



National Institute of Justice

Trafficking in Persons Summary of Focus Group Discussion

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Trafficking in Persons Summary of Focus Group Discussion

Hosted by the National Institute of Justice, International Center.

This summary represents highlights of the discussion and is not a verbatim transcript. Recorded comments belong to the speakers alone and do not reflect official positions of the U.S. Department of Justice. On this page find:

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Introduction

Representatives from several federal government organizations were hosted by the International Center of the National Institute of Justice (NIJ), U.S. Department of Justice. Many attendees represented offices housed in the U.S. Department of Justice (DOJ) -Office of Justice Programs, Office of Policy Development, Immigration and Naturalization Service, Criminal Division, Civil Rights Division, Office for Victims of Crime, Federal Bureau of Investigation, Violence Against Women Office, Child Exploitation and Obscenity Section, Interpol, and other sections - but the meeting also included U.S. Department of Labor, USAID, U.S. Department of State, and the U.S. Customs Service (Treasury). Approximately 30 people attended this meeting on trafficking in human persons.

The Director of the NIJ International Center explained to the group that the International Center had received a small sum to conduct research on trafficking of women and girls, and NIJ wanted to discover what information organizations have on this subject and what priority research needs people in the field perceive. He told participants not to reject possibilities due to concerns about confidentiality or limitations of the initial funding.

Most current research on trafficking has resulted from interviews of women who were victimized in connection with the sex industry. The Director of the International Center said this source is a somewhat narrow one, and NIJ would like to move beyond a victim oriented focus and improve the research by "triangulating," or validating aspects of the information using other kinds of sources, possibly law enforcement at different levels in this country and abroad.

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Research Needs

The group discussed the recent trafficking incident relating to China. If the proposed research focused on girls and women, it would not have relevance for that type of event (which involved 90 percent boys and men). Present research information relates primarily to trafficking of women and children for sex purposes. There is very little known about the category of forced labor.

Anita Botti , Chair, President's Interagency Council on Women, U.S. Department of State, asked who would be the primary users of the research product? The scope of the research and the

geographic area to be considered would influence how useful the information could be. For traffic into the United States, looking at the entry of women and children would make the most sense. Different international protocols apply for smuggling of aliens and trafficking of persons. In the early stages of an investigation, she said, it is difficult to tell which process is happening. She did not consider it necessary to remove men from the study object, but it may be more important to draw a distinction between trafficking and smuggling.

Lou DeBaca , Criminal Section, Civil Rights Division, DOJ, suggested formulating the research in relation to the new legislation, rather than following existing research patterns on sex trafficking. There could be two pieces: one to yield an idea of the scope of trafficking for forced labor, and one to describe specific harmful effects and reduction responses that are undertaken, using law enforcement resources. Part of this second section might consider the way people escape from trafficking schemes, problems of people "liberated," situations of PTSD or other health problems, problems with repatriation, economic circumstances, etc.

The NIJ International Center Director agreed that this kind of research (qualitative and oriented to specifics rather than aggregate numbers) would be interesting and could fill a gap. As more trained federal agents are working on this kind of crime, the numerical reporting and general scope information should improve anyway. Specific details, which can aid policy decisions for people who are escaping trafficking situations, would be valuable.

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Anne Veysey, Immigration and Naturalization Service, U.S. Department of Justice, said there were issues to clarify both for prosecution of the crime and for prevention. Any study that would help law enforcement resources in the U.S. to better target their effort and resources would be effective. For example, what industries, locations, or mechanisms are involved? Is forced labor used for certain industries (other than prostitution as an "industry")? Mr. DeBaca agreed that bringing together these two angles (outreach for victims and help for law enforcement) would meet the priorities of the Attorney General. He said it would add to knowledge about the kind of help that gives certain people the strength to get out of trafficking schemes, and it would (for law enforcement) give details on patterns or tactics used by traffickers.

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Types and Sources of Information

Martin Renkiewicz , Senior Special Agent, Interpol, DOJ, told the group about a meeting held by Interpol in February of this year. About 60 to 70 countries (both source and transit countries where trafficking is common) participated in the event and many dedicated officers, he said, participated and showed concern for victims. Interpol will hold another similar meeting in about six months.

Ms. Botti noted that the CIA and FBI both follow this topic and collect aggregate information. State Department also has internal reviews, prepared regularly, that contribute information on trafficking for reports on consular affairs, intelligence/research, and human rights. CIA has a large tabulation of information concerning the source countries (degree of problem, etc.). But this existing report does not address victim services or what happens to trafficking victims in the United States who want to

return to their countries or establish residence and work. By combining information with health and human services, both areas (victim measures and law enforcement approaches) could be examined at the same time.

Wendy Patten , Senior Counsel, Office of Policy Development, DOJ, said that the research funding was too small for a broad scope research project (such as the one that produced the CIA tables); a targeted project for law enforcement, particularly for known geographic areas where substantial trafficking occurs (such as Los Angeles) could be effective for disrupting and prosecuting illegal networks.

Katherine Blakeslee, Office of Women in Development, USAID, suggested a small, focused study on the ways in which recruitment occurs. More comprehensive information about source countries would help to coordinate prevention efforts. The NIJ International Center Director said the funding really would serve mainly as a "beginning" for this kind of research. There would also eventually be support for research and evaluation of victims' services under the trafficking legislation when Congress appropriates funds for this.

Mr. DeBaca noted that, time after time, certain law enforcement agents succeed with this type of case. These are usually the same people, and they would have best practices information that could be shared. Many times, such an investigator is able to make a case in circumstances where others have not even noticed that trafficking exists. Ms. Patten agreed, mentioning people in the local Los Angeles INS offices who had much information about addressing these challenges.

Ms. Patten referred to the information and intelligence center that is being set up in the Department of State's Bureau for International Narcotics and Law Enforcement Affairs (INL). This is planned as a support to the new legislation. It will be preparing usable trend and tactics information and will take over the tracking of "minimum standards" compliance (for countries interested in or already receiving U.S. aid). A task force (State, Labor, HHS, and DOJ) will support this new office. This was announced last December and is already in initial development at State's INL offices.

James Chaparro , Director, Smuggling and Criminal Organizations Branch, Immigration and Naturalization Services, DOJ, said the study could be expanded if it included some of the law enforcement organizations in source countries. Data on visa applicants, if available, could show useful information. Mr. Renkiewicz suggested using area Interpol databases, which have information from 178 member countries. The study could, for example, focus on data from the Southeast Asia. Interpol would be interested in a cooperative effort, but does not want any funds from NIJ.

Some information on trafficking has been gathered through the NIJ's cooperative efforts with U.S. and Ukrainian criminal justice authorities. The impact of a related effort, the distribution of multi-language leaflets in source countries connected to trafficking, has not been studied. In many trafficking cases, there are big problems related to repatriation: HIV infection or other health/cultural issues can make it difficult for the person to be accepted back. Non-government organizations (NGOs) play an important role and have agreed to help in many circumstances where governments could or would not. For research purposes, follow-up mechanisms from NGOs could yield important foreign country information to the United States.

Ms. Blakeslee, USAID, said that the situation in source countries is often very complicated. What help can be offered at the source country level? Many kinds of information, such as the character of local job potential, economics, and the use of personal or family networks, would be necessary to really study the problem and the impact of measures taken. People getting caught in trafficking schemes may be think they will "beat the odds" and find a good job after all. Some countries that

are big recipients of U.S. aid may be on the list as "not meeting minimum standards." It is not simply a question of people getting into the United States illegally.

The International Center Director said, in terms of prevention efforts, useful information could possibly be collected from law enforcement in source countries. Geographic locations are important, understanding the specific country context. Another participant recommended using team interviews of investigative agents and victims. They could be asked what might have prevented the crime and, respectively, why the victims become involved.

Marsha Liss , Child Exploitation and Obscenity Section, Criminal Division, DOJ, said that domestic abuse and recruitment through friends are often factors for persons who become involved as victims in trafficking schemes. Ms. Veysey said these are traditional factors for "illegal migration," but the government has to be realistic about disrupting "push-pull" issues.

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Previous Research on Trafficking

Leora Rosen , Senior Social Science Analyst, NIJ, gave a brief overview of the recently completed research report sponsored by NIJ on sex trafficking. The research looked into sex trafficking of children and trafficking in relation to the countries of China and Ukraine (in the latter, cooperative arrangements have been established with the criminal justice authorities). The principal investigator was Janice Raymond. Based on 112 interviews with survivors, and talks with law enforcement, health care workers, and 43 other social service providers, the study collected observations of how the "sex industry" works, what the background of involved women and children was, how activities were initiated and controlled, and what health effects and coping mechanisms the women experienced. The sample must be considered very small in relation to the size of the phenomenon, and the amount of information on the source countries was not large.

Dr. Rosen spoke about the role of members of the U.S. military, as servicemen have returned from countries where there is much prostitution. Sometimes women came into the U.S. as wives and were "put to work" as prostitutes or have left the marriage and gone into the sex industry. For those interested in the final report on this work, NIJ has copies; and the document will be made available through the National Criminal Justice Reference Service. Another NIJ project on trafficking, connected to liaisons in Ukraine, also has a website where routine and anecdotal information can be gathered.

Mr. Chaparro discussed INS's "Borderline" report, an information source distributed daily in electronic format. This also has a section of information on trafficking; and he offered to take a list of names for those in the meeting who would like to receive it, noting that it was for limited official use.

The International Center Director spoke about the Ukrainian project, referring to its focus on organized crime. Ukrainian counterparts were interested, like justice authorities in the U.S., in testing the validity of information and gathering more rigorous research. The final report on this work should be complete in June 2001 and is planned for release in September. Research teams will be visiting Washington, D.C., to hold mutual briefings on the project.

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Open Discussion and Summary

The NIJ International Center Director asked the meeting participants to recapitulate the main points of the discussion, particularly concerning the focus of the new research and availability of existing information. He noted that there was consensus about including a focus on trafficking for forced labor and using information resources from law enforcement people in the field who were having good results with this type of criminal case. In addition, there was interest in examining victim impact (what is needed and what is being done for them).

A participant noted that there was very little information for prevention efforts in source countries. What factors surround this, what makes people vulnerable, and what outreach helps victims? It would also be useful to know more clearly who is involved in recruitment (into trafficking schemes) and what efforts to counteract this have been effective?

Targeting of law enforcement resources continues to be important. To capture information from people in the field systematically (particularly those with good results in international trafficking cases) would be valuable. Using current knowledge of local and overseas law enforcement, perhaps a "best practices" manual could be pulled together. Another suggestion was to compile an international contacts list for law enforcement working on similar cases.

Jane Walstedt , Women's Bureau, U.S. Department of Labor, said that victims of trafficking often need counseling (possibly for PTSD or critical incidents) or assistance with employment, housing, or repatriation. When persons are identified as victims in criminal cases, what can or should be done for them? Are their needs different from those of other kinds of immigrants? Collecting information about the women's interests or avocations sometimes helps victims find skills to pursue for a new start.

Edwin Zedlewski , Acting Deputy Director, Office of Development and Communications, NIJ, said it would be a clear advantage if the research could help raise the probability of detection of trafficking schemes. Among federal agency organizational structures, where would one look for data that could flag circumstances that might relate to illegal trafficking?

The Director of the International Center noted that participants were saying that information was available on the subject of trafficking; but he asked how it was available? Were the tabulations that had been mentioned only for the CIA or could they be used more broadly? Under what circumstances would researchers be permitted to access this information? If these questions could be answered, it would show where gaps in information exist. Mr. Chaparro said the identity of the information user would have to be defined.

Pat Gibbons , U.S. Observer for Trafficking in Human Beings, Federal Bureau of Investigation, DOJ, noted that the communications "duct" for this information is basically a law enforcement one; but there are people in the community who are permitted access, both on paper and through the Internet. A State Department participant said recipients should be "friendly" parties who share U.S. concerns. For using the "Borderline" communication from the U.S. Customs intelligence office, prepared by agents in the field, the agency would require knowledge of recipients. The information has an archive and can be searched, but it does have restrictions on its use. Ms. Botti recommended review of a recently published 42-page document on detection and prevention of prostitution in various countries. Mr. Gibbons said he thought the EU had posted information about this on the Internet.

Consular Affairs of the State Department, also produces a monthly intelligence communication and a "fraud digest." These are received by other parts of Justice (INS) and a few law enforcement organizations (U.S. government only). This publication covers alien smuggling and trafficking among other topics. Ms. Botti added that the consular information comes from embassies and consuls as well as diplomatic security, meeting records, and other INS or FBI sources. Mr. DeBaca said that location of information within the FBI resources depended on the "entry point." For example, an investigation (with information on trafficking) could come in as a vice squad effort, anti-smuggling, crime against persons, or organized crime. If all of these angles are not captured, the information will not be thorough; and this means a huge undertaking. It is, in effect, what the CIA had done.

The Director of the International Center asked about closed cases. Would it be useful to look at past prosecutions? Dr. Zedlewski noted that the DOJ Criminal Division might have this information, but it would probably not be comprehensive. Ms. Patten added that it would be desirable to get reports from NGOs and primary sources such as Human Rights Watch, UNICEF, and the U.N. Mr. Chaparro said that data on prosecutions would not necessarily show a distinction between smuggling of aliens and trafficking. There are many cases in "deferred action status." Ms. Patten asked Ms. Walstedt from Labor whether investigations of worksite violations produce information relevant to trafficking cases. Ms. Walstedt was not sure if immigration compliance information had been collected, although a new task force under the recent legislation is preparing to collect immigration information to report to Congress.

Ms. Botti said a team approach, in an effort to pull together cases that might relate to trafficking could be valuable for law enforcement, in the U.S. and abroad. Some good information may also come from community-based NGOs that work with prostituted women or survivors of rape and abuse. The Director of the International Center suggested that systematic case studies be made, over a selected time period, in particular cities where a high volume of trafficking occurs. Mr. DeBaca noted that, due to changes in definitions of crimes, there is a paucity of such cases further back in time. This could affect research comparisons. Government attention to the treatment of trafficked people has increased. Mr. Chaparro said INS has been studying this area for decades, but public attention and awareness has recently grown.

Andrea Tisi, Counsel, Office of Policy Development, DOJ, said it has always been difficult to detect and rescue people caught in trafficking schemes. There are wide variations from one geographic area to another. For example, some persons are taken out and sent back to the Middle East; then they just vanish. With different kinds of prosecutions and information tracking in a geographic focus (a particular city or cities), the project could be manageable. Researchers may be able to make connections in the information that law enforcement has never been able to perceive.

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