

## VI. The Department's Full-Scale Attack on Human Trafficking

### A. Multi-Disciplinary Task Force Initiative

The Department has designed, developed, and instituted locally based, multi-disciplinary task forces to investigate and prosecute human trafficking cases. These task forces embody the Department's victim-centered approach because they are specifically engineered to aid in uncovering victims, providing them with immediate protection and support, and then working with them to further investigate and prosecute the trafficker. In addition, task forces are a supreme force multiplier as the nation's numerous state and local police, occupational safety and health inspectors, and other enforcement officials are added to the limited number of federal law enforcement agents that are now in the field.

In July 2004, the Department hosted the first ever National Training Conference on Human Trafficking: *Rescuing Women and Children From Slavery*, in Tampa, Florida. The National Conference was designed to introduce the model of victim-centered investigations and the concept of human trafficking prosecutions through the creation of local task forces. Hosted by the Department and with a keynote speech by President Bush, the conference brought together more than 500 attendees, including 21 teams, each consisting of about 20 state, local, and federal officials who were willing to thereafter work together to combat human trafficking in their respective communities across America. Teams included the following members: United States Attorneys or designated Assistant United States Attorneys; Bureau of Immigration and Customs Enforcement Special Agents-In-Charge; Federal Bureau of Investigation Special Agents-In-Charge; local law enforcement agency special crimes and



President Bush, along with then-Attorney General John Ashcroft, announced the Department's anti-human trafficking task force initiative on July 16, 2004, at the Department's National Training Conference on Human Trafficking, where the President condemned human trafficking as an affront to America's fundamental values and committed his Administration to combating trafficking on every level at home and abroad. Regarding efforts to combat trafficking, the President remarked:

*"We're supporting organizations that rescue the victims, passing stronger anti-trafficking laws, and warning travelers that they will be held to account for supporting this modern form of slavery. Women and children should never be exploited for pleasure or greed, anywhere on Earth..."*

victims units; state and local prosecutors; and governmental and non-governmental organizations, especially faith and community-based victim services providers. The Department, with the assistance of the Civil Rights Division, invited participants from some of the most intense trafficking jurisdictions in the country at that time, such as Atlanta, Charlotte, Chicago, El Paso, Houston, Las Vegas, Long Island, Los Angeles, Miami, Newark, New Orleans, New York City, Washington, D.C., Philadelphia, Phoenix, Richmond, San Diego, San Francisco, St. Louis, Seattle, and Tampa.

Then-Attorney General John Ashcroft set forth the Department's comprehensive anti-trafficking strategy: protecting the victims, prosecuting the perpetrators, and partnership-building that addresses, attacks, and prevents human trafficking. The Attorney General also noted that the Bush Administration had, up to that time, provided more than \$35 million in funding to community-based service providers that aid trafficking victims, and he announced a further \$14 million in support of the Department's task force initiative. Concurrently with the National Conference, the Department issued a funding solicitation entitled *Law Enforcement and Service Provider Multi-disciplinary Anti-Trafficking Task Forces*. The solicitation urged applicants to leverage existing federally-funded victim services efforts and to mirror the victim-focused federal, state, and non-governmental partnership that was the theme of the Conference. In the fall of 2004, the Bureau of Justice Assistance and the Office for Victims of Crime issued a joint request for concept papers to continue the coordinated law enforcement task forces and victim services initiatives. Federal funds made available through the request for concept papers were intended to support task forces or supplemental funding of current trafficking victim services providers in areas with pre-existing Bureau of Justice Assistance-funded task forces.

Task forces add to the Department's law enforcement resources the intelligence and expertise of locally based immigration agents, community- and faith -based social

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*"The conference program provided a model of collaboration among service providers and law enforcement and underscored the necessity of teamwork in working to keep victims of trafficking front and center in both the prosecution and service delivery areas - it was a great kick off for the task force initiative."*

*-Florrie Burke, Senior Director of International Programs, Anti-Trafficking Program, SOLACE Program for Survivors of Torture, Safe Horizon*

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service providers, and local law enforcement, particularly special crimes and vice squads. These task forces recognize that local authorities, often more than federal officials, may be in the best position to find trafficking victims because of their familiarity with their jurisdictions, but might need the training and support of the federal government to recognize this crime for what it is. The task force approach leverages local knowledge and staff resources with strong federal statutes. The Department wants to provide local law enforcement with the tools needed to identify trafficking victims as they respond to a variety of complaints. Indeed, victims rescued in *United States v. Reddy*,<sup>72</sup> *United States v. Molina*,<sup>73</sup> and *United States v. Ramos*<sup>74</sup> were brought to the Department's attention through the activities of state and local law enforcement. Moreover, the task forces serve as a way to incorporate the non-governmental crime victim services organizations, funded by federal grant awards, into the law enforcement activities in their area. Local community- and faith -based organizations are essential to reaching those victims in communities that are isolated by geography, culture, or language.

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<sup>72</sup> See Part I, "An Introduction to Human Trafficking," above for a discussion about *United States v. Reddy*.

<sup>73</sup> See Part V, "Halting Human Trafficking with a Record Number of Aggressive Investigations and Prosecutions," Section B, "Labor Trafficking," above for a discussion about *United States v. Molina*.

<sup>74</sup> See Part V, "Halting Human Trafficking with a Record Number of Aggressive Investigations and Prosecutions," Section B, "Labor Trafficking," above for a discussion about *United States v. Ramos*.

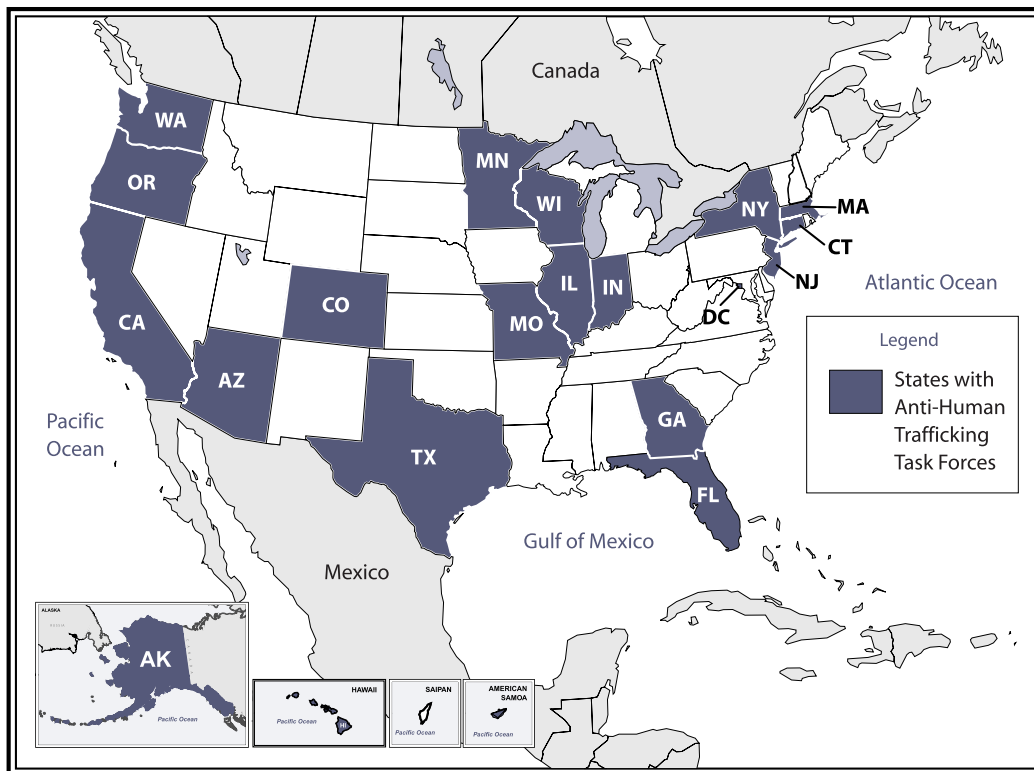
*The Department's Full-Scale Attack on Human Trafficking*

The task force convened by the United States Attorney's Office for the Northern District of Texas presents a good illustration of governmental and non-governmental collaboration. In 2004, the United States Attorney for the Northern District of Texas established a working group consisting of representatives from the police departments of the Dallas-Fort Worth area, including Arlington, Coppell, Garland, Grand Prairie, Irving, and Richardson, and representatives from the Federal Bureau of Investigation, Bureau of Immigration and Customs Enforcement, Internal Revenue Service, and Department of Labor. The group's faith- and community-based partners include several charitable organizations such as Catholic Charities and Mosaic Family Services, Inc., which received grants from the Office for Victims of Crime to provide victim services and to assist with the formation and implementation of the task force.

Just prior to the conference, the Department had begun work on eight task forces. Immediately following the National Conference, the Department embarked on a 20-city training initiative designed to reinforce the training received at the National Conference and to institute nearly two dozen task forces. Within a year of the National Conference, 18 task forces were operating with Departmental support. There are now 32 task forces operating throughout the United States.

Each of the 32 task forces, funded in part through \$13 million in grants from the Department's Bureau of Justice Assistance and the Office for Victims of Crime since fiscal year 2004, is coordinated through the local United States Attorney's Office and includes representatives of local FBI Field Offices and Bureau of Immigration and Customs Enforcement, as well as state and

FIGURE 7.





local law enforcement and social services agencies. In order to receive Department of Justice funding support and the assistance of the local United States Attorney, local law enforcement agencies and victim services providers are required to enter into a Memorandum of Understanding with all task force members committing themselves to collaborating together on investigations and assistance to victims. Applicants were invited to design task forces that best suited the needs of their local communities, and many task forces involve faith-based and other community organizations in their work. At their core, task forces include the local United States Attorney's Office; Federal Bureau of Investigation Field Offices; Immigration and Customs Enforcement agents; state and local law enforcement agencies; and social services agencies, including community-based victim services providers. As of June 2005, with reporting based only on the first six months of operation by the 18 task forces that existed at that time, 61 victims of severe trafficking had been identified and many more victims were rescued from environments where trafficking was occurring.

The Houston (Harris County, Texas) trafficking task force provides a meaningful illustration of the work and potential of the Department's multi-disciplinary task forces. In 2004, concerned that trafficking might fall into the cracks between civil rights and organized crime enforcement programs, the United States Attorney's Office for the Southern District of Texas formed the Human Trafficking Rescue Alliance with the Federal Bureau of Investigation, Bureau of Immigration and Customs Enforcement, Harris County Sheriff's Department, and a number of non-governmental organizations who had recently come together on the issue. The Rescue Alliance began with listening sessions of the stakeholders and moved to joint training for law enforcement and other com-

## **HUMAN TRAFFICKING RESCUE ALLIANCE (HTRA)**



### **Southern District of Texas**

munity groups. Rescue Alliance members attended the Department's National Training Conference on Human Trafficking in Florida in July 2004, and pledged themselves to work together to combat trafficking. When the Bureau of Justice Assistance called for grant proposals, the working group was ready with a task force proposal that built upon and solidified their relationships. As the profile of this issue has grown, so has the demand for training on the part of state and local law enforcement, and the most recent training opportunity sponsored by this task force in November 2005 drew more than 300 participants. The United States Attorney's Office worked closely with the Civil Rights Division on training and task force development. As a result, they were able to transition seamlessly into jointly prosecuting cases when they arose. The regular meetings of the Rescue Alliance have solidified the relationship of the law enforcement participants with the Office for Victims of Crime and Health and Human Services victim services grantees, such as the YMCA of Houston and Catholic Charities.



One novel aspect of the Rescue Alliance has been to place Harris County Sheriff's Deputies with vice-squad experience in Federal Bureau of Investigation and Immigration and Customs Enforcement field offices on the squads tasked with trafficking investigations. Especially in the local Federal Bureau of Investigation field office, having a full-time investigator with extensive knowledge of the local landscape was invaluable, and his activities served as a catalyst for the other agents on the task force to work proactively to identify and dismantle trafficking rings. The inclusion of agents from the Texas Alcohol and Beverage Commission has proven instrumental in the success of the Rescue Alliance.



Weapons seized in connection with a joint Bureau of Immigration and Customs Enforcement and Federal Bureau of Investigation in [United States v. Soto-Huarta](#).

August 14, 2004

## Houston Chronicle

**Alliance forms to fight modern slavery in Texas**

■ 'Ancient' crime exists in Houston, a U.S. official says

**By HARVEY RICE**  
HOUSTON CHRONICLE

Ruth came to Houston from East Africa a year ago under a contract that promised \$5.15 per hour for working a nine-hour day, six days per week taking care of her employer's household. Instead, she said she found herself a prisoner working for no pay and enduring emotional and physical abuse.

"I was a slave," she said Friday.

Because local and federal police agencies often fail to recognize such victims of this modern slave trade, the U.S. attorney's office announced the formation Friday of the Human Trafficking Rescue Alliance, the fifth such group in the country and the first in Texas.

"This terrible crime, so ancient in its origins, exists right here in Houston," U.S. Attorney Michael Shelby said as he was joined by representatives of all major local and federal law enforcement agencies in Harris County and several nongovernmental social services organizations.

Shelby said the social services groups will be crucial to finding human-trafficking victims who may be too frightened to turn to police.

Ruth, whose true identity is being withheld because she fears retaliation from her former employer, is one of an estimated 16,000 immigrants who are kidnapped or tricked into coming into the United States and then coerced into prostitution or forced labor, according to a U.S. Justice Department report.

She said she despaired until an acquaintance connected her with a program run by YMCA International Services.

**SMUGGLING: U.S. raising the problem's profile**

**Continued from page A1**

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**Opening eyes of the law**

The Texas Office of Immigration and Refugee Affairs says human trafficking is a multinational organized criminal industry generating billions of dollars per year. Most of the victims are women and children.

Shelby said traffickers include the Russian mafia and Asian triads as well as smugglers on the U.S.-Mexican border.

The newly formed alliance will train officers to spot trafficking victims whom they otherwise might have arrested as a prostitute. The group also will coordinate investigation and prosecution of traffickers, improve the treatment and care of victims for use as witnesses in prosecutions and conduct regional conferences.

The alliance plans to duplicate itself in Brownsville, Corpus Christi, McAllen, and Laredo.

"This task force and others like it are an important step toward ending the scourge of human trafficking and slavery," said U.S. Sen. John Cornyn, who recently authored a resolution calling for increased cooperation among Congress, federal and local law enforcement to end human trafficking.

Officials say they don't know how serious the problem is in Harris County because they have only recently been made aware of it.

District Attorney Chuck Rosenthal said he is unaware of any such cases in the county because law enforcement agencies have not been trained to identify the problem.

"We didn't know what we were looking at," Rosenthal said.

He said the creation of the task force will open local law enforcement's eyes to the crime, like changing your glasses prescription.

P. Alexander Acosta, assistant U.S. attorney general for civil rights, said, "We don't know what the trends are because the data has not been collected."

Acosta said he is reminded of

**STEVE SANDERS** / THE CHRONICLE

**HUMAN TRAFFICKING**: Most victims are women and children, including this woman who was held captive.

the seriousness of the crime by a crime-scene photo in his office, showing a teddy bear on a nightstand beside a bed.

"We simply must do a better job of identifying the victims and bringing human traffickers to justice," Cornyn said.

**Efforts get results**

Jeff Watkins, executive director of YMCA International Services, said his agency has treated only five victims since it received a \$60,000, three-year grant from the Justice Department last year.

The money, which comes from fines and penalties paid by convicted criminals, is used in part to train police in spotting victims of human trafficking.

Watkins said the YMCA trained 1,500 Houston police officers in the past year and will help train other officers in the federal Southern District, which stretches from Houston to Brownsville and Laredo.

Last year, the Justice Department formed similar rescue alliances in Atlanta, Philadelphia, Phoenix and Tampa, Fla.

Shelby said the Houston alliance is the first of about a dozen the Justice Department plans to form this year.

An emphasis on the prosecution of human trafficking by the Justice Department led to a tripling of charges filed in the past three years, compared with the previous three years, although the 150 total remains small.

A 2000 federal law and a 2003 Texas law were aimed at human trafficking.

The Houston alliance will be coordinated by Assistant U.S. Attorneys Edward Gallagher and Ruben Perez.

harvey\_rice@chron.com

A Houston Chronicle article regarding the formation of an anti-human trafficking task force in Harris County, Texas., August 14, 2004

<sup>75</sup> An indictment contains only charges and is not evidence of guilt. The defendants in these and any other cases cited in this report who have not been obtained convicted are presumed innocent and are entitled to a fair trial at which the government has the burden of proving guilt beyond a reasonable doubt.

mental community in the best interests of the victims while seeking justice.

The Bureau of Justice Assistance, in collaboration with other federal partners, provides ongoing training and technical assistance to task forces. In 2005, the Bureau of Justice Assistance, in collaboration with the Civil Rights Division, the Office for Victims of Crime, and other experts, developed a specific training curriculum for law enforcement officers nationwide who may come into contact with trafficking victims. Entitled *Human Trafficking in the United States, Promoting Law Enforcement Awareness*, the curriculum is a flexible, one-day training course educating law enforcement officers about the basics of the phenomenon of human trafficking and a victim-centered approach to proactive investigation of potential cases. The curriculum provides an introduction to human trafficking, its victims, and offenders; a legal overview with a focus on the TVPA; investigative considerations and techniques; an overview of the role of victim services providers; the need for victim services and the types of services available; and immigration matters, including the role of immigration officials and remedies available to victims. The training program also reviews lessons on understanding the need for a formal multi-disciplinary approach towards human trafficking and an understanding of the important role of the community in law enforcement efforts. The training curriculum is unique in that it incorporates multimedia learning. Each participant is provided with multimedia resources to be used in training other officers and building greater community awareness and support. The course is taught by seasoned investigators who have handled trafficking cases as well as by

national experts on trafficking issues.

In February 2005, the Bureau of Justice Assistance convened a conference of the 22 nascent task forces that had been instituted by that time. More than 115 individuals attended. Federal participants in the conference included representatives from within the Department as well the Departments of Homeland Security and Health and Human

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*The Human Trafficking Task Forces are just the approach we need to combat human trafficking. With all of us working as a team we will be more effective in this endeavor than we would be if we tried to combat human trafficking individually.*

— Lt. Bill Rule, Collier County Sheriff's Office,  
Victim Services Bureau

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Services. The focus of the conference was to explain the degree of collaboration needed among federal, state, and local law enforcement, prosecution, and victim services agencies in order to effectively rescue victims and prosecute traffickers. Task force members were trained using the *Human Trafficking in the United States, Promoting Law Enforcement Awareness* curriculum. Future cross-training of task force members will enable the Department to build on that effort by sharing best practices and linking the groups' efforts across geographical lines.

## **B. Restoring Victims' Dignity**

As discussed above,<sup>76</sup> the Department places a premium on enabling trafficking victims to achieve stable and secure lives. Federal investigators and prosecutors will therefore immediately refer a victim to victim services professionals for care. Again,

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<sup>76</sup> See Part III, "Scope of the Problem," Section B, "The Department Takes A Victim-Centered Approach to This Crime."



*The Department's Full-Scale Attack on Human Trafficking*

victims who are safe and healthy are better able to articulate to investigators and a court what has happened to them. Without victims' assistance, traffickers would rarely; if ever be held accountable for their crimes.



Credit: Vital Voices

Survivors of *United States v. Mangurakagan*, known as the “El Monte Thai Sweatshop” case, presented Civil Rights Division prosecutor Lou de Baca with the Paul and Sheila Wellstone Memorial Award for anti-trafficking activities at the Third Annual Freedom Network (USA) Conference in Los Angeles, California, March 2005.

In many cases, the referral process and the provision of services is expedited through relationships already established by task force partners. Some task forces have created innovative ways to connect victims identified through law enforcement activity with services. The United

States Attorney's Office for the Middle District of Florida, for example, developed a compendium of victim services providers for use by task force members in Fort Myers, Jacksonville, and Tampa. The task force in Indianapolis, Indiana, coordinated through the United States Attorney's Office for the Southern District of Indiana, has partnered with the Indianapolis Family Justice Center to deliver services to victims of human trafficking that are funded by the Office for Victims of Crime. The Family Justice Center, created in connection with President Bush's Family Justice Center Initiative, a program that is administered by the Office on Violence Against Women, places services to families involved in domestic violence into a single facility. As the coordinator of services to victims of human trafficking, the Center makes the response to victims more efficient and effective.

Once potential cases of trafficking are uncovered, victims may become eligible for important services that help to keep them safe as they recover from their victimization. Trafficking victims, like all crime victims, may be eligible for services and benefits under the Victims of Crime Act, administered by the Office for Victims of Crime.<sup>77</sup> The TVPA, as amended, created

<sup>77</sup> The Crime Victims Fund, 42 U.S.C. § 10601, established by the Victims of Crime Act of 1984, Pub. L. No. 98-473, title 2, ch. 14, 98 Stat. 1837 (codified as amended at 42 U.S.C. § 10601 *et. seq.*) (“VOCA”), is a major source of funding for victim services throughout the nation. The Office for Victims of Crime administers the Fund and distributes funding to the states on a formula basis to support crime victim assistance and crime victim compensation programs. Victim assistance includes lifeline victim services such as crisis intervention, emergency shelter and transportation, counseling, and criminal justice system advocacy. Crime victim compensation is a direct reimbursement to or on behalf of a crime victim for expenses such as medical costs. Trafficking victims may be eligible for support under the Crime Victims Fund, the TVPA, or both of these programs, depending on the circumstances of their cases and, in the case of the Crime Victims Fund, the specific guidelines of the state agency that administers the program.



new protections for alien victims.<sup>78</sup> Under the TVPA, victims are afforded:

- Immigration relief, in the form of an administrative change in immigration status known as “continued presence” as well as a temporary, non-immigrant visa known as the “T visa;”
- Access to refugee benefits;
- Adequate shelter, care, and protection;
- Legal assistance;
- Information and translation services; and
- Mandatory restitution.<sup>79</sup>

The TVPA authorizes similar victim services programs to be administered by the Department of Health and Human Services, thus requiring a significant amount of coordination between the Office for Victims of Crime and HHS. In 2004, the Office for Victims of Crime initiated regular coordination meetings with the Office of Refugee Resettlement, its counterpart agency at HHS. The group is known as the Human Trafficking Victim Services Coordination Working Group. By working together, both agencies maximize their resources and exchange information to improve the provision of victim services. For example, although both agencies may fund grantees

that provide services to pre-certified trafficking victims, the Office for Victims of Crime has agreed to restrict its grantees to provide services to victims of trafficking before they are certified as victims of a “severe form of trafficking” by HHS, with few exceptions.<sup>80</sup> Both agencies also work together to avoid gaps in geographical areas that are covered by their grantees.

Since fiscal year 2003, the Office for Victims of Crime has funded 20 victim services providers to assist pre-certified victims of trafficking in the United States, one grant to the headquarters of the Salvation Army to work with its territorial divisions to provide shelter to trafficking victims, and one grant to an organization to provide technical assistance.

Since January 2003, Office for Victims of Crime-funded grantees have served 741 pre-certified trafficking victims. The Department, in cooperation with other law enforcement agencies, has assisted 687 victims to obtain continued presence immigration status, allowing them to remain in the country and to receive benefits and services.<sup>81</sup>

The period between being rescued and receiving certification is the time when victims are most vulnerable. They typically have a host of needs that include housing, clothing, and food; medical, dental, and psychological care; legal assistance and immigration advocacy; and interpretation

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<sup>78</sup> TVPA, Pub. L. No. 106-386, § 107(b)(1) (codified at 22 U.S.C. § 7105(b)(1)).

<sup>79</sup> *Id.*

<sup>80</sup> Victim service grants funded through the TVPA are not available to provide services to victims who are United States citizens. However, service providers funded by the Office for Victims of Crime or the Department of Health and Human Services may have other sources of funding to assist those individuals. *See* footnote 77.

<sup>81</sup> The TVPA’s victim provisions were intended to address the inability of alien victims to access publicly-funded programs because of their immigration status or lack thereof. Trafficking victims who are United States citizens are not barred from accessing publicly funded crime victim services programs, such as those provided under the Victims of Crime Act of 1984. 42 U.S.C. § 10601.



Julia Gabriel during the investigation of the migrant worker trafficking case [United States v. Flores](#).

Civil Rights Division prosecutors first met Julia Gabriel during the investigation of the migrant worker trafficking case [United States v. Flores](#). Gabriel bravely testified against her traffickers, who are now serving 15 year sentences as a result of her efforts. Since her escape and the incarceration of her traffickers, Gabriel provided critical assistance to young girls and women enslaved in brothels in the sex trafficking case [United States v. Cadena](#). She has been active with the Coalition of Immokolee Workers, whose anti-slavery program has resulted in a number of prosecutions in South Florida. Since 2001, Ms. Gabriel has regularly taught at the Department's National Advocacy Center and the FBI Academy, giving agents and prosecutors the perspective of a survivor who has been through the system and become a powerful advocate for victims of this crime. In 2003, with Romeo Ramirez, a survivor of [United States v. Cuello](#), and Lucas Benitez of the Coalition of Immokolee Workers, Gabriel was honored by the Robert F. Kennedy ("RFK") Memorial Center for Human Rights with the 2003 Human Rights Award. This was the first time in the RFK Human Rights Award's twenty-year history that it honored persons active in the United States.

services. However, few organizations or communities have the resources to provide or fund these services. The Office for Victims of Crime grant program helps communities to fill this critical service gap and, in the process, supports victims' abilities to cooperate with law enforcement. Immigrant victims are offered culturally and linguistically appropriate services and may, if needed, petition for T visas that allow them to remain in the United States legally. Some organizations are specifically prepared to provide immediate assistance in crisis situations until the services of a local victim services provider can be obtained.

The Office for Victims of Crime supports the work of the victim services providers it funds with technical assistance that is made available through workshops, on-site consul-

tation, and via the Internet. Office for Victims of Crime training and technical assistance include mentoring guides and safety protocols for providers and personal safety information for victims. Grantees also provide training to local police and non-governmental organizations. Since fiscal year 2003, approximately 38,600 persons have been trained through the efforts of Office for Victims of Crime grantees. Training topics have included the dynamics of trafficking, the legal definition of trafficking under the TVPA, legal rights and services for trafficking victims, and cultural considerations in serving these victims. The Office for Victims of Crime and the National Institute of Justice are studying effective approaches to victim service delivery and plan to publish an evaluation of field-tested services in 2006.

## CAST Shelter



## The Coalition to Abolish Slavery CAST

CAST was established in 1998 in Los Angeles, California, in the aftermath of the El Monte sweat-shop raids, which uncovered a human trafficking ring enslaving over 70 Thai victims in horrific conditions and helped to bring national attention to slavery in its modern-day form. CAST is a non-governmental organization dedicated exclusively to serving survivors of trafficking.

One year after its establishment, CAST founded the first anti-trafficking task force in the country, which laid the foundation for the recently formed Los Angeles Metropolitan Task Force on Human Trafficking funded by the Bureau of Justice Assistance in 2004. Launched in 2003 with the support of discretionary funding from Office for Victims of Crime, CAST's Enhanced Crisis Response Project facilitated expansion of CAST's program of comprehensive victim-centered social services. CAST focuses on victim empowerment.

In May 2004, with funding from the Office for Victims of Crime, CAST founded the nation's first shelter exclusively for trafficking victims. Still the only shelter of its kind, it has become an exemplary model for other housing programs. Clients establish a sense of safety, stability, hope, and renewal. The Department has awarded CAST nearly \$1.9 million between fiscal years 2003 and 2006.

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In addition to the work of the Office for Victims of Crime, the Office on Violence Against Women has, since 2001, provided more than \$700,000 for technical assistance projects that assist Office on Violence Against Women grantees in providing services to trafficking victims if they have also been victims of domestic violence, sexual assault, or stalking. For example the Family Violence Prevention Fund used Office on Violence Against Women funding in 2003 to establish a project aimed at improving collaborative responses to trafficked victims of domestic violence and sexual assault. The main goal of the project was to build multi-disciplinary collaborations between service providers and law enforcement to effectively and appropriately assist trafficking victims in Georgia and

Washington. Plans are underway to expand the project into Alaska.

### **C. Public Awareness Supports Proactive Investigations**

Public awareness is essential to proactive investigations that uncover victims. The Department works to motivate communities, especially anti-human trafficking task forces, to increase awareness among law enforcement, various government inspectors (especially health code, wage and hour, and occupational safety and health agents), hospitals and other medical providers, social services agencies, and community- and faith-based organizations. Increased public awareness can make a difference. For example, the pros-



ecutions in *United States v. Soto*<sup>82</sup> and *United States v. Kil Soo Lee*<sup>83</sup> were brought to the attention of federal law enforcement through referrals by non-governmental organizations that work with populations at risk for trafficking. The Civil Rights Division's investigation and prosecution of Kil Soo Lee resulted in the single largest rescue of trafficking victims in the Department's history. In this case, Kil Soo Lee, the Korean owner of a sweatshop in American Samoa, held over 200 Vietnamese and Chinese seamstresses in the Daewoosa Samoa garment factory in involuntary servitude. Over the course of two years, the workers were



*"We must make it as easy as possible for these victims to know that aid and comfort have arrived. The Catholic Coalition to Combat Trafficking...also conducts public outreach and advocates on behalf of victims.... I will also ask our pastors to communicate the goals of this campaign to every active religious and layperson.... There should be no zones where this mission of love and redemption does not reach."*

*-Archbishop John J. Myers, Archdiocese of Newark, at the National Training Conference on Human Trafficking, July 16, 2004.*

deprived of food, beaten, and physically restrained in order to force them to work. Lee was convicted in 2002, and in June 2005 he was sentenced to 40 years in prison. This case is a prime example of the prosecutorial success our anti-trafficking efforts can experience as a result of close cooperation with our non-governmental partners.

Increased outreach and public awareness is critical to the investigation and prosecution of human trafficking cases. The Department established a toll-free telephone complaint line in 2000 to receive allegations of trafficking from individuals ready to report to law enforcement, creating a mechanism that has substantially increased the number of investigations initiated by the Civil Rights Division.<sup>84</sup>

Since 2003, the Department has made available a brochure describing its processes and resources to assist non-governmental organizations in dealing with trafficking victims and the Department in a more efficient way. Through outreach, America's communities, particularly immigrant communities, are better educated about this crime and how to report possible cases. Moreover, increased public awareness about this crime and the benefits available to its victims can eliminate important aspects of the leverage that traffickers hold over their victims.

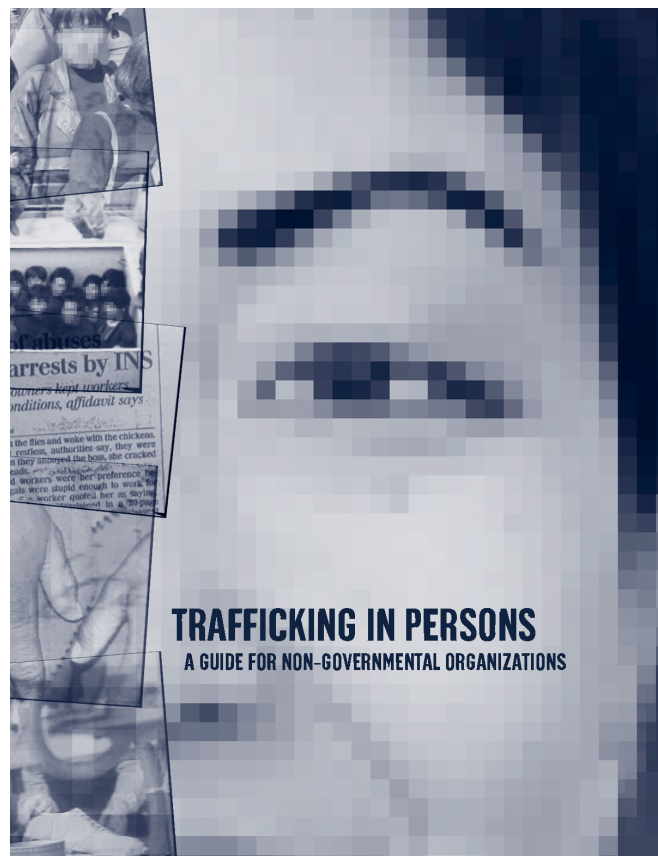
As a result, all components speak publicly about trafficking and the Department's activities to combat this crime to state, local, and foreign legislators, law enforcement officers, prosecutors, and non-governmental

<sup>82</sup> See Part V, "Halting Human Trafficking with a Record Number of Aggressive Investigations and Prosecutions," Section B, "Labor Trafficking," above for a discussion about *United States v. Soto*.

<sup>83</sup> *United States v. Kil Soo Lee*, 159 F. Supp. 2d 1241 (D. Haw. 2001).

<sup>84</sup> HHS also created a toll-free number for victims to call to receive emergency services. Calls received from individuals who are ready to report to law enforcement are then forwarded to the Department of Justice for possible action.

victim advocacy and services organizations. The Civil Rights Division, for example, has delivered more than 200 presentations around the nation since fiscal year 2001. Office for Victims of Crime grants to 21 human trafficking victim services providers under the TVPA include funding to increase public awareness in the communities they serve. Civil Rights Division representatives continuously emphasize the important role that faith- and community-based organizations can play. Because of their proximity to the communities they serve, they can provide immense intelligence about potential criminal enterprises and trafficking victims, and to provide immediate, crisis care, and long-term programs that help to prevent further victimization. The Federal Bureau of Investigation Civil Rights Unit has appeared on national television and local radio programs that highlight, define, and expose trafficking to the general public, including CNBC, Donny Deutche's *The Big Idea*, and WMAL AM 630's "Danger Zone" with Richard Carlson, a Washington, D.C.-area radio program. The Civil Rights Unit has also provided human trafficking-related training presentations at various non-governmental conferences, such as the International Association of Labor Standards Annual Conference in Memphis, Tennessee, and the National Organization of Women's Annual Conference in Los Angeles, California. The Child Exploitation and Obscenity Section is also actively engaged in promoting the Department's strategy of multi-disciplinary cooperation that emphasizes the victim-centered approach to combating domestic child prostitution with non-governmental organizations such as the United States Conference of Catholic Bishops.



A copy of the Department of Justice's Guide for Non-Governmental Organizations regarding human trafficking is publicly available at on the Department's Web site at <http://www.usdoj.gov/crt/crim/wetf/trafficbrochure.pdf>.

United States Attorneys' Offices are also involved in providing outreach and education about human trafficking within their districts. The United States Attorney's Office for the Southern District of California, for example, has hosted five conferences on human trafficking since October 2001. Each of these conferences has provided training to local law enforcement and non-governmental organizations serving trafficking victims about applicable statutes and resources available for victims. These conferences have resulted in long-standing relationships between federal prosecutors and law enforcement, state and local police, and

numerous local service-providers, such as the Bilateral Safety Corridor Coalition, a coalition of over 60 governmental and non-governmental organizations located along the United States-Mexican border that are dedicated to combating slavery and human trafficking in southern California. Another example is the efforts of the United States Attorney's Office for the District of Connecticut, which convened a meeting in May 2004 of federal and state agencies to explore why human trafficking cases had not been prosecuted in this jurisdiction. In September 2004, this office convened a training conference intended to educate federal, state, and local law enforcement and victim services providers about human trafficking and how to identify resources, including federal grant opportunities. The result of these efforts has been the creation of an anti-human trafficking task force that includes the Connecticut State Police, Federal Bureau of Investigation, Immigration and Customs Enforcement, Social Security Administration, State Department's Diplomatic Security Service, and United States Coast Guard, as well as non-governmental organizations serving trafficking victims.

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*Who would have known what would be waiting for me there instead? Since the day I arrived, I had to live like an animal. [The karaoke bar] was a prison that was filled with nothing but curses, threats, and beatings.*

- "Ms. Kim," a 31-year old victim in *United States v. Kwon Soon Oh*, a sex trafficking case.

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#### **D. Promoting Foreign Criminalization and Prosecution of Human Trafficking**

As discussed above,<sup>85</sup> the President has directed federal agencies to use all diplomatic and foreign assistance tools in the nation's effort to abolish human trafficking. The Department has had an important role in advancing this directive. The Department's primary goal in this regard is to promote the efforts of foreign governments to criminalize human trafficking and to enhance their capacity to investigate and prosecute these crimes through the President's international human rights initiative; by collaborating with foreign law enforcement agencies on human trafficking cases; by supporting foreign training and technical assistance programs; and by meeting with and educating foreign officials and non-governmental organizations who visit the United States to learn more about our nation's response to this crime.

##### *1. The President's International Initiative to Combat Human Trafficking*

In September 2003, in an address to the United Nations General Assembly, President Bush announced a \$50 million international initiative to combat human trafficking. This initiative will increase the capacity of several source and destination countries to combat trafficking. Specifically, the President's initiative aims to replicate our victim-centered prosecutions through multi-disciplinary task forces and increased outreach in Cambodia,<sup>86</sup> India, Indonesia, Mexico, Moldova, and Tanzania.

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<sup>85</sup> See, Part II, "An Administration Priority."

<sup>86</sup> OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS, U.S. DEPT. OF STATE, TRAFFICKING IN PERSONS REP. (2005). The Department's work with Cambodia has been postponed due to reports by the State Department of corruption in the Cambodian Government.



The Department has been actively involved in the design, development, and implementation of this initiative. Working primarily through the Civil Rights Division, and with the assistance of the Criminal Division's Office of Overseas Prosecutorial Development, Assistance and Training and the International Criminal Investigative Training Assistance Program, the Department coordinated with the Departments of Health and Human Services, Labor, and State, as well as the United States Agency for International Development, to develop

the capacity of foreign governments to investigate and prosecute human trafficking cases, and to develop partnerships with non-governmental organizations to prevent the vulnerable from becoming victims and to protect and help heal victims. The inter-agency working group found the lessons learned by the Civil Rights Division in its prosecution of trafficking cases and its organization of trafficking task forces a valuable model for the implementation of the President's international initiative. The objective of the initiative thus became the institution of multi-disciplinary efforts to combat human trafficking in particular geographic regions. In practice, this would mean that programs to promote awareness raising, victim shelters, and police and prosecutor training would be established and supported in a collaborative effort by each



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*The victims of sex trade see little of life before they see the very worst of life — an underground of brutality and lonely fear. Those who create these victims and profit from their suffering must be severely punished. Those who patronize this industry debase themselves and deepen the misery of others. And governments that tolerate this trade are tolerating a form of slavery.*

*—President George W. Bush, speaking to the United Nation's General Assembly, September 23, 2003*

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What are the historical and cultural factors that influence trafficking or the response to it? Is there trafficking of minors into sexual exploitation? What industries tend to have labor trafficking? Next, the Department's trafficking experts design a matrix of the necessary tools that would be required to rescue particular victims, place them into restorative care, and hold perpetrators accountable.

Once the assessment is completed, the United States government, through the local United States Embassy, and the host government enter into a Letter of Agreement ("LOA") that states the roles and responsibilities of both parties and the level of funding to be provided in connection with the President's initiative. Department team members then coordinate with the other federal

of the participating federal agencies. The Department designs country assessments to help the United States Government better understand the nature of the trafficking problem in a particular area and to inventory what efforts are currently underway.

The first task is to gain a foundational understanding of human trafficking within the host country by answering such questions as: Who are the victims and where do they come from? What kind of coercion is used to control the victims?

agencies to deploy training and other capacity building and to assign to the host country personnel from the United States government to provide expertise and mentoring to those working on the anti-trafficking project. A primary goal of every LOA entered into in connection with the President's initiative is the Department's imperative to rescue victims and hold perpetrators accountable. The President's initiative was designed to place a clear emphasis on results that change lives of victims and their families.

The United States government's work with the Mexican government in connection with this initiative presents a useful illustration of the Department's work. Since 2003, the Department's Civil Rights and Criminal Divisions have been actively conducting country planning sessions in Mexico<sup>87</sup> in connection with the President's international human trafficking initiative. A significant number of senior United States law enforcement specialists met repeatedly over the past year with their counterparts from the Mexican government before a final LOA was signed in mid-2005. As a result, both partners have a clear understanding of how the President's program will be implemented. One significant factor in the United States-Mexico anti-trafficking partnership is an agreement to work together on cases that involve criminal trafficking enterprises that are active on both sides of the border.

## *2. Collaboration with Foreign Law Enforcement*

Another important Departmental component in the international arena is the Office of International Affairs of the Crim-

### **FOREIGN COUNTRY HUMAN TRAFFICKING ASSESSMENTS BY THE DEPARTMENT OF JUSTICE**

What is the current statutory framework?

What is the capacity of police to investigate trafficking offenses?

What is the level of prosecutorial skill and interest in trafficking victims?

What is the current state of services for victim shelter and restoration by both governmental and non-governmental organizations?

What is the current level of cooperation among prospective anti-trafficking team members?

What is the level of political will and interest among those government officials who would implement the plan?

inal Division, which serves as the link between federal, state, and local anti-trafficking efforts and foreign prosecution and judicial authorities. Good working partnerships with foreign governments have been essential to the Department's efforts to combat human trafficking. The Office of Inter-

<sup>87</sup> As of January 2006, the Department's human trafficking experts have conducted assessments in connection with the President's international human trafficking initiative in Cambodia, India, Indonesia, Mexico, Moldova, and Tanzania. In addition, the Civil Rights Division has detailed an attorney to the United States Embassy in Moldova to work on that country's anti-human trafficking efforts.



The Civil Rights Division's T. March Bell, Senior Counsel for Human Trafficking (far left) and Sally Newmann, a Department of State Program Officer (far right) with participants in a trafficking training seminar in Tanzania.

national Affairs' most significant contribution to anti-trafficking efforts of the United States government has been to assist in gathering evidence from abroad and to assist foreign prosecutors in gathering evidence located in our country. For example, in *United States v. Carreto*,<sup>88</sup> Mexican nationals were accused of recruiting uneducated women and girls from impoverished areas of Mexico and compelling them to prostitute themselves in both Mexico and New York. Carreto's victims were forced to service up to 20 men a day as prostitutes and were beaten if they did not make enough money during a single day or if they attempted to hide the money they made. One victim was also forced to have an abortion.<sup>89</sup> The Office of International Affairs, in collaboration with the United States Attorney's Office for the Eastern District of New York, helped secure testimony as well as documentary and physical evidence gathered by Mexican authorities in their

investigations of the Carretos' transnational operation. Similarly, the Office of International Affairs secured evidence and testimony from Russia in support of a federal prosecution by the United States Attorney's Office for the Central District of California of a defendant prosecuted for trafficking her niece into the United States and forcing her into prostitution.<sup>90</sup>

The Office of International Affairs also works to extradite traffickers from foreign nations to the United States and from our country to foreign nations for prosecution. On September 28, 2005, Mexico provisionally arrested a Mexican national pursued by the United States Attorney's Office for the Southern District of Florida on charges including conspiracy, alien smuggling, and transporting women and minors for purposes of prostitution between August 1996 and February 1998. The victims, who reportedly did not know their fate until they arrived in the United States, were not allowed to leave the brothels until they paid a smuggling fee to the accused, who allegedly took 70% of the prostitution proceeds.<sup>91</sup>

Since fiscal year 2003, the Federal Bureau of Investigation has participated in the Southeast European Cooperative Initiative, a multilateral organization designed to combat trans-border crime and develop closer law enforcement coordination among its members. The Bureau has detailed agents to Albania, Bulgaria, and Romania to work on trafficking issues in support of this initiative. The Southeast European Cooperative Initiative Regional Center for Combating Trans-Border Crime in Bucharest, Romania,

<sup>88</sup> *United States v. Carreto*, No. 04-140 (E.D.N.Y. 2004).

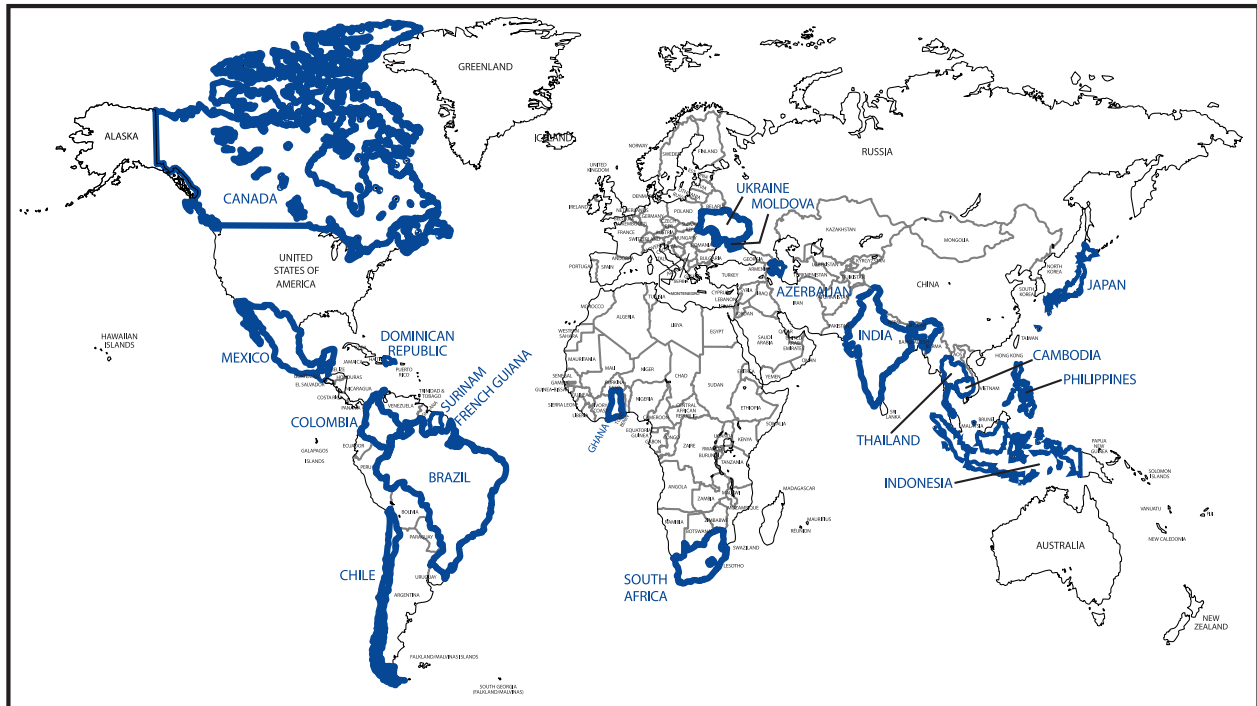
<sup>89</sup> *Id.*

<sup>90</sup> *United States v. Okhotina*, No. 05-0399 (C.D. Cal. 2005).

<sup>91</sup> *United States v. Cadena*, No. 98-14015 (S.D. Fla. 1998).



FIGURE 8.



Locations of foreign training and technical assistance programs.

coordinates southeastern European police and customs regional actions for preventing and combating trans-border crime, including trafficking in persons and migrant smuggling. The following twelve countries are actively involved with the Center: Albania, the Federation of Bosnia and Herzegovina, Bulgaria, Croatia, Greece, Hungary, Macedonia, Moldova, Romania, Serbia and Montenegro, Slovenia, and Turkey.

### *3. Foreign Training and Technical Assistance Programs*

Dismantling transnational human trafficking networks requires a willingness and ability to work closely with our foreign partners in countries where victims are recruited. Consequently, the Civil Rights and Criminal Divisions and the United States Attorneys' Offices are actively involved in

outreach and providing technical assistance to foreign governments and non-governmental organizations. Since 2002, Civil Rights Division officials have addressed international gatherings convened in countries such as Azerbaijan, Belize, Brazil, Cambodia, Canada, China, Colombia, the Dominican Republic, El Salvador, Guatemala, Hungary, India, Indonesia, Japan, Mexico, Moldova, Philippines, South Africa, Suriname, Thailand, and Ukraine to encourage a coordinated response to human trafficking worldwide. These events are attended by foreign law enforcement executives, prosecutors, judges, and non-governmental organizations that advocate on behalf of or provide assistance to trafficking victims.

The Department's experts have also assisted their counterparts in other countries with assistance in developing a victim-

centered response to human trafficking through meetings and training workshops. For example, many foreign governments host their own training in partnership with the United States Embassy. Lasting a week to two weeks, the Department's attorneys, investigators, and victim specialists teach critical skills such as evidence gathering, proactive investigations, and victim interviews. Workshops provide an opportunity to practice skills and learn new law enforcement methods that reflect the lessons that the Department has learned in investigating and prosecuting these cases. The Department's consistent theme in each of these events is to present the crime of human trafficking as a multi-disciplinary challenge requiring collaboration among governmental and non-governmental agencies. The Department has learned that a critical need in many developing countries is the ability to develop a framework for governmental and non-governmental organizations to collaborate, particularly as it concerns the protection of victims and programs to prevent further victimization.

The Criminal Division's Office of Overseas Prosecutorial Development, Assistance and Training and its sister organization, the International Criminal Investigative Training Assistance Program, work to build effective partnerships with other law enforcement agencies sharing the goal of eradicating predatory trafficking groups. Between fiscal years 2001 and 2005, the Office of Overseas Prosecutorial Development, Assistance and Training conducted a total of 142 training and technical assistance programs involving 25 countries.

The Criminal Division's International Criminal Investigative Training Assistance Program has partnered with 12 nations – Albania, Armenia, Azerbaijan, Bosnia-Herzegovina, Costa Rica, Georgia, Indonesia, Macedonia, Nigeria, Ukraine, Russia, and



Assistant United States Attorney Susan Coppedge in the Northern District of Georgia was selected as a recipient of the 2006 Ian Axford New Zealand Fellowship in Public Policy to study human trafficking issues in New Zealand by the Commonwealth Fund. Ian Axford Fellowships in Public Policy give outstanding mid-career American professionals opportunities to study, travel, and gain practical experience in public policy in New Zealand, including firsthand knowledge of economic, social, and political reforms and management of the government sector.

AUSA Coppedge will work to strengthen anti-trafficking policies and laws in New Zealand. She plans to develop a comparative analysis of New Zealand and American approaches to combating human trafficking. During her six-month fellowship, AUSA Coppedge will be based with the New Zealand Ministry of Justice and the New Zealand Police.

Senegal – to build local capacity to prevent and combat trafficking in persons. International Criminal Investigative Training Assistance Program projects have included training foreign police on how to properly identify and investigate trafficking cases, especially techniques for interviewing victims. Activities have also included developing strike forces and specialized anti-trafficking police units; providing equipment and information technologies to manage trafficking-related cases; and developing law enforcement manuals to assist police in conducting investigations, making arrests, and rescuing victims.

Department experts also participate in regional, multilateral consultations between law enforcement executives that promote international cooperation between the country of victim origin and the destination country, such as the Southeast European Cooperative Initiative, which is discussed in more detail above. Attendees at workshops conducted by the Department are often law enforcement executives who can take information and put it into practice. In one recent example, Department lawyers relied upon contacts made through these training sessions to assist a country in arresting recruiters who held the children of trafficking victims as hostages to prevent the victims from providing evidence to assist in a United States prosecution.<sup>92</sup> In another example, representatives of the United States Attorney's Office for the Middle District of Florida, along with its task force members from the Collier County Sheriff's Office, the Immigrant Rights Advocacy Center, and the Florida State University Center for the Advancement of Human Rights, traveled to Central America in late 2004 to educate governmental leaders about the efforts of their task force to combat human trafficking and provide assistance to its victims.

#### *4. Educating Foreign Visitors to the United States*

The Civil Rights Division, the Criminal Division's Child Exploitation and Obscenity Section, the Federal Bureau of Investigation, and the Office for Victims of Crime supplement the Department's foreign assistance programs by providing technical assistance and informational briefings to foreign delegations to the United States.

In addition, some United States Attorney Offices, particularly in connection with their local task forces, have been involved in training and educating visitors from foreign governmental and non-governmental organizations about strategies to combat human trafficking. An example is the United States Attorney's Office for the Western District of Washington, where the Seattle offices of the Bureau of Immigration and Customs Enforcement, the Federal Bureau of Investigation, and the United States Department of Labor's Office of the Inspector General have worked together to share information about efforts to combat human trafficking with officials and visitors from countries such as Brazil, Germany, Mexico, France, Italy, and Spain, and with organizations like the World Affairs Council.

The Department also works with foreign governments to adopt legislation that aids in the investigation and prosecution of traffickers and the protection of victims. Through the Office of Overseas Prosecutorial Development, Assistance and Training, the Department's trafficking experts in the Civil Rights Division, Child Exploitation and Obscenity Section, and United States Attorneys' Offices assist foreign governments with the development and ratification of anti-human trafficking legislation to help ensure that foreign governments adopt laws that are victim-centered and compliant with the Palermo Protocol.<sup>93</sup> For example, in fiscal year 2004 alone, Civil Rights Division attorneys and the Division's victim-witness coordinator have conducted training sessions and have assisted in drafting trafficking legislation in Asia, Africa, Europe, the Caribbean, North America, and

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<sup>92</sup> *United States v. Carreto*, No. 04-140 (E.D.N.Y. 2004).

<sup>93</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime, U.N. Doc. A/55/383 (2000) (entered into force on Dec. 25, 2003; signed by the United States on December 3, 2005).



South America, in coordination with the Office of Overseas Prosecutorial Development, Assistance and Training. These training sessions emphasize the Department's experience in investigating and prosecuting these cases, collecting evidence, and keeping the victims safe.

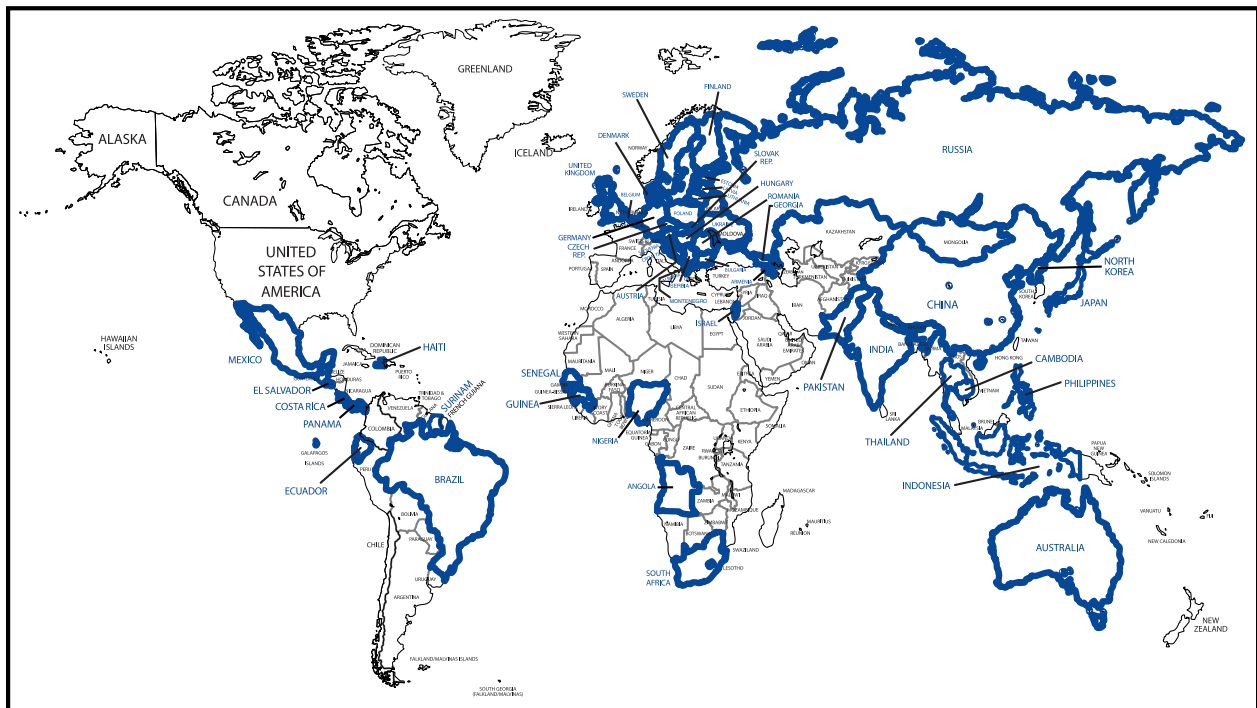
In fiscal year 2004, the Office of Overseas Prosecutorial Development, Assistance and Training and the International Criminal Investigative Training Assistance Program assisted 7 foreign nations with legislation that directly or indirectly furthered anti-human trafficking efforts. The Office of Overseas Prosecutorial Development, Assistance and Training provides substantial technical assistance based on a victim-centered strategy known commonly as the "Three Ps of Trafficking in Persons: Prevention, Protection, and Prosecution." Technical assistance by the Office of Overseas Prosecutorial Development, Assistance and Training includes educating and developing joint projects with foreign law enforcement officials geared to strengthening their capacity to prevent transnational trafficking; protect victim witnesses and thereby encourage their participation in investigations and prosecutions; and effectively investigate and prosecute trafficking cases. The office also works with host countries on developing evidence collection techniques which can generate evidence usable in prosecutions either here in the United States or in a foreign country.

The Federal Bureau of Investigation, working through the Office of Overseas Prosecutorial Development, Assistance and Training, has provided training programs in Azerbaijan, Suriname, and Ghana. In fiscal year 2004, the FBI trained 50 international visitors, including officials from Australia, India, Pakistan, South Africa, Haiti, and England. In addition, the Bureau's Civil

Rights, Asian Criminal Enterprise, and Crimes Against Children Units conducted a training session at the British Embassy in November 2005 during a program jointly sponsored by the British Embassy and Women in Federal Law Enforcement. This program provided attendees with statutory definitions for severe forms of trafficking; discussed victim indicators needed to help law enforcement identify victims, such as non-English speakers, the absence immigrant documents, and low paying occupations; and covered the advantages of the Department's victim-centered approach, the use of local anti-human trafficking task forces, and other best practices.

Another component of the Department's international human trafficking program is activities to prevent victimization. An important step towards prevention is the Department's efforts to increase international public awareness about human trafficking. Raising the visibility of human trafficking and the efforts of the United States government to combat it encourages foreign governments to take victim-centered action to prevent, uncover, and prosecute cases of human trafficking. International public awareness is increased through activities of the Civil Rights Division, the Federal Bureau of Investigation, the Office of Justice Programs, the Office on Violence Against Women, and United States Attorneys' Offices working through the Office of Overseas Prosecutorial Development, Assistance and Training and the International Criminal Investigative Training Assistance Program in connection with briefings for foreign delegations and training programs. These training programs provide foreign parties – law enforcement officials, prosecutors, legislators, and non-governmental organizations – with information about the strategies the Department has employed to combat trafficking. Federal investigators and prosecu-

FIGURE 9.



Locations of international efforts

tors share lessons learned in prosecuting these cases, building local multi-disciplinary task forces, and providing services and protection for victims.

As a further part of the Department's international efforts, the Criminal Division's Child Exploitation and Obscenity Section has trained attorneys and investigators from numerous countries on sex trafficking of children. Child Exploitation and Obscenity Section staff have trained individuals from Albania, Angola, Armenia, Austria, the Balkans, Belgium, Belize, Bosnia, Brazil, Bulgaria, China, Costa Rica, Council of Baltic States (11 Baltic nations), Croatia, Czech Republic, El Salvador, Ecuador, Georgia, Germany, Guinea, Hungary, Indonesia, Israel, Japan, Korea, Lithuania,

Latvia, Macedonia, Mexico, Montenegro, Nigeria, Panama, the Philippines, Poland, Romania, Russia, Senegal, Serbia, Slovenia, South Africa, Suriname, Thailand, the United Kingdom, and the Ukraine, among others.

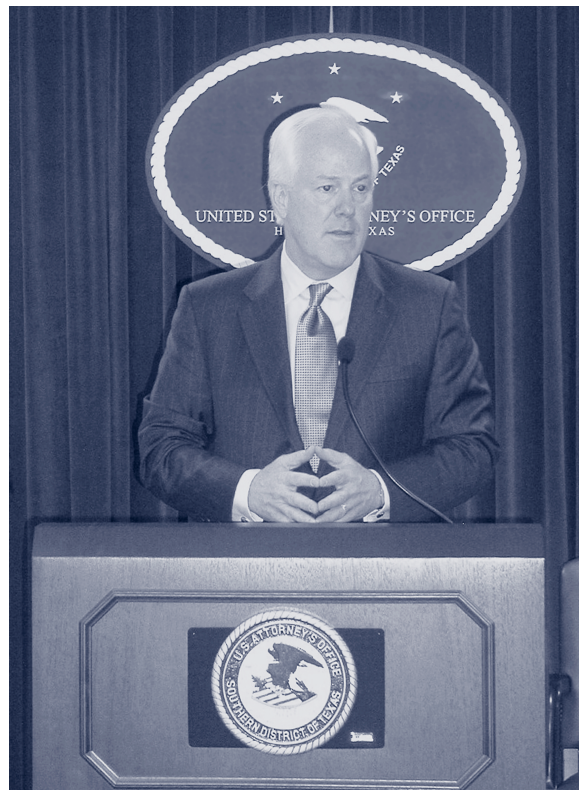
*States, governors, and legislatures can help by adopting anti-trafficking laws. The Justice Department has created a model state anti-trafficking law, and I intend to send a copy of it to every governor and legislative leader in those 40-plus states that do not yet have their own anti-trafficking laws.*

*-Attorney General Alberto R. Gonzales at the Hoover Institution Board of Overseers Conference, February 28, 2005*

### E. Fostering State, Local, and Non-Governmental Activities to Combat Human Trafficking

The Department's work with state and local governmental agencies, particularly activities to expand anti-trafficking law enforcement authority, is intended to harness the efforts of the nearly 700,000 state and local law enforcement officers who might come into contact with trafficking victims.<sup>94</sup> The number of law enforcement and prosecutorial resources dedicated to trafficking may be exponentially increased by combining federal, state, and local assets. Thus, in 2004, the Department developed and introduced a model state law at the National Training Conference on Human Trafficking because many states do not have laws that criminalize this activity. At that time, only four states – Texas, Florida, Missouri, and Washington – had state laws against trafficking. The model state law reflects lessons learned through the Department's prosecutions, especially enforcement of the TVPA by the Civil Rights Division. Adoption of the model statute would promote a uniform national legal strategy to combat human trafficking.

On July 21, 2004, the United States Senate unanimously passed a resolution, authored by Texas Senator John Cornyn, endorsing the Department's model state anti-trafficking statute and encouraging states to adopt it. The Senate resolution also singled out for praise the Civil Rights Division in its prosecution of human trafficking crimes and lauded the Department's National Training Conference on Human Trafficking. In March 2005, Attorney General Gonzales sent letters to state governors



U.S. Senator John Cornyn at a Houston Human Trafficking Rescue Alliance event.

and legislative leaders explaining the scope of the trafficking problem, pointing to the need for state assistance to the federal government in fighting trafficking, and urging them to adopt the model. Department officials have since promoted the model law, and Civil Rights Division attorneys continue to provide technical assistance regarding the model state law to state legislators and related organizations, such as the National Foundation for Women Legislators. To date, more than a dozen states and territories have enacted anti-trafficking legislation, and many of these laws reflect the Department's model criminal statute.

<sup>94</sup> FED. BUREAU OF INVEST. UNIFORM CRIME REP. (2004). As of October 31, 2004, there were 675,734 state and local sworn law enforcement officers and civilians in agencies across the country.



As discussed above,<sup>95</sup> outreach and technical assistance are critical to uncovering this insidious crime. The Civil Rights Division, along with the Criminal Division, the Federal Bureau of Investigation, the Office of Justice Programs, the Office on Violence Against Women, and United States Attorneys' Offices, work actively to increase awareness among local law enforcement and community- and faith-based organizations through training presentations and the provision of technical assistance. The strategy employed by each of these components reinforces a victim-centered approach to prosecutions and the collaborative work of task forces. Examples of the Department's activities to increase awareness of human trafficking among state and local governmental agencies, non-governmental organizations, and in our nation's communities include the following:

- Attorneys in the Civil Rights Division and the Office of Legal Policy authored an August 2002 article in *Police Chief Magazine* entitled *Working Together to Stop Modern-Day Slavery*. The article outlined ways for local law enforcement to identify trafficking cases during the course of their usual investigations.
- In fiscal year 2003, the Civil Rights Division conducted training sessions in the Washington, D.C.- metropolitan area, New York City, Chicago, San Diego, Atlanta, Dallas, and several other cities, as well as with numerous non-governmental organizations such as the U.S. Conference of Catholic Bishops, Women in Federal Law Enforcement, and the National Organization of Black Law Enforcement Executives.
- An attorney in the Civil Rights Division authored a December 2003 article in *Police Chief Magazine* entitled *Human Trafficking: A Guide to Detecting, Investigating, and Punishing Modern-Day Slavery*. The article gave an overview of federal anti-trafficking efforts and urged increased cooperation among state, local, and federal law enforcement officials.
- In fiscal year 2004, the Civil Rights Division conducted more than fifty training sessions around the United States at conferences and meetings in cities such as Albuquerque, Baltimore, Chicago, Houston, Los Angeles, Newark, New Jersey, and Salt Lake City.
- With funding from the Office on Violence Against Women, the International Association of Chiefs of Police is developing a training package for local law enforcement officers, including a guidebook on the identification and investigation of human trafficking crimes and a roll call training video with a discussion guide to accompany the guidebook.
- The International Association of Chiefs of Police National Law Enforcement Leadership Initiative, in connection with a \$200,000 cooperative agreement with the Office on Violence Against Women, is planning a summit of law enforcement leaders in the summer of 2006 to continue to extend the level of awareness of and commitment to combating human trafficking.

<sup>95</sup> See Part III, "Scope of the Problem," Section B, "The Department Takes A Victim-Centered Approach to This Crime."

HUMAN TRAFFICKING

# A Guide to Detecting, Investigating, and Punishing Modern-Day Slavery

By Bharathi A. Venkatraman,  
Federal Prosecutor and  
Special Counsel for Traffick-  
ing in Persons, Civil Rights  
Division, U.S. Department of  
Justice, Washington, DC

In April 1997, Joseph [not his real name], a homeless, drug-addicted African American man, stumbled through the woods in Fort Pierce, Florida. He was dazed and bloody, having just been repeatedly kicked and beaten about the head and face. Deputy Lee, of the Saint Lucie County Sheriff's Department, who was investigating a report of a missing child, observed Joseph. Noticing Joseph's injuries, Lee summoned medical assistance and interviewed the injured man. Thus began an investigation initiated by the Saint Lucie Sheriff's Department, in conjunction with the Fort Pierce Police Department, that uncovered violent and abusive conduct on the part of Lewis Phillips, a fruit harvesting contractor who employed Joseph and a number of other workers on a seasonal basis. Phillips housed Joseph and other workers on crabs outside in lieu of paying them adequate salaries, and applied their earnings of 15 cents per bin of fruit picked to the credit debit that the workers owed him. Phillips's payment scheme resulted in a burgeoning debt for Joseph and the other workers and, little by little, if any, take-home pay. Growing increasingly dissatisfied with his work situation, Joseph left Phillips's employ in favor of working for a competing fruit harvesting contractor who offered Joseph better terms. Once Phillips discovered that Joseph had left to work for a competitor, Phillips became enraged and enlisted the assistance of an enforcer to kidnap him, and brutalize Joseph in order to "teach him a lesson...."

On the morning of November 22, 1999, 18-year-old Geeta came home to her apartment in Berkeley, California, and was confronted by a horrifying sight. Her two roommates,

sisters Leda, 16, and Radha, 14, were lying on the floor, unconscious. The apartment was stifling hot, and Geeta ran about grabbing water and ice to sprinkle on her two unconscious roommates, in hopes of rousing them. Geeta then shook and ultimately slapped the two sisters, but they remained unresponsive. A poor young woman from southern India, Geeta was not well educated and unable to speak English. Utterly desperate, she phoned her place of employment, an Indian restaurant in Berkeley, and summoned restaurant workers to come and assist her. The restaurant personnel arrived in a van and attempted to calm Geeta, who was waiting for them outside of the apartment, in a state of extreme agitation. The workers then rolled one of the unconscious sisters in a rug in order to carry her to the waiting van in a concealed fashion. However, their attempts at concealment failed when a passing motorist noticed a human body part protruding from the rug. Alarmed, the motorist called the Berkeley Police Department. Berkeley police officers responded immediately, along with paramedics, and became suspicious that three young girls, with little or no English language skills, were living alone. Their investigation, which ultimately involved federal agents, revealed that the young unconscious girls were the victims of carbon monoxide poisoning due to a malfunctioning heater. Tragically, one of the two sisters, Radha, ultimately died. The investigation, however, led to the discovery that the young roommates were sex abuse victims of a wealthy and powerful Bay Area businessman who was also their employer.

Both of these examples are drawn from real-life human trafficking cases prosecuted by the Department of Justice. Despite the obvious distinctions between the two scenarios and the means used to harm the victims, they share one fundamental feature: both incidents involve defendants who intimidated victims and forced them to work against their will. Such conduct amounts to modern-day slavery, also known as trafficking in persons.

## The Importance of Identifying the Crime

Human trafficking is not always easy to detect. As these two cases demonstrate, trafficking can masquerade as a variety of other offenses. However, it is important to identify modern-day slavery for what it is—an assault on fundamental human dignity. Local law enforcement officers are the first responders in the communities where such crimes occur and are therefore the key players in identifying and exposing these serious crimes.

## Human Trafficking Defendants Receive Big Sentences

Identifying trafficking crimes for what they are is an efficient way to punish effectively a variety of criminal activity. Time and again we have witnessed the frustration of local officers who arrest persons involved in vice or domestic violence offenses and spend countless hours completing paperwork, only to encounter the same offenders on the street in a matter of days. Lenient laws that enable perpetrators to get away with a mere slap on the wrist serve as a disincentive to enforcement.

By contrast, trafficking crimes carry hefty sentences. Consider the sentences meted out in *United States v. Jimenez-Calderon*, a recent sex trafficking case prosecuted by the Department of Justice and local law enforcement in Newark, New Jersey, a case that just as easily could have been prosecuted as a prostitution case. In *Jimenez-Calderon*, the defendants lured and transported young Mexican girls into the United States under false pretenses, and then forced them into prostitution, using physical violence and threats to maintain strict control over them. On August 7 of this year, two female defendants who supervised the victims were sen-

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■ Also in fiscal year 2005 and independent of the Bureau of Justice Assistance, COPS sponsored an additional 6 training sessions for nearly 700 law enforcement officers, non-law enforcement governmental officials, and community-based organizations.

■ The National Institute of Justice is supporting research that will provide a clear perspective on the current state of law enforcement's understanding of human trafficking. The research will identify current law enforcement responses to human trafficking, the implications of such responses for victims, and best practices and lessons learned by law enforcement and the partners with whom they collaborate on trafficking cases (e.g., victims services providers, attorneys, etc.).

■ The Office of Juvenile Justice and Delinquency Prevention, through the National Center for Missing and Exploited Children and the Fox Valley Technical College, provides training on topics such as child maltreatment, runaway and missing children, the protection of children, and domestic trafficking of children for sexual purposes. This training program has educated approximately 36,500 persons between 2001 and 2005.

■ The Bureau of Justice Assistance, in collaboration with the Office of Community Oriented Policing Services ("COPS"), initiated in fiscal year 2005 a program to educate local law enforcement to educate local law enforcement through the COPS Regional Community Policing Institutes at a cost of \$245,000. In 2005, COPS conducted three "train-the-trainer" sessions for 300 law enforcement trainers, including members of the then-existing 18 multi-disciplinary task forces, with the human trafficking curriculum developed by the Bureau of Justice Assistance. This program will be expanded in 2006 to hold at least 5 sessions, educating 5,100 law enforcement personnel.