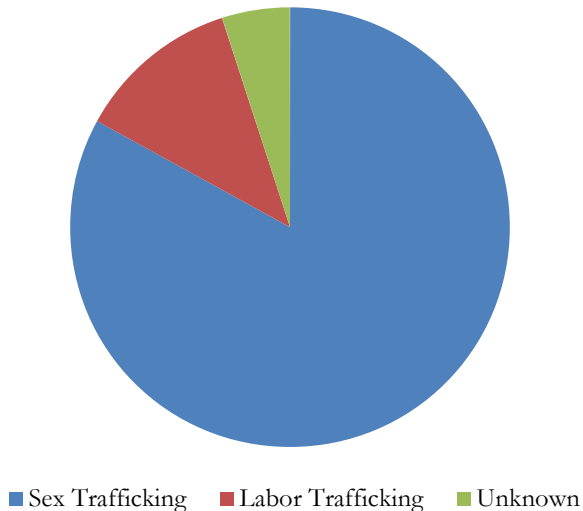
Results from Case Study

- Locations with Task Forces were more likely to find cases and to make arrests
- Coordination across law enforcement agencies is difficult
- Coordination between NGO's and law enforcement is also difficult
- Relationships are key to improving coordination

Investigations Human Trafficking

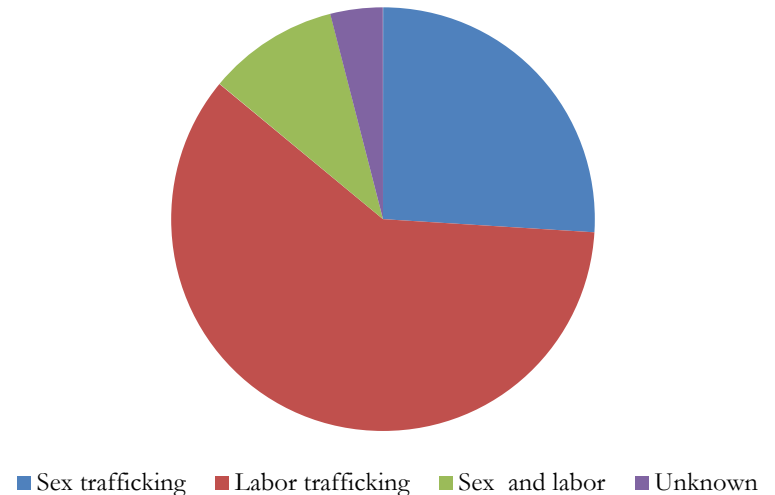
Predominance of sex trafficking investigations

Law enforcement overwhelmingly reports sex trafficking investigations



Kyckelbahn et al., Bureau of Justice Statistics, 2009

Victim services disproportionately serving labor trafficking victims



Office of Victim Services, 2009

Conclusions and Recommendations

- Many victims of human trafficking are unidentified and consequently not helped
- With proper preparation and training law enforcement agencies can identify victims and arrest offenders
- Work still needs to be done helping law enforcement coordinate across Federal State and Local and to work with NGOs

HT Investigations in Orange County, CA

Lt. Derek Marsh, Westminster Police Department, CA
Co-Chair of the Orange County Human Trafficking Task Force



Topics of Presentation

- 💧 OCHTTF Overview
- 💧 OCHTTF General Statistics
- 💧 Elements in an HT Investigation
- 💧 Investigative Challenges

OCHTTF Overview

- ◆ Established in late 2003
 - ◆ Investigations began in mid-2004
 - ◆ Cases not tracked consistently until late 2006
- ◆ 2008 BJA/OVC Task Force funding
 - ◆ Enhanced/refined tracking of investigations, victims & outreach
 - ◆ Data provided monthly and bi-annually to BJA
- ◆ Anaheim PD & CSP, Inc., received BJA/OVC funding in 2010

OCHTTF Organization

- ◆ CORE Members

- ◆ Law Enforcement

- ◆ Westminster PD, Anaheim PD, AUSA, OCDA, FBI, HSI, DoL, IRS

- ◆ Victim Resource Providers

- ◆ The Salvation Army, CSP, Inc., Public Law Center

- ◆ MOU Partners

- ◆ 45 + signed MOUs
 - ◆ Education, faith communities, NGOs, medical, victim assistance, and individuals

OCHTTF Services

- Investigations are completed by all law enforcement partners, and other local jurisdictions are frequent partners
- VRPs either provide or coordinate the provision of victim services, advocacy, legal advocacy, shelter, food, clothing, etc.
- Outreach is coordinated by an HT volunteer services coordinator, and involves volunteer training and scheduling of events
- Training is performed by core members of the task force, with primary focuses on county and state wide LE HT courses.

OCHTTF Stat Overview

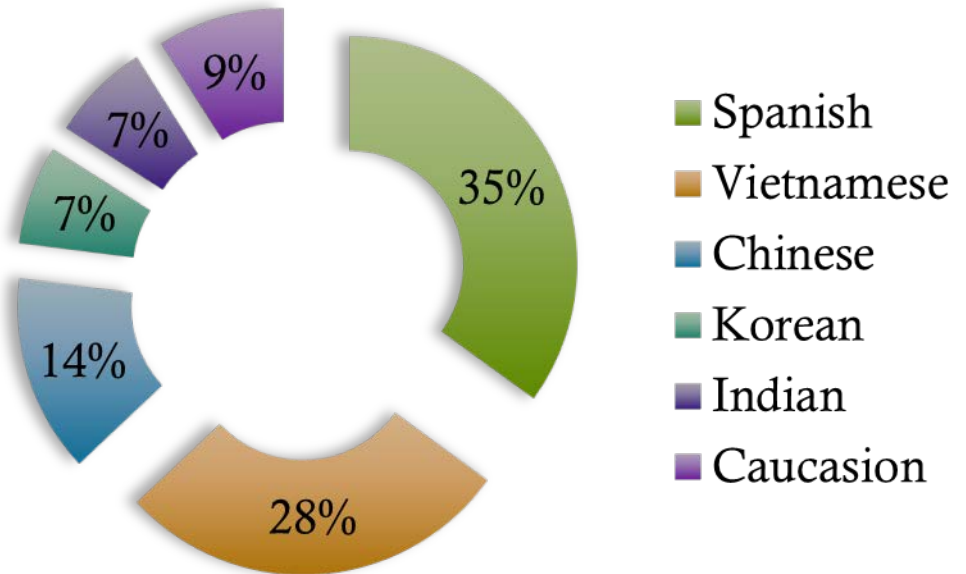
- 2006 to present
 - ~90 investigations
 - 33% labor trafficking
 - 4 federally certified victims
 - 51 potential victims
 - 30 arrests made
- 2008 to present
 - ~60 investigations
 - 50% labor trafficking



OCHTTF Offenders & Victims

OCHT Victims

- Offenders
 - ~90% female, Asian/Hispanic
 - ~10% male, Iranian & Mexican
- Victims
 - 100% female
 - Ethnically diverse



OCHTTF Stats (cont'd)

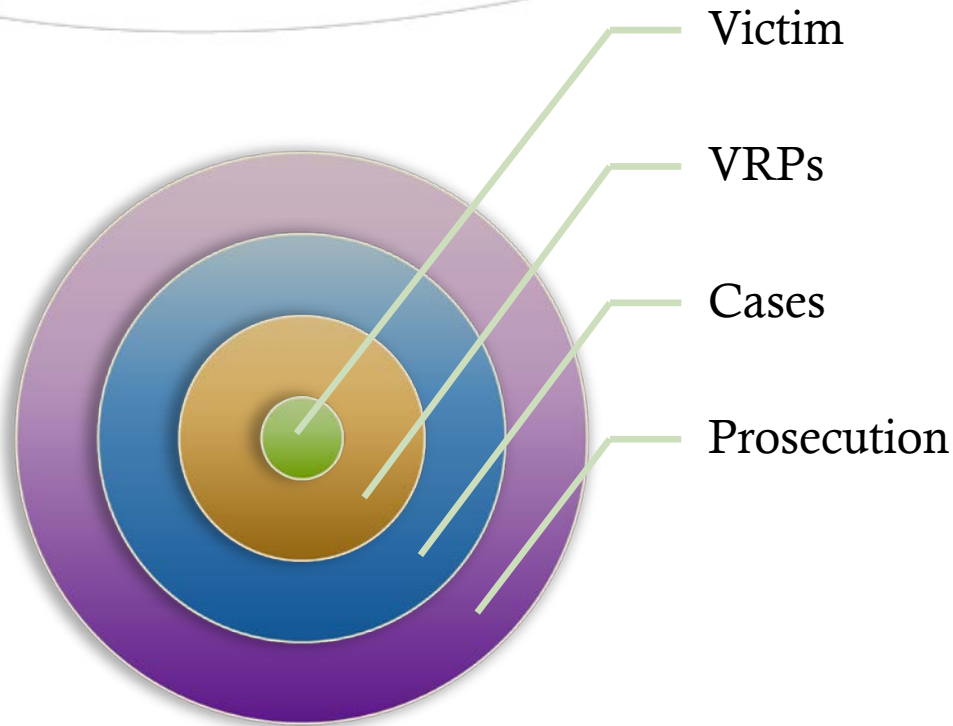
💧 Victims

- 💧 Labor HT victims over 25 years: 95%+
- 💧 Sex HT victims over 25 years: 95%
 - 💧 APD, with a focus on domestic HT, has found 7 additional HT victims since January of 2011, all of whom are under 18 years.

💧 Cases

- 💧 Resulting in arrest? 22%
- 💧 Prosecuted locally? 90%+
- 💧 Suspects receiving one year or less sentences? 95%+

Investigative Collaborations



Investigative Strategies

- ◆ Types of investigations shared:
 - ◆ APD: Domestic HT & ICAC
 - ◆ WPD: Foreign nationals & labor
 - ◆ Goal is to cross train each agency in all HT investigative skill sets
- ◆ Case information shared (both LE and NGOs)
 - ◆ Formal monthly meetings
 - ◆ Weekly phone and personal contacts (sit in the same office)
 - ◆ Team up for cases
 - ◆ Share information w/ state & federal prosecutors from the start

Investigation Example

- ◆ Operation Focus: using Internet to find domestic or foreign sex trafficking victims
 - ◆ Partners included:
 - ◆ CSP, Inc.,
 - ◆ TSA
 - ◆ Public Law Center
 - ◆ HSI (ICE Investigations), FBI, Dept. of Labor, IRS
 - ◆ WPD HT investigators & OT officers (APD on standby)
 - ◆ OCDA and AUSA informed of operation

Identifying HT Victims

- ◆ Those agencies aware of trafficking do not pursue it specifically
- ◆ HT involve ongoing federal, state, local, & tribal collaborations, which can be too resource intensive for smaller agencies
- ◆ “You get what you look for.”
- ◆ HT cases exist, but aren’t prosecuted under local/fed HT statutes
- ◆ Other laws carry greater sentences than state HT statutes
- ◆ Confusion of HT with smuggling & immigration politics deters LE Administrators & local politicians from actively supporting HT efforts

Investigative Challenges

- ◆ Technology

- ◆ Internet

- ◆ Especially insightful for domestic & foreign trafficking
 - ◆ Can provide corroboration regarding historical travel of victims
 - ◆ **Challenge:** *Can lead to an emphasis on domestic sex trafficking*

- ◆ Data collection tools (software & hardware)

- ◆ Provides access to phones, computers, memory devices
 - ◆ Include phone numbers, texts, images, video
 - ◆ **Challenge:** *using data collected to create actionable intelligence*

Investigative Challenges

- 💧 Victim Retention

- 💧 Foreign nationals

- 💧 Have the option for status holds, etc.
 - 💧 Increased options for minors and unaccompanied minors
 - 💧 **Challenge:** *Balancing needs of victim with needs of case*

- 💧 Domestic

- 💧 Access to resources is much less robust than foreign born
 - 💧 High immediate recidivism rate
 - 💧 Resist placement in facilities—frequently leave, go AWOL
 - 💧 **Challenge:** *Keep in contact with victims for treatment and case filing*

Investigative Challenges

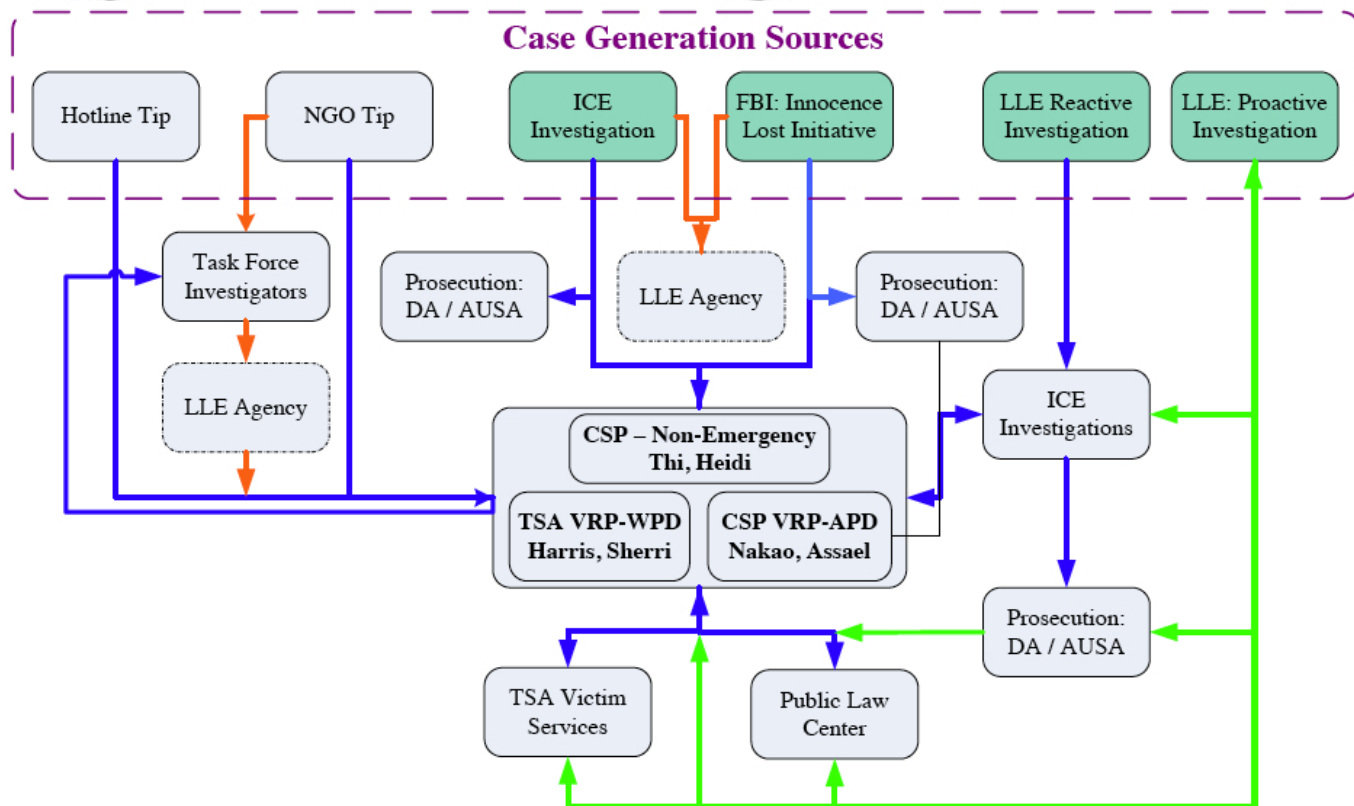
◆ Volunteerism

- ◆ Many organizations & individuals compelled to act
- ◆ Some organizations & individuals not satisfied with prevention
- ◆ **Challenge:** *Providing meaningful service w/out interfering in investigations*

◆ Prosecutions

- ◆ HT requires extensive resources to investigate comprehensively
- ◆ Each case is unique and can be problematic to get filed
- ◆ **Challenge:** *To educate prosecutors, defenders, & judges in order for them to appreciate intricacies of HT cases*

Investigative Communications



Thank you for your time



Orange County Human Trafficking Task Force

Together We Can End Slavery.

<http://www.ochumantrafficking.org>



National Hotline: **1-888-3737-888**

Q & A

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