

Anti-Trafficking News Bulletin

ATTORNEY GENERAL ANNOUNCES SENTENCES IN *SOTO* AND *KIL SOO LEE* PROSECUTIONS

On January 29, prison sentences were handed down to defendants in the *Soto* and *Kil Soo Lee* prosecutions. Attorney General Ashcroft's remarks on these important events are printed below.

"Engraved in the stone walls of this building are the noble words: 'Law alone can give us freedom.' For the victims of human trafficking these words carry a profound truth - and often the only hope of liberation. Today, we are here to announce the sentencing of members of two criminal organizations guilty of trafficking in human lives and crushing personal dignity.

In just a few hours, the U.S. District Court in Hawaii will sentence Kil Soo Lee and his two accomplices. The conviction of Kil Soo Lee and his co-conspirators marks the largest human-trafficking case ever prosecuted by the United States Department of Justice.

Lee, a Korean national, was the owner of a forced-labor factory in the territory of American Samoa. After a three-month trial he was convicted on 14 counts, including:

Attorney General Ashcroft's remarks are continued on Page 2, Prosecutions

"This nation's laws are built on the belief that every human life is precious. The cause of justice is the cause of every American...the full-time defense of life and liberty is the passion and privilege of this department."

CIVIL RIGHTS DIVISION HOSTS COMPREHENSIVE TRAFFICKING CONFERENCE AT THE NATIONAL ADVOCACY CENTER

The Civil Rights Division organized one of the largest conferences for federal investigators and prosecutors on trafficking in persons at the Justice Department's National Advocacy Center in Columbia, South Carolina, from January 21 to 23, 2004. Criminal investigators from the Federal Bureau of Investigation, the Department of Homeland Security, and the State Department's Diplomatic Security Service joined federal prosecutors from around the country for an intensive training session on investigating and prosecuting human trafficking cases. Opening remarks were delivered by Assistant Attorney General Alexander Acosta and J. Strom Thurmond, Jr., United States Attorney for the District of South Carolina.

must find them. We must be aggressive in seeking out victims and criminal enterprises. We likewise recognize that our efforts and our success depends heavily on the teamwork and contributions of investigators and law-enforcement in the field, as well as victim service coordinators at home," stated Assistant Attorney General Acosta.

The program included a discussion of trafficking investigations from the victim perspective by Julia Gabriel, who had been a victim in an agricultural worker involuntary servitude case prosecuted in South Carolina several years ago; a compelling presentation on international human trafficking by Paul Holmes, a retired Scotland Yard detective with extensive investigative experience in trafficking cases; an effective legal overview of the federal statutes that comprise the

"We are keenly aware that we cannot wait for the trafficking victims to find us. We

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- Conspiracy to violate individual civil rights;
- Extortion;
- Money laundering; and
- Eleven counts of involuntary servitude

From 1999 through November 2000, defendant Lee and his underlings used threats, arrest, deportations, starvation, confinement, and beatings to hold over 200 Vietnamese and Chinese garment workers in servitude. In a particularly savage example of Lee's cruelty, the defendants ordered and carried out a mass beating of the workers on November 28, 2000, including gouging out one victim's eye who dared to complain about not being paid. Samoan workers-acting on the defendants' orders-kicked, stomped, and beat the workers using pipes and chairs. That majority of the victims were young women-much smaller and more vulnerable to the enforcers. What is especially sad is that these Vietnamese and Chinese victims paid \$5,000 to \$8,000 for what they believed was a legitimate fee for a new job that would lead to a better way of life. That fee is the equivalent of five to ten year's salary in their home countries. They were willing to sacrifice for the American dream only to be met with oppression from those who believed they were above the law.

Today, Kil Soo Lee faces the laws-and the justice-of the United States. Unfortunately, Kil Soo Lee and his co-conspirators are not the only predators trafficking in human lives and trampling hope and dreams.

Today also marks the sentencing of seven Texas men guilty of confining women in alien smuggling "safe houses" and raping them repeatedly. From August 2002 to March 2003, three brothers-Juan Carlos Soto, Armando Soto, and Hector Soto-operated an alien smuggling ring out of a series of mobile homes in the Edinburg, Texas area. During their period of operation, the Sotos and their henchmen smuggled groups of young women from Mexico into the United States, using the trailers as "safe houses." After housing them there for a short period of time, the smugglers then transported the aliens north, guiding them around internal Border Patrol checkpoints and on to Houston, Texas.

"For every American who values life and liberty, today's sentences are truly a reminder that those words-"Law alone can give us freedom"-are not just etched in stone on the walls of the U.S. Department of Justice."

From January through March of 2003, Juan Carlos Soto held four women in a condition of involuntary servitude. In actuality, he held them as his sex slaves. He brandished a handgun and used force and threats to rape the women or to force them to engage in sexual activity with other members of his organization. In addition to raping the women repeatedly, Soto forced the women to work during the day, cooking and cleaning for the men at the trailer complex. On February 7, 2003, Juan Carlos Soto, enraged that two of the women had tried to contact a neighbor for help, ordered his men to transport the women in the trunk of one of the alien smuggling vehicles to an irrigation ditch. There, he and his men raped and beat the two women to punish them for trying to escape. Soto then ordered some of his workers to kill the women, but instead they dropped them off on the outskirts of town.

The cases of Kil Soo Lee and the Soto brothers are evidence of this Administration's commitment to stop human trafficking and all cases of sexual slavery. One of my first acts as Attorney General was to make this effort a top priority of the United States Department of Justice. On March 27, 2001, I announced the creation of a comprehensive anti-trafficking initiative.

Our record shows the concrete results of that commitment. Over the last three fiscal years:

- We have charged 111 traffickers. That is nearly a three-fold increase over the previous three years. Of these, 79 included sex-trafficking allegations. The highest ever.
- We have convicted or obtained guilty pleas from 77 defendants. That is an increase of more than 50 percent over the previous three years. Of these, 59 defendants were found guilty of sex-trafficking charges. The highest ever.
- Finally, we have opened 210 new investigations. That is more than double the number opened in the previous three years. As of January 28, 2004, the Criminal Section of the Civil Rights Division has 142 open trafficking investigations-more than twice the number open in January 2001. The highest ever.

These prosecutions represent more than just the punishment of wrongdoers. These crimes extend beyond the bounds of law. They are an affront to human dignity, an assault on nation's core beliefs.

This nation's laws are built on the belief that every human life is precious. The cause of justice is the cause of every Ameri-

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can, but the full-time defense of life and liberty is the passion and privilege of this department.

Slavery, human trafficking, and sexual servitude are crimes that wrench our hearts. They rob human beings of freedom. They strike at our nation's belief in the potential of every life.

They are crimes that demand swift and implacable prosecution of the predators. They are crimes that deserve warmth and compassion for the victims.

I commend the Civil Rights Division led by Assistant Attorney General R. Alex Acosta for their active and compassionate defense of the victims of sex trafficking, sex slavery, and involuntary servitude. Such service upholds our nation's highest ideals. I also thank the Criminal Division under the leadership of Assistant Attorney General Christopher Wray for their role and their support in prosecuting these cases. I also commend the many U.S. Attorneys Offices who have brought and continue to bring these cases to court. They have done a tremendous job in bringing these predators to justice. In addition, I am grateful to the men and women of local law enforcement. Without constant communication, coordination, and cooperation, we could not have achieved the extraordinary successes of the last three years.

For every American who values life and liberty, today's sentences are truly a reminder that those words- 'Law alone can give us freedom' - are not just etched in stone on the walls of the U.S. Department of Justice. More importantly, they are written on the hearts of the men and women serving justice. They are words that spur us to help all those oppressed by servitude and slavery.

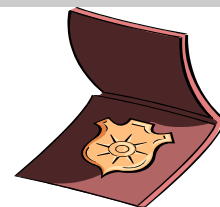
Thank you."

CRIMINAL SECTION AUTHORS TRAFFICKING ARTICLE FOR *POLICE CHIEF* MAGAZINE

The December issue of Police Chief Magazine, with an extensive international subscribership, featured a comprehensive article entitled, "A Guide to Detecting, Investigating, and Punishing Modern-Day Slavery." The article was authored by the Criminal Section of the Civil Rights Division, at the invitation of magazine staff and the International Association of Chiefs of Police (IACP). The Criminal Section has worked extensively with the IACP in a vigorous bid to make law enforcement executives, as well as rank and file officers, aware of human trafficking crimes, given the potential for such individuals to be first responders in such situations. The Section has also fostered a good working relationship with the IACP by training IACP officers on human trafficking investigations at annual meetings. Consistent with such efforts, the Police Chief article provides a step-by-step framework for recognizing human trafficking crimes, and for investigating such offenses once they have been identified. The article includes a list of "practical tips," identifies target sites throughout the country, provides a list of questions to ask witnesses and victims, and identifies resources for police officials

encountering the crime. The article further instructs the reader on benefits and other specialized assistance available to trafficking victims. Given the potential for trafficking crimes to masquerade as other offenses such as immigration violations, the article highlights the ubiquity of the crime, as well as the advantages of properly identifying trafficking crimes (i.e, the significant sentences meted out to human trafficking offenders, the links between human trafficking and organized crime, and the specialized assistance available to victims). The article was written by Bharathi Venkatraman, Special Counsel for Trafficking in Persons, with assistance from other Section members.

*The article serves as a follow-up to an earlier piece written by Lou deBaca, Special Litigation Counsel in the Criminal Section, and Andrea Tisi of the Office of Legal Policy, in August, 2002.





RECENT DEVELOPMENTS IN NOTABLE PROSECUTIONS

January 8, 2003— U.S. v. Coleman & Blackwell

On January 8, 2003, in Greenbelt, Maryland, defendant Barbara Coleman-Blackwell was sentenced to five years and three months in prison and Kenneth Blackwell, her husband, was sentenced to six months of home detention and three years probation in U.S. v. Coleman & Blackwell. Prosecutors Seth Rosenthal from the Civil Rights Division and the Assistant United States Attorney Mythili Raman obtained convictions at trial of the husband and wife defendants on trafficking and alien smuggling charges. The defendants conspired to smuggle a Ghanaian woman into the United States for the purpose of using her as an unpaid domestic servant and nanny. Once in the United States, her passport was taken away and hidden from her, she was required to perform manual labor with little or no compensation, and she was threatened with deportation and imprisonment if she did not do as instructed by the defendants.

January 6, 2004— U.S. v. Gonzalez-Garcia



On January 6, 2004, in Newark, New Jersey, Criminal Section prosecutor Hilary Axam and Assistant United States Attorney Mitchell Epner obtained guilty pleas in United States v. Gonzalez-Garcia. Defendants Evodio Gonzalez-Garcia and Oscar Romero-Gonzalez pleaded guilty to smuggling an alien into the United States for the purpose of engaging in prostitution in violation of 8 U.S.C. §1324. They each admitted to playing a role in

transporting a young Mexican woman into the United States with the purpose of forcing her into prostitution. On January 15, Domingo Gonzalez-Garcia pleaded guilty to in a related case.

January 16, 2004— U.S. v. Bradley

On January 16, 2004, sentencing took place in United States v. Bradley. Criminal Section Trial Attorney Anne Milgram and Assistant United States Attorney Mark Zuckerman convicted two U.S. Citizens at trial of trafficking, slavery, and immigration offenses for luring young Jamaican men to work in their New Hampshire tree service by means of false promises of good work and pay. Once the men arrived in New Hampshire, their visas and other documents were confiscated and the workers were routinely threatened. They were paid only minimal wages, were denied medical treatment, and were housed in deplorable conditions in a tool shed. When the traffickers thought that one of the men had tried to get help from the local police, they attacked him with a German Shepard. The joint investigation was conducted by the FBI and the State Department's Diplomatic Security Service.

January 27, 2004— U.S. v. Reyes Rojas

On January 27, in Atlanta, Georgia, an eleven count superseding indictment was returned in United States v. Reyes Rojas, charging defendants Juan, Jose and Raul Reyes Rojas with conspiracy, sex trafficking, importing and harboring aliens for the purpose of prostitution, alien smuggling and interstate transportation of illegal aliens. The indictment charges the defendants with smuggling young, illegal aliens from Mexico into the United States and forcing them into prostitution.

January 29, 2004—U.S. v. Kil Soo Lee

On January 29, 2004, two defendants were sentenced in United States v. Kil Soo Lee, the largest trafficking case in US history. Defendant Elekana Nu'uuli Ioane was sentenced to 70 months incarceration and defendant Sialava'a Fagaima was sentenced to 51 months for their guilty pleas to participating in the conspiracy in violation of 18 U.S.C. §241. Sentencing of defendant Kil Soo Lee was postponed until May 6. In February 2003, Civil Rights Division prosecutors Mark Kappelhoff, Lou de Baca, David Allred, Susan French, and Robert Moosy convicted at trial a Korean garment factory owner of trafficking and enslaving over 250 Vietnamese and Chinese workers in a garment factory sweatshop in American Samoa. Two other henchmen had previously pleaded guilty to the trafficking/slavery offenses. The victims, some of whom were held in the fenced factory compound for up to two years, were forced to work through extreme food deprivation, beatings, and physical restraint. Civil Rights Division prosecutors, victim witness coordinators from the Division and the U.S. Attorney's Office for the District of Hawaii, FBI agents and staff, and DHS victim/witness coordinators worked closely with NGOs to get hundreds of victims, in dozens of cities, the care and support they needed as they transitioned to freedom. For their role in assisting these trafficking victims and bringing these traffickers to justice, the multi-agency team was honored with the Attorney General's Award for Distinguished Service in July 2003.

January 30, 2004—U.S. v. Soto

On January 30, 2004, Juan Carlos Soto was sentenced to 280 months in prison and ordered to pay

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primary legal tools to prosecute trafficking cases; a presentation by the State Department on issues in international investigations and passport and visa fraud; and a presentation by Brian Vaillancourt, a DHS investigator currently stationed in Thailand, who described some major cases dealing with trafficking and related issues.

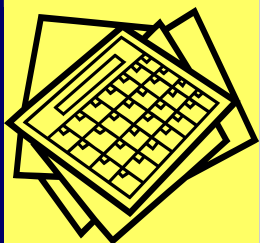
The course also included several informative panels discussing investigative and prosecutive strategies in several cases that went to trial in the past year, including the massive prosecution in United States v. Kil Soo Lee in Hawaii. Other panels included special issues in sex trafficking cases; dealing with interpreters; handling the needs of victims and utilizing the resources provided by NGOs. Response from the more than 100 attendees has been extremely favorable.

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\$11,532 restitution for his guilty plea to violating three counts of 18 U.S.C. §1584 (involuntary servitude). On January 29, five other defendants were sentenced in United States v. Soto. Henchman Martin Cortez-Gutierrez was sentenced to 14 years in prison and Armando Soto-Huarte was sentenced to 10 years in prison. Three other men, who pleaded guilty to transportation of aliens, were sentenced to prison terms ranging from 4 to 27 months incarceration. From July 2002 through April 2003, the defendants maintained three trailers in Edinburg, Texas, as “safehouses” for illegal aliens that they smuggled into the US from Mexico. In Spring 2003, Juan Carlos Soto and his henchmen held four female aliens in a condition of sexual servitude in the trailers. Civil Rights Division prosecutor Lou deBaca and Assistant United States Attorney Luis Martinez worked with agents from ICE and FBI as well as local Sheriff’s deputies to bring this prosecution.

March



FEATURED NEXT MONTH:

- A Report On Assistant Attorney General Acosta’s Visit to India