

ANTI-TRAFFICKING NEWS BULLETIN

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GARMENT FACTORY OWNER SENTENCED IN LARGEST EVER HUMAN TRAFFICKING CASE PROSECUTED BY THE DEPARTMENT OF JUSTICE

On June 22, 2005, in Honolulu, Hawaii, Kil Soo Lee, the former owner of an American Samoa garment factory, was sentenced to 40 years' incarceration in the largest human trafficking case ever prosecuted. The 40-year sentence is the highest sentence ever handed down in a trafficking/slavery case that did not result in death.

In response to the sentence, Attorney General Alberto Gonzales stated, "Human trafficking is more than just a serious violation of the law; it is an affront to human dignity. The Department of Justice is committed to protecting the victims of trafficking and to bringing justice to all those who violate the civil rights of trafficking victims."

Bradley J. Schlozman, Acting Assistant Attorney General for the Civil Rights Division, echoing the sentiments of Attorney General Gonzales, observed "Motivated by greed and with no regard for human dignity, these traffickers exploited more than 200 Vietnamese and Chinese workers. The Justice Department is firmly committed to ensuring that those who traffic in human lives are aggressively investigated, swiftly prosecuted and firmly punished. Today's sentencing sends a clear message to those who would attempt to profit at the expense of another's freedom."

Kil Soo Lee, owner of the Dae-woosa garment factory, was convicted in February 2003 of numerous federal criminal violations, including involuntary servitude, extortion, and money laundering. Evidence at trial showed that from March 1999 through November 2000, Lee and his managers conspired to force more than 200 individuals to operate his factory by using arrests, deportations, food deprivation, and beatings. The workers had been recruited from both China and state-owned labor export companies in Vietnam.



Kil Soo Lee was sentenced to 40 years in federal prison.

Trial testimony revealed that the recruits paid fees between \$5,000 and \$8,000 to gain employment at the gated Daewoosa factory, and that they risked serious retaliation in Vietnam if deported. In March 1999, after months of mistreatment, the workers complained about their plight and attempted to obtain food from local residents. Lee and

Continued on Page 2, Factory Owner

PRESIDENT'S TRAFFICKING INITIATIVE ASSESSMENT TEAMS VISIT INDIA AND TANZANIA

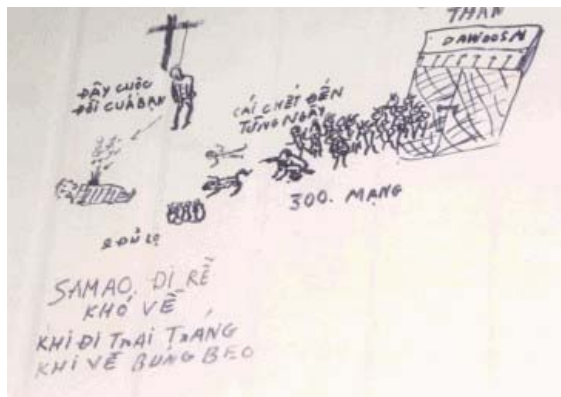
Acting Assistant Attorney General Bradley J. Schlozman and Senior Trafficking Counsel March Bell recently traveled to India to assess that country's anti-trafficking efforts, both in terms of law enforcement and victim care services. Bell then flew on to Tanzania, where he conducted a similar evaluation. The purposes of these trips,

which were funded by the President's Anti-Trafficking Initiative, were to gauge current capacity and to identify areas of improvement.

The assessment in India commenced with a meeting between the U.S. delegation and members of the Indian union

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FACTORY OWNER, CONTINUED FROM PAGE 1



Workers' Characterization of Their Plight: *"Samoa is easy to get to, hard to leave. There won't be enough urns to send our ashes home."* (Photo Credit—Cindy Russell, Honolulu Star Bulletin 2005)

his co-conspirators responded by confining workers in the fenced compound, and later arresting and deporting some of the women who had tried to help their friends. The abuse continued into November 2000 when Lee ordered a mass beating of Vietnamese workers. In the resulting attack, dozens of Vietnamese workers suffered injuries, including the loss of an eye, permanent hearing loss, nerve damage, and widespread cuts and bruises.

At sentencing, three survivors testified as to Lee's purposeful denial of food, as well as his orders that the factory gates be locked to prevent workers from seeking help.

One of the men who testified described drawings in which he and others tried to visually narrate their stories on the factory walls, fearing that they would not survive to tell anyone of their plight. The Court also heard how the workers feared they would die in Samoa because of Lee's mistreatment.

The Court heard a number of former factory workers explain about how these scarring experiences remain with them today. One of the workers, Nguyen Le Van, described that, "It's like a movie that plays over and over again, and I cannot stop it when it happens. Injury to the body can be mended, but injury to the soul and mental being ... what can a doctor do to treat you?" This and other testimony served as a dignified rebuttal to the claims of Lee's attorney that victim protections and benefits received under the Trafficking Victims Protection Act, such as family reunification, somehow discredited the victims' accounts.

In addition to the 40 years of incarceration, Lee was ordered to pay approximately \$1.8 million in restitution, an amount he had been previ-

ously ordered to pay by the High Court of American Samoa. Lee was the third defendant convicted in this case. Prior to Lee's trial, two of his co-conspirators, a Samoan manager and a Samoan garment worker, pleaded guilty to trafficking charges in 2002 and were sentenced to 70 months and 51 months, respectively.

The case was prosecuted by Civil Rights Division attorneys David Allred, Lou de Baca, Robert Moosy, Susan French, and former Civil Rights Division attorney Mark Kappelhoff. They were assisted by prosecutors from the United States Attorney's Office for the District of Hawaii.



Hawaii based Daewoosa survivors and reunited family members celebrate after Kill Soo Lee's sentencing. "Foster Father" Stanley Tokigawa is in the back row on the far right.

US/MEXICO: CROSS-BORDER ENFORCEMENT EFFORTS

DIALOGUE ON TRAFFICKING

In May, Special Litigation Counsel Lou de Baca traveled to Mexico City to discuss with Mexican officials their country's anti-trafficking efforts and their recently enacted federal laws combating child abuse and neglect. The trip, made at the request of the State Department's Office to Monitor and Combat Trafficking in Persons and the U.S. Embassy in Mexico City, afforded de Baca the opportunity to meet with Senator Sadot Sanchez Carreño. Mr. Sanchez Carreño is the leader of anti-trafficking efforts in the Mexican Senate and chair of the Senate's Commission on Human Rights.

De Baca's own vast experience, which includes prosecuting trafficking cases, contributing to the Justice Department's Model State Trafficking Law, and advising several European countries on criminal law reform, contributed tremendously to the dialogue of the meetings. He was able to share both the United States' experience

in the fight against trafficking and the lessons learned by the Department during the course of past prosecutions.

In a press briefing at the U.S. Embassy, de Baca reiterated the Department's desire to work with the Mexican government to address trafficking cases that impact Mexican citizens in the United States. He noted that one of the most difficult aspects of investigating cases involving Mexican females trafficked to the United States is that many victims are unaware of the U.S. Government's commitment to protecting their civil rights. In furtherance of this belief, de Baca said, "they don't know that we can help them. We can give them medical care and regularize their immigration situation, but they are afraid and suffer in silence."

While in Mexico City, de Baca also met with INACIPE, the research arm of the Ministry of Justice, to discuss social science and criminological approaches to assessing modern-day slavery.

INDIA, CONTINUED FROM PAGE 1

(i.e., national or central) government in the capital city of Delhi. Schlozman and Bell first met with members of the Ministry of Women and Children, which serves as India’s agency coordinator for trafficking programs, to discuss both the area of Mumbai, a large commercial center with a significant history of human trafficking, and Goa, a known sex tourism destination. They later met with the joint secretary of the Ministry of Home Affairs, where they discussed the utility of a multi-disciplinary approach to combating human trafficking, as is used in the United States.

In Mumbai, the American delegation met with legal advocates, judges, and police offi-

cials. They also took a guided foot tour of Kamathipura, an area containing numerous streets dedicated to prostitution where, according to a recent study, over 60% of the prostitutes are HIV positive. It was shocking to visit an area that is home to so many trafficking victims. The delegation’s spirits were buoyed somewhat, however, after meeting with the extraordinarily courageous individuals who assist the children of prostitutes in an effort to break the cycle of exploitation.

While in Goa, the team shifted to a completely different challenge. The former Portuguese colony, which is now a budding tourist destination, is home to many poor, rural Indians who migrated there in search of work in the tourism industry, but were subjected to exploitation instead. This recent trend has affected not only

the exploited victims, but also their children who are left unsupervised to become perfect targets for pedophiles.

Notwithstanding an established network of NGOs and government enthusiasm to protect the country’s image as a family destination, there have been very few prosecutions to date in Goa. While discussing investigative strategies, Schlozman and Bell learned that an Indian television station in an undercover investigation recently had discovered multiple cases of child exploitation by pedophiles. When asked whether this method could be used by law enforcement, local officials dis-

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Acting Assistant Attorney General Schlozman meeting with Mr. Santosh Vaidya, Secretary of the Women and Child Development Department in the Indian state of Goa, and his staff.



T. March Bell meets with Tanzanian law enforcement officials to discuss the formation of a Tanzanian task force to rescue women and minors from abusive domestic work situations and forced prostitution.

DEPARTMENT OF JUSTICE ADDS ADDITIONAL TASK FORCES

In 2004, the Department of Justice funded 18 task forces under a national initiative announced by President Bush and then-Attorney General John Ashcroft. Pleased with the success of those working groups, the Department recently awarded grants for four additional task forces in Miami, San Jose, San Francisco, and Connecticut. Furthermore, the Bureau of Justice

Assistance has initiated efforts to create ten more task forces in the very near future.

Because anti-trafficking efforts require a high degree of collaboration, new applications for task force grants require letters of intent indicating that the applicant law enforcement agency or victim service provider have developed partnership with its local United States Attorney’s Office.

This requirement is designed to ensure that, within each geographic area, there is a clear understanding of the roles, responsibilities, processes, and protocols for all the various stakeholders in identifying and serving victims of human trafficking

A list of DOJ-funded task forces is available online at www.ojp.usdoj.gov/pressreleases/DOJ04760.htm.

FORMER ASSISTANT ATTORNEY GENERAL ACOSTA, STAFF, ASSESS ANTI-TRAFFICKING EFFORTS IN SLOVENIA, POLAND

From May 9-13, 2005, former Assistant Attorney General R. Alexander Acosta and Counsel to the Assistant Attorney General Gordon Todd traveled to Slovenia and Poland to assess anti-trafficking efforts in those nations.

Slovenia

Slovenia, situated east of Italy on the Adriatic shore, and the smallest of the former Yugoslav provinces, suffers primarily transit trafficking. Currently rated in Tier II of the State Department's annual TIP Report, Slovenia has made significant strides towards addressing the issue in recent years. Since 2001, Slovenia has enacted new anti-trafficking laws, and has adopted an enforcement approach that strongly mirrors the strategy pursued by the United States.

Acosta began his visit in the Slovene capital of Ljubljana, where he met with Supreme State Prosecutor Mirko Vrtačnik and Higher State Prosecutor Savica Pureber. Mr. Vrtačnik explained how, in response to its communist history, Slovenia's law enforcement mechanisms are highly de-centralized. Local police officers and prosecutors make the determination whether and what to charge in any given case, with minimal control from the central higher state prosecutors. Nevertheless, Slovenia has crafted a national response to human trafficking.

After the discussion with Mr. Vrtačnik, Ms. Pureber, who directs Slovenia's anti-trafficking efforts, hosted a round-table meeting with Acosta bringing together representatives of the key ministries involved in anti-trafficking efforts, as well as representatives of Slovenia's foremost trafficking NGO.

This discussion made clear that Slovenia is pursuing human trafficking on several fronts. First, Slovenia's parliament has enacted new anti-trafficking statutes, which provide stiffer penalties and greater enforcement efforts. The Higher State Prosecutor's office has also held training sessions for local law enforcement in identifying and prosecuting human trafficking. Like the United States, Slovenia pursues a victim-centric approach to human trafficking. The Slovene NGO, Kljuc ("Key" in Slovene), which is funded in large part by the Slovene government, provides shelter and assistance to victims assisting law enforcement.

In addition to meeting with Executive agencies, Acosta met with representatives of the judiciary: Judge Aleš Zalar, President of the Slovenian Association of Judges and President of the Ljubljana District Court, and Judge Marjan Pogacnik, Head of the Criminal Division of the Ljubljana District Court. Both were extremely interested to hear about the keys to the United States' successful anti-trafficking efforts, and explained their own work in expanding understanding of the trafficking issue among their colleagues.

Before leaving Slovenia, Acosta visited the University of Ljubljana, where he lectured to the law enforcement and social work faculties and students. Instrumental in arranging this lecture was Dr. Milan Pagon, Dean of the Police and Security Studies faculty, and a doctoral graduate of the University of Arkansas. The audience proved extremely engaged and informed, asking insightful questions into the complex nature of the trafficking problem.

Poland

Human trafficking in Poland poses a significantly greater challenge than in Slovenia. Poland, located between Germany and the former Soviet states of Belarus and Ukraine, is a trafficking source, destination, and transit nation. The State Department presently ranks Poland in Tier I of its annual TIP report, reflecting the efforts Poland has previously made to fight trafficking in persons.

While in Poland, Messrs. Acosta and Todd met with several government officials. First, in Warsaw, they met with Deputy Ombudsman Jerzy Świątkiewicz. The Office of the Ombudsman is authorized to investigate and prosecute allegations of other government agencies failing to meet their obligations under the law, which would include anti-trafficking statutes.

Mr. Acosta then met with several law enforcement officials, including State Prosecutor Kazimierz Olejnik. Reports had indicated that while Poland was investigating substantial numbers of trafficking cases, cases were either not being prosecuted, or when they were prosecuted, traffickers were receiving suspended sentences. State Prosecutors assured the delegation that this was not the case, and reviewed trafficking prosecution figures with Acosta and Todd.

Acosta also visited the University of Warsaw, which funds a center to combat human trafficking in Eastern Europe. He met first with the directors of the center, who discussed the need for better training of border police, and the need for increased assistance for victims. He then lectured University faculty and students on the United States' approach to combating trafficking. Acosta later lectured the law faculty at the University of Posnan on the same subject.

While in Poland, Acosta and Todd met with several NGOs. First, in Warsaw, they visited the headquarters of La Strada, an NGO with branches in many different European cities, which tracks trafficking from Eastern Europe. In Posnan, a town east of Warsaw, close to the German border, they met with two NGOs, Barka and Caritas. Barka, run by Catholic nuns, and Caritas, privately run, each provides shelter and assistance to trafficking victims and recovering prostitutes.

The visits to both Slovenia and Poland were greatly assisted by the respective staffs of the United

Continued on Page 6, Poland

CASE UPDATES

United States v. Mubang (D. Md.)

In November 2004, a federal jury in Greenbelt, Maryland, convicted Theresa Mubang of holding Evelyn Chumbow, a young woman originally from Cameroon, West Africa, in involuntary servitude and of harboring her for commercial gain. The evidence revealed that Mubang had convinced Chumbow's relatives to send the eleven-year old Chumbow from Cameroon to the United States with Mubang. Mubang assured Chumbow's family that she would care for Chumbow as her own daughter, sending her to American schools and giving her the opportunities of an American life. Instead, once they arrived in the United States, Mubang forced Chumbow to cook, clean, and care for Mubang's two young children twenty-four hours a day, seven days a week. Mubang forced Chumbow to perform these duties by cutting Chumbow off from family and friends and by mentally and physically abusing the young Chumbow, beating with her fists, high-heeled shoes, cable cords, and metal broom handles. Almost two years after arriving in the United States, Chumbow escaped Mubang's home when Mubang was out of town.

In an exhaustive investigation that eventually led them to Cameroon, federal ICE investigators learned that Chumbow was not the only victim of Mubang's scheme to secure free labor. Before Chumbow arrived in the United States, Mubang lured ten-year old Cecilia Nkolo to the United States under the same guise. Once neighbors informed local authorities that

the precocious Nkolo was staying home from school to care for a young child, Mubang shipped Nkolo back to Cameroon, later replacing her with the more reserved Chumbow. After Chumbow ran away, Mubang smuggled in another young woman from Cameroon to take over the work, until she, too, ran away.

Following Mubang's conviction, the district judge -- over the government's objection -- released Mubang to home detention pending sentencing. Shortly before sentencing, however, Mubang escaped and fled the United States, leaving her two children in the care of her mentally handicapped brother. Mubang was then sentenced in absentia to seventeen and half years of prison and ordered to pay the now 18-year-old Chumbow \$100,000 in restitution. Soon after Mubang's escape, federal investigators learned that she had returned to her hometown of Bamenda, Cameroon. In a joint effort between the U.S. Department of Justice, U.S. Marshals Service, U.S. Department of State investigators, Cameroonian members of Interpol, and Immigration and Customs Enforcement (ICE) special agents, Mubang was arrested in Bamenda in the early morning hours of May 26, 2005. She was expelled from Cameroon and flown back to the United States on May 28, 2005 to begin serving her lengthy prison term.

Additionally, prior to the involuntary servitude trial, Mubang had spent time in prison for committing the largest Medicare fraud scam in the state of Virginia. By fleeing the United States, Mubang violated the terms of her supervised re-

lease for that prior crime. When she was returned to the United States, Mubang was sentenced in the Eastern District of Virginia to an additional six months imprisonment, thereby receiving a total prison sentence of eighteen years.

United States v. Garcia (W.D. N.Y.)

On May 26, 2005, agricultural crew leader Maria Garcia and several henchmen were sentenced in Buffalo, New York. Garcia received 46 months in prison following her guilty plea to forced labor (18 U.S.C. 1589) and her lieutenant, Elias Botello, was sentenced to 37 months incarceration. Co-defendant Jose Luis Garcia was also sentenced to 14 months' incarceration, while defendant Jose Garcia received one year probation. Two other defendants are currently in fugitive status. The defendants recruited young undocumented Mexican aliens from the Arizona border and transported them to New York with false promises of good wages, only to force them to work in the fields upon arrival for little or no pay, and to subject them to overcrowded and filthy conditions. In December 2004, the court in this case upheld the constitutionality of the Trafficking Victims Protection Act's forced labor provisions.

United States v. Babaev (E.D. N.Y.)

On July 27, 2005, in Brooklyn, New York, Alex Babaev pled guilty to the sex trafficking of Azerbaijani women. At his plea hearing, Babaev admitted that between

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Babaev, continued

March 2003 and March 2004, he was involved in bringing women into the United States from Azerbaijan to work as prostitutes. He also admitted that he used threats of, and actual, violence against the victims to secure their services.

Prior to this, on July 15, 2005, in Brooklyn, New York, Babaev's partner, Asker Mammedov, similarly pled guilty to sex trafficking charges. At his plea hearing, Mammedov admitted that from March 2003 until October 2004, he provided security for the prostitution operation.

The two men had been charged in Spring 2005 with recruiting women from Azerbaijan to be prostitutes in the United States with false

promises that they could keep half of their earnings, only to then take their passports and hold them in service through threats and force. Sentencing is pending for

**United States v. Jishi
(D. N.J.)**

On July 22, 2005, Maner and Manel Jishi were sentenced in conjunction with the harboring of a Sri Lankan woman who served them as a domestic servant without pay. Jishi, who had pled guilty to alien harboring, was sentenced to 6 months home confinement, one year of probation, and fined \$10,000. His wife, defendant Manal Jishi, pled guilty to misprision of a felony and was sentenced to one year of probation with a fine of \$2,500.

United States v. Paoletti-Lemus (E.D. N.Y.)

On May 27, 2005, defendants Renato Paoletti-Lemus and Jose Paoletti Moreda were extradited to the United States after serving eight years in a Mexican prison. In 1997 and 1998, eighteen of the Paoletti's cohorts pled guilty to recruiting and smuggling approximately sixty deaf Mexicans to the United States with the promises of good jobs, but with the real purpose of exploiting and abusing them for profit. The Mexican aliens were forced to work under conditions of servitude, peddling key chain trinkets on the streets and subways of New York City. Their trial is pending.

TANZANIA, CONTINUED FROM PAGE 3

missed the proposition citing a lack of equipment and training.

Despite ongoing efforts by Indian NGOs to free victims of trafficking, brothels continue to operate throughout the country and, in doing so, exploit female victims of all ages. In response, the President's Initiative will provide for the training, mentoring, and assistance necessary to ensure successful prosecutions.

In Tanzania, Bell and members of the U.S. Embassy focused on two distinct problems: (1) the trafficking of minors into sexual exploitation and (2) the trafficking of rural women into domestic work. Efforts

are currently underway there to raise awareness and provide work alternatives for victims in rural districts. However, these endeavors have been hindered by a police force that lacks the capacity and experience necessary to investigate human trafficking cases. To make matters worse, Tanzania has a long history as a slave-trading region, and family "servants" persist as a cultural norm. Even with laws in place that adequately address involuntary servitude, few prosecutions occur. In fact, NGOs often hire their own prosecutor to go after traffickers, as Tanzanian law permits private attorneys to prosecute alleged criminals.

POLAND, CONTINUED FROM PAGE 4

States embassies, which are working hard with each nation to further the President's anti-trafficking agenda. The visits

demonstrated that both nations are making significant efforts in the right direction to end trafficking from Eastern Europe.