



# Department of Defense Trafficking in Persons



Law Enforcement Intervention & Investigations  
Training Presentation

Human Trafficking is a problem that has plagued humanity from its existence. From the indentured servants of the Middle Ages to slavery in America, there are numerous dark examples of human trafficking throughout the course of history. It is a common misconception that slavery and forced servitude are a thing of the past. Unfortunately, these heinous crimes are committed on a daily basis abroad and in the United States. Sadly, some members of the Armed Forces, family members, DoD civilians, contractors and subcontractors participate in activities that directly and indirectly have an impact on endorsing human trafficking.

The Department of Defense has dedicated itself to aid in the fight to combat trafficking in persons.

As a result it is your responsibility as a DoD law enforcement official to understand the complex nature of the problem and develop proactive ways to properly identify, intervene, and investigate. All of these tasks will aid significantly ~~aid~~ in the fight against Trafficking in persons.



# Purpose of Training

The first step in combatting trafficking in person is completing this training. This presentation has been designed specifically for DoD law enforcement officials. It will provide you with the essential tools to:

- Understand human trafficking and its relevant laws
- Identify the crime of human trafficking
- Communicate with Victims of Human Trafficking
- Realize your role and responsibilities as a DoD law enforcement



# Understanding Human Trafficking

# What is Human Trafficking?

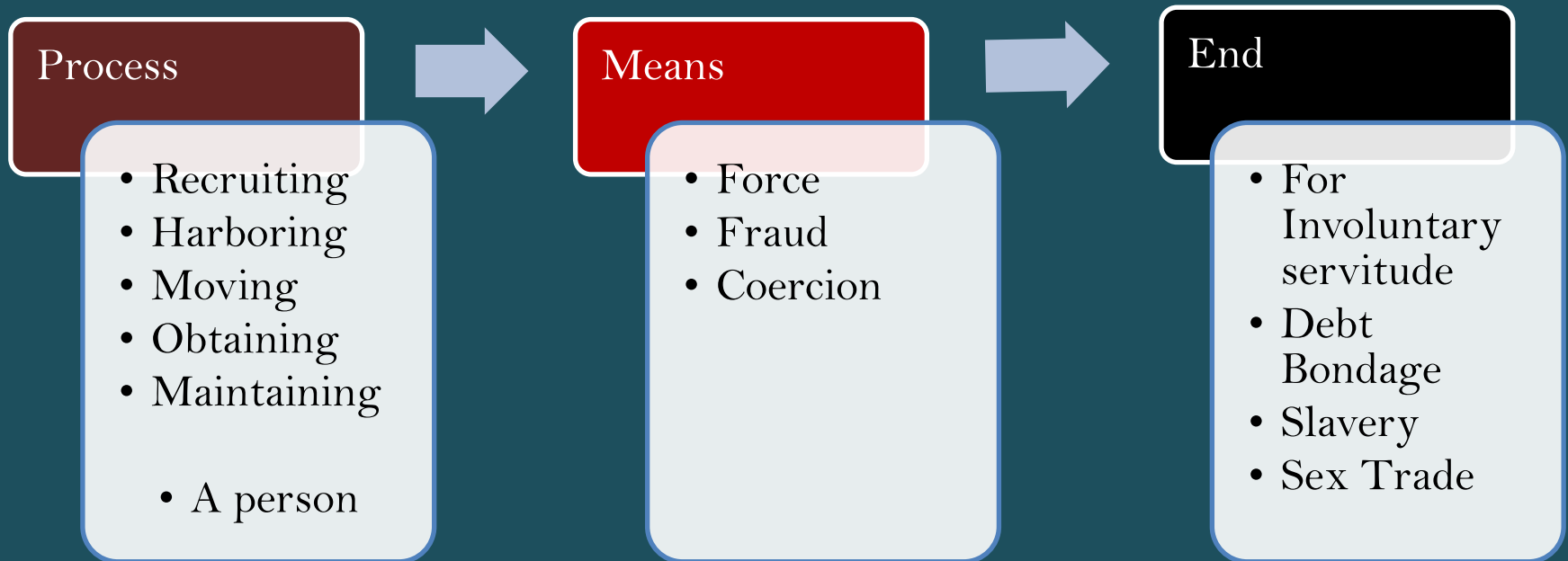
Human Trafficking is a devastating human rights violation and is a form of modern slavery.

It is the fastest growing criminal industry in the world today, often operated by organized crime.

Traffickers use force , fraud, or coercion to enslave their victims.



# How Human Trafficking Works



There are two major forms of trafficking:

- Forced Labor
- Sexual trafficking

# Forced Labor

Forced labor is defined as the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.





Forced Labor occurs in various forms :

- Domestic servitude such as nannies and maids
- Sweatshop factories
- Janitorial jobs
- Construction sites
- Farm work
- Restaurants
- Panhandling



# Sexual Trafficking

Sex trafficking occurs when a commercial sex act is induced by force, fraud, or coercion, or in which the person is induced to perform such an act if under the age of 18.

Victims of sex trafficking can be found working anywhere but are most often in massage parlors, brothels, truck stops, escort services and strip clubs.



Sex trafficking operations are not confined to an underground market. Many of these operations occur in highly visible venues such as :

- Street prostitution
- Massage parlors
- Strip clubs

It can also occur in closed-brothel systems that operate out of residential homes.

As Law Enforcement Officers, it is your responsibility to determine whether these are actual criminals or actually victims forced into these situations.





# Who Are the Victims of Human Trafficking?



COFFEE

Human Trafficking is an horrific international problem, with an estimated 27 million victims trafficked across international borders.

Human trafficking is not just an international problem but a problem that plagues the United States.



The U S Department of State estimates that between 18,000 and 20,000 victims are trafficked into the United States annually.

- Within the United States both citizens and non-citizens fall prey to traffickers.
- More than half of the victims are children.
- 100,000-300,000 children are prostituted in the United States.



# How Are Victims Trafficked



## Force

Beatings, rape  
confinement

## Fraud

False and deceptive  
offers of employment,  
marriage, better life

## Coercion

Threats of  
physical harm  
or threatened  
abuse of the  
legal process



# Myths of Human Trafficking

# Human Trafficking is Another Word for Smuggling

MYTH #1



There are many fundamental differences between the crimes of human trafficking and human smuggling. Smuggling is a crime against a country's borders, whereas human trafficking is a crime against a person.

## Trafficking

- Is not voluntary
- Entails exploitation of a person
- Need not entail physical movement of a person
- Can occur domestically
- Is a crime against the right of each person to be free from involuntary servitude

## Smuggling

- Is voluntary – individual typically contracts to be taken across a border
- Ends after border crossing
- Fees are usually paid in advance or upon arrival
- Is always international in nature
- Is a crime against the nations sovereignty

Law enforcement must understand the difference between trafficking and smuggling. If we don't understand this difference it is very easy to treat legitimate trafficking victims as criminals thereby increasing their victimization.

# All Prostitutes Are Willing Participants

## MYTH #2



There is an overall misconception that all prostitutes are willing participants.

Victims of trafficking may be perceived as prostitutes because they often do not initially self-identify as victims.

As a law enforcement officer it is your duty to look past the title of prostitutes. You may find an innocent victim in need of help and protection.



# What Really Happens to Most Prostitutes?

- ID taken, raped & beaten into submission
- Disease (STD/STIs, HIV/AIDS, hepatitis, etc.)
- Drug & alcohol addiction
- Starvation, poor health & nutrition
- Dangerous working conditions
- Crippled or malformed
- Scarred by violence & torture
- Internal organ damage (cervical cancer)
- Unwanted pregnancy / abandoned children
- Mental abuse (low self-esteem)
- Humiliated/degraded (forced into pornography)
- Suicide
- Death threats, threats to family members
- Murdered



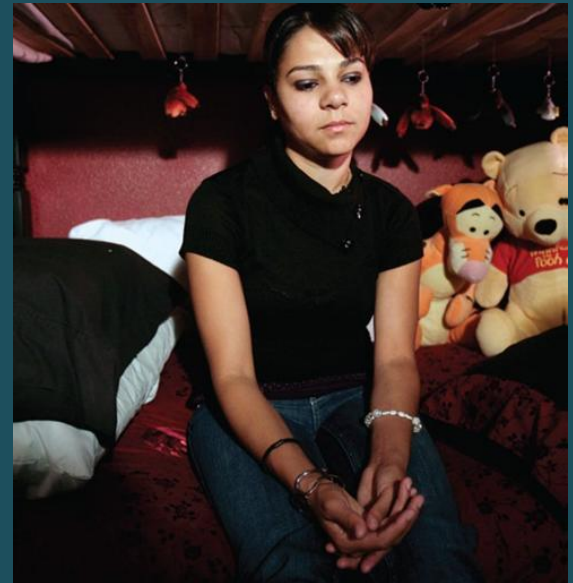
# Prostitution Fuels Trafficking

Research confirms a direct link between Prostitution and Human Trafficking. In fact, prostitution and its related activities, including pimping, pandering, and patronizing or maintaining brothels, contribute to trafficking in persons by serving as a front behind which traffickers for sexual exploitation operate. A most of the vast profits generated by the global prostitution industry go directly into the pockets of human traffickers.

Source: 2004 State Department Annual Trafficking in Persons Report

# Victims of Trafficking Will Immediately Seek Help or Self-identify as Victims of a Crime

**MYTH #3**



Due to the lack of trust, self-blame, or training by the traffickers, victims do not immediately seek help or self-identify as victims of trafficking.

# Mindset of Trafficking Victims

- As law enforcement officers interacting with potential victims of human trafficking, it's important for you to keep in mind where the victim is coming from and what their mindset is when they come in contact with you.

## Frequently victims:

- Do not speak English and are unfamiliar with U.S. culture
- Distrust outsiders, especially law enforcement – fear of deportation
- Do not self-identify as victims; often blame themselves for predicaments
- Although many victims have been beaten and/or raped, current situation may still be better than where they came from
- May be unaware of rights or may have been intentionally misinformed about their rights in this country
- Fear for safety of families in their home countries, who are often threatened by traffickers

It is important to avoid making a snap judgment based on the first interviews and to understand that trust will take time to develop. Continued trust-building and patient interviewing is often required to get the whole story.

# All Participants Involved in Human Trafficking Are Criminals

MYTH #4



Frequently persons identified/encountered in criminal investigations are assumed to be criminals, not victims.

As a law enforcement officer you may have difficulties distinguishing between perpetrators and victims when coming upon crime scenes. Later on in this presentation, we will discuss strategies to identify victims of human trafficking and how to manage them first as victims, then as witnesses.



# Human Trafficking Is A Crime Prosecuted Only at Federal Level

## MYTH #5



During the course of committing trafficking crimes, traffickers frequently commit state crimes such as murder, kidnapping, battery, assault, sexual battery and false imprisonment.

The best way to successfully prosecute a human trafficking case is through a collaboration between local law enforcement, Federal authorities and social service providers. Of course, this isn't the only way, but the Feds and social services will eventually have to get involved anyway, so to proactively involve them is a more effective strategy.



# Overview of Human Trafficking Laws

# Trafficking Victims Protection Act

Law addresses three key areas:

- **Prevention**

- *Public awareness and education*

- **Protection**

- *T visa, certification, benefits and services to help victims rebuild their lives*

- **Prosecution**

- *New law enforcement tools and efforts*



The TVPA was enacted to deter human trafficking

# Prevention

- The law authorizes **prevention** efforts that include public awareness and education programs.

# Protection

- **Protection** and assistance for victims of trafficking under the law includes legal assistance and interpretation, job training and counseling programs. The TVPA establishes a new visa status, the **T visa**, which allows victims of severe forms of trafficking to become temporary residents of the United States. The T visa signifies a shift in the immigration law policy, which previously treated victims of trafficking as illegal aliens subject to deportation. The T visa is a critical tool as it will help keep victims in the United States legally so they can cooperate with you and serve as witnesses for the prosecution.

# Prevention

- The law authorizes **prevention** efforts that include public awareness and education programs.



# Prosecution

- New law enforcement efforts are now available through the law, making it easier to **prosecute** traffickers who are identified and convicted of trafficking offenses, which I will talk about more on the next slide.
- The law makes victims of severe forms of trafficking eligible for **benefits and services** under Federal or state programs once they become **certified** by the U.S. Department of Health and Human Services. Once certified, trafficking victims will be eligible to apply for benefits and services under any Federal or state funded programs, to the same extent as refugees. Certified victims are also eligible for refugee cash, medical assistance and social services.
- Victims under 18 years of age do not need to be certified in order to be eligible for benefits and services. For these victims, the Department of Health and Human Services issues a “Letter of Eligibility” so that they have proof of eligibility for federally funded and administered benefits and services.
- Victims of human trafficking who are **non-U.S. citizens** are eligible to receive benefits and services through the TVPA to the same extent as refugees. Victims who are U.S. citizens, do not need to be certified by HHS and are already eligible to receive many of these benefits.

# How TVPA Affects What You Do

- Creates new laws that criminalize trafficking regarding slavery, involuntary servitude, peonage or forced labor
- Permits prosecution where non-violent coercion was used to force victims to work in belief they would be subject to serious harm
- Permits prosecution where victim's service compelled by confiscation of documents such as passports or birth certificates
- Increases prison terms for all slavery violations from 10 years to 20 years; adds life imprisonment where violation involves death, kidnapping, or sexual abuse of victim
- Requires courts to order restitution, forfeiture of assets upon conviction
- Enables victims to seek witness protection, other types of assistance
- Gives prosecutors and agents new tools to get legal immigration status for victims of trafficking during investigation, prosecution

# How TVPA Affects What You Do

There are ways for you to use the TVPA to prosecute crimes associated with human trafficking at the state and local levels.

- Often traffickers break state laws such as:
  - *Murder*
  - *Kidnapping*
  - *Battery*
  - *Assault*
  - *Sexual battery*
  - *False imprisonment*
  - *Prostitution*
  - *Promoting prostitution*



# TVPA Reauthorized in 2003 and 2005

- In 2005, Trafficking Victims Protections Reauthorization Act (TVPRA) emphasized the reduction of sex industry demands.



- TVPRA provides fresh resources to assist victims of trafficking and even further strengthens the law enforcement tools designed in the original law:
  - TVPRA adds human trafficking to the list of racketeering offenses covered under the Federal Racketeer Influenced and Corrupt Organizations Act (RICO Statute) and allows trafficking victims to sue their captors in Federal courts.
  - New laws strengthens legal elements of TVPA
    - *Sex and labor trafficking now considered offenses under RICO statute*
    - *Encourages nation's 21,000 law enforcement agencies to investigate cases of trafficking*
    - *Brings important attention to reduce demand for commercial sex acts that fuel sex trafficking*

# William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008

On December 23, 2008, the William Wilberforce Trafficking Victims Protection Reauthorization Act (WWTVPRA) of 2008 was signed into law. This law reaffirms and strengthens the U.S. Government's commitment to fight human trafficking and labor abuses in all their forms.

The Act makes several changes to nonimmigrant visa classification criteria, visa processing requirements, and the grounds for inadmissibility under Immigration and Nationality Act section 212(a)(2)(H).





# Identifying the Crime of Human Trafficking

Due to the covert nature of the crime, human trafficking will likely come to your attention indirectly.

In situations of possible human trafficking, victim identification can be one of the most challenging tasks for law enforcement officers.

As a law enforcement professional, you may have to rely on your instincts to pick up on “red flags” indicating that someone might be a perpetrator or victim of trafficking.







# Red Flags

POTENTIAL TRAFFICKING  
INDICATORS

A person who is trafficked may look like anyone you encounter at a crime scene, but sensitively asking the right questions and looking for small clues will help you identify those people who have been fraudulently induced, forced or coerced into a life of sexual exploitation or forced labor



The following slides depict some of the major red flags to keep in mind when indicating a potential situation of a victim of human trafficking. Taken individually, each indicator may not necessarily imply a trafficking situation.

When you encounter circumstances that raise suspicion remain vigilant for the possibility of human trafficking.

## Common Work and Living Conditions



The individual in question

- Is not free to leave or come and go as they please
- Is under the age of 18 years of age and is providing commercial sex acts
- Is in the commercial sex industry and has a pimp/manager
- Is unpaid or paid only through tips
- Works excessively long and/or unusual hours
- Is not allowed breaks or suffers under unusual restrictions at work
- Owes a large and/or increasing debt and is unable to pay it off
- Was recruited through false promises concerning the nature and conditions of their work
- Is living or working in a location with high security measure (e.g. opaque or boarded-up windows, bars on windows, security cameras etc.)

## Poor Physical Health



The individual in question

- Exhibits unexplained injuries or signs of prolonged/ untreated illness or disease
- Appears malnourished
- Shows signs of physical and/or sexual abuse, physical restraint, confinement, or torture

## Lack of Control



The individual in question

- Has few or no personal possessions
- Is not in control of their own money, and has no financial records
- Is not in control of their own identification documents (i.e. passports)
- Is not allowed to speak for themselves

## Poor Mental Health or Abnormal Behavior



The individual in question

- Exhibits unusually fearful, anxious, depressed, submissive, tense, or paranoid behavior
- Reacts with unusually fearful or anxious behavior at any reference to law enforcement
- Avoids eye contact

## Other

### The individual in question

- Has been branded by a traffickers (i.e. a tattoo with the traffickers name)
- Claims to be “just visiting” and is unable to clarify where they are staying.
- Has numerous inconsistencies in their story







# Communicating with Victims of Trafficking

Effective communication is essential in gaining trust of victims as well as defining their immediate needs.



Once you think you have encountered a crime scene involving human trafficking, before you begin to question the victim take into consideration the victims' mindset. You should convey messages to reassure them that they are in safe hands.

Keep in mind the victims cultural and social background as these traits will impact the way victims should be managed as witnesses, as well as the way the investigation of their cases is carried out.

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## Communication Tips





First and foremost, law enforcement officers will need to keep in mind that most victims fear deportation. Once it is revealed that the victim does not have their legal identification, they will expect you to charge them as illegal immigrants and have them deported back to their country of origin.

Many of these victims' current situation may actually be better than where they came from. Therefore, it will be important for you to convey to the victim that they are safe and that they will not be deported.

The next slide illustrates some characteristics of the victim's mindset and offers some messages to convey to victims to reassure them.



# Communicating with Victims of Human Trafficking

- Fear of deportation  The TVPA authorizes special visas and other forms of immigration relief to certain trafficking victims
- Does not Identify as Victim  You are a victim, not a criminal.  
What is happening to you is wrong
- Distrust of law enforcement  We can help get you what you need.  
We can protect you. You can trust us  
  
You have rights. You have the right to live without being abused
- Unaware of rights 

# Communication Tips

It's critical for you to convey that

- You can protect them and help them to obtain the assistance they need.
- They do have rights and that they may be entitled to receive benefits and services to rebuild their lives.
- These communication tips will help you gain the trust of the victim and will help with the transition from victim to witness



# Key Questions for Victims of Trafficking:

Should you encounter a person who may be a victim of human trafficking, there are key questions you can ask that may help you to properly identify that person as a victim and can help you build a criminal investigation.

- How did you get here?
- Where do you live, eat and sleep?
- Do you owe someone money?
- Is someone keeping your legal/travel documents?
- Were you threatened if you tried to leave?
- Has your family been threatened?
- Were you ever physically abused?
- Were you ever forced to stay in one place?
- Who are you afraid of?



Asking these questions can help you make the distinction between victim and criminal.

# Protocol for Successful Interviews

- Be aware that traffickers might not be easy to distinguish from victims
- Educate yourself on trauma, its impact and effects
- Adopt a compassionate and non-judgmental attitude
- Conduct interviews individually and in private
- When an interpreter is needed, use a skilled interpreter
- Don't begin the interview with documentation or legal status – this may frighten the victim
- Do not ask “Are you a slave?”; “Are you a trafficking victim?”
- Allow interviewees to describe what happened to others before focusing on their own suffering
- Provide victims the opportunity to tell their story in their own way

An effective method for obtaining cooperation of a victim of human trafficking is to put their needs first.





# Victims of Trafficking and Their Needs

- A successful investigation and prosecution of a human trafficking case is victim-centered.
- Although capturing and convicting the trafficker are top priorities, it is more strategic to put the safety, education and concerns of the victims first throughout the case investigation and prosecution.



# Victims of Trafficking and Their Needs

There are four general areas of victim needs:

- **Immediate assistance**
  - *Housing, food, medical, safety and security, language interpretation and legal services*
- **Mental health assistance**
  - *Counseling*
- **Income assistance**
  - *Cash, living assistance*
- **Legal status**
  - *T visa, immigration, certification*



Trafficking Victims Protection Act and the William Wilberforce Trafficking Victims Protection Reauthorization Act authorizes special benefits and services to adult victims who are willing to cooperate in the prosecution of their traffickers and to minor victims regardless of whether they are willing to cooperate.

These benefits and services include

- Legal
- Healthcare
- Counseling
- Housing
- Food
- Medical
- Cash and employment assistance.





# Pondering Points

## Scenario 1

It is the 4<sup>th</sup> of July, you are a police officer at a checkpoint on a country road. Far in the distance, the sound of tires screeching breaks the silence and a van approaches at a high speed. Stopping the van, you approach it to question the driver. Four young girls are in the van with him. The driver is friendly, but the girls are frightened.

Is this suspicious?

## Scenario 2

There has been a break-in at the home of a Major. His home is located on base housing. You have been called to the scene and are greeted by the owner. You notice that the owner has a housekeeper. The housekeeper appears to be very young. She does not make eye contact and has numerous bruises on her arms. When you ask the housekeeper a question, the businessman automatically answers on her behalf. You have an uneasy feeling.

Is there an explanation?



# Role of Law Enforcement Officers

You, as a local law enforcement officer, are the first line of defense in combatting human trafficking.



Because most often you are the first responder or the first to encounter individuals at a scene of a crime.



As local law enforcement officers, it is your role to discern whether a crime scene is a human trafficking scenario.

This task is vital to building a case.

# What You Should Be Doing



- Keep doing what you're doing
- Take a closer look – beneath the surface
- Help build and prosecute crimes
- Cooperate with attorneys, Judge Advocate General (JAG), social services and other Federal authorities
- Call **Trafficking Information and Referral Hotline, 1.888.3737.888**, to connect victims to services they may be eligible to receive. For more information on human trafficking visit [www.acf.hhs.gov/trafficking](http://www.acf.hhs.gov/trafficking)



# Success Story

On November 7, 2002, Officer Randy Shedd of the Washington, D.C. Metropolitan Police identified a 17-year-old runaway child engaged in prostitution. While speaking with the girl, Officer Shedd noticed a man, whom he believed to be the girl's pimp drive by in a blue Lincoln with New Jersey tags. Placing a lookout on the vehicle, D.C. police stopped the driver, Carlos Curtis 27, within several hours. Curtis was with a 26-year-old woman and a 12-year-old runaway child, both of whom had been recruited for prostitution. Curtis brought them from New York to D.C., promising to provide shelter, food, and clothing. Pornographic photos of the woman and girls were found in the vehicle. Curtis was found guilty of federal crimes of sex trafficking of children, transportation of a minor for prostitution, transportation of a person for prostitution and possession of child pornography. He was sentenced to life in prison.



# Department of Defense

*presents*



*for*

## *Successfully Completing Combating Trafficking In Persons (CTIP) Law Enforcement training*



*Under Secretary of Defense  
For Personnel and Readiness*

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