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Final Report

**CALIBER**  
an ICF International Company

# Law Enforcement Response to Human Trafficking and the Implications for Victims: Current Practices and Lessons Learned

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## EXECUTIVE SUMMARY

### Introduction

Human trafficking not only crosses national and international borders, but also surfaces at the street level. Local law enforcement agencies often are the first to come into contact with this covert crime. As first responders, law enforcement agencies play a critical role in identifying and responding to human trafficking cases. However, little is known about how law enforcement agencies are organizing their response to human trafficking, or the capabilities of law enforcement to respond to the needs of trafficking victims.

The National Institute of Justice awarded a grant to Caliber, an ICF International Company to conduct an exploratory study to examine the understanding of human trafficking among law enforcement agencies currently working on the issue, provide an overview of how law enforcement agencies are responding to trafficking, and highlight the implications of this response for trafficking victims.

### Methodology

This study incorporated a multi-phased design for data collection:

- *Telephone Surveys and Key Stakeholder Interviews:* Telephone surveys were conducted with State and local law enforcement personnel in key cities across the country with known human trafficking activity. To supplement the surveys, interviews were conducted with supervisors and managers representing Federal, law enforcement and other key agencies.
- *Legal Case Reviews:* Comprehensive legal case reviews were conducted on a random sample of nine closed Federal trafficking cases to gather data on the role of law enforcement and other key stakeholders in the investigation and prosecution of these cases.
- *Discussion Forums:* On-site discussion forums were conducted with established three anti-trafficking task forces. The primary purpose of the discussion forums was to obtain additional data on task forces activities, how they are structured, and whether task forces are an effective way to combat human trafficking.

The information from the telephone surveys, key stakeholder interviews, case reviews, and discussion forums was analyzed using both qualitative and quantitative statistical techniques.

## **Key Findings**

### ***1. Telephone Surveys***

A total of 121 surveys were completed, with 32 percent of respondents having 0 to 1 year of experience in their current positions. Participant representation was greatest from the Southeast (25%) and Southwest (20%) regions. Sixty-six percent were State and local investigators, 26 percent were police/line officers, and 8 percent were victim-witness coordinators. Most respondents (65%) reported having only English language capabilities, with 22% reporting Spanish as a second language. Most respondents (60%) reported having worked on an average of 1 to 5 trafficking cases.

#### ***1.1 Knowledge of Human Trafficking***

- Almost half of the respondents (48%) learned about human trafficking through regular law enforcement activities, including roll call and on the job experience. Another 27 percent learned about human trafficking through various training events and conferences sponsored by the Federal government and non-governmental organizations. More than half (57%) consider themselves to be knowledgeable to very knowledgeable about the issue of human trafficking.
- When asked about their familiarity with the Trafficking Victim Protection Act (TVPA), 44 percent indicated they were familiar to very familiar. State and local investigators were evenly distributed with their familiarity of the 2003 TVPA reauthorization with 39 percent not familiar or reporting minimal familiarity and 29 percent familiar to very familiar.
- When asked to define human trafficking, respondents most commonly defined it as modern day slavery. Eighty percent indicated that there was a difference between the act of smuggling and trafficking.

#### ***1.2 Capacity to Address the Issue***

- Anti-trafficking task forces are one way law enforcement officials are addressing the trafficking issue. Sixty-three percent of respondents indicated that they were working with a task force. Another way of enhancing law enforcement's capacity to combat human trafficking is through legislation. The majority of respondents (59%) indicated their State had a human trafficking law in effect.

- When asked whether human trafficking was a serious issue in their communities, 36 percent indicated that trafficking was a serious or very serious problem. When asked whether human trafficking was a priority for their agency, 58 percent reported that human trafficking was a high or very high priority within their agency.

### *1.3 Types of Trafficking Victims Encountered*

Eighty-one percent of respondents indicated working with female victims, while only 19% have worked with males. When asked what type of trafficking was represented in their cases, the majority indicated forced prostitution, followed by domestic servitude, sex laboring, and agricultural labor.

### *1.4 Identifying Human Trafficking Cases*

- When asked how they learned of human trafficking cases, 32 percent of respondents indicated that many of their cases come to them during the course of other investigations. Thirty percent indicated receiving information about cases from citizens.
- When asked about the most common red flags in trafficking cases, responses varied and included evidence of restricted movement; nervousness when asked about how the person came to the United States, and lack of English speaking persons present in one establishment.

### *1.5 Law Enforcement Roles in Trafficking Cases*

- Respondents were asked what they saw as their primary role in working on cases of human trafficking. The most common roles identified for law enforcement were conducting covert/overt operations, following up on leads, and conducting surveillance.
- When asked about the role of Federal agents and victim service providers, 90 percent indicated that they were unclear of their roles during a trafficking investigation.

### *1.6 Current Practices*

- Respondents were asked if there were any formal protocols in place for identifying and responding to trafficking cases, 71% indicated that formal protocols are in place or are in the process of protocol development.

- When asked to determine, on average, the time spent on a trafficking case, 44% of respondents were unable to give an average because the amount of time varied depending on the case.

### *1.7 Challenges and Barriers in Trafficking Cases*

When asked what the primary barriers were to identifying and responding to trafficking cases, respondents noted victim distrust, lack of training, lack of resources, and lack of interpreters.

### *1.8 Needs and Services*

When asked about the special needs of trafficking victims and available services, 65 percent identified housing/shelter as the most needed service.

### *1.9 Challenges Working with Victims*

Sixty-three percent of respondents indicated it was a challenge to communicate with trafficking victims.

### *1.10 Training and Technical Assistance*

When asked where respondents received their training on the subject of trafficking, 45 percent reported receiving training from Federal law enforcement sponsored events. Respondents suggested training and technical assistance were needed on the TVPA and other laws, methods for identifying and responding to cases, and methods for interviewing victims.

### *1.11 Additional Resources Needed*

Regarding additional needs, respondents most often cited more education and training, more task forces, and more grants to assist in responding.

## **2. Key Stakeholder Interviews**

Telephone interviews were conducted with seven key Federal, State, and local senior managers and supervisors with 7 to 27 years of experience.

### *2.1 Identifying and Investigating Human Trafficking*

To identify human trafficking, respondents agreed that standard protocols were needed to guide officials in their efforts.

## 2.2 *Understanding Victims of Trafficking*

Respondents noted that, in working with victims of trafficking, law enforcement should consider their immigration status, language barriers, their lack of trust and fear of law enforcement, and the fact that victims of human trafficking might not view themselves as victims.

## 2.3 *Emerging Trends and Best Practices*

Heightened awareness of human trafficking and the growth of task forces were considered emerging law enforcement trends while quality training of local law enforcement on identifying and interviewing victims and conducting raids smartly were regarded as best practices.

## 2.4 *Training Needs*

When asked what their primary training need was, respondents cited better quality training at all levels of law enforcement. Specific areas included basic information on human trafficking, recognizing indicators, interviewing victims, and working collaboratively with other law enforcement and victim service providers.

## ***Legal Case Reviews***

An assessment of nine Federal human trafficking cases was conducted to identify commonalities in law enforcement involvement and response. Several themes and promising practices emerged from these case reviews:

- Learned about the crime through members of the community.
- Collaboration among law enforcement, prosecutors, and victim service providers.
- Law enforcement from all levels had an important role in helping the prosecution bring cases to trial.
- Victim-witness coordinators and local victim service providers were mentioned as playing an important role.

## ***Task Force Discussion Forums***

Data were collected from three nationwide task force discussion forums in California and Texas. The forums were designed to provide information on the goals and

objectives of the anti-trafficking task forces, characteristics of successful task forces, greatest challenges, greatest successes, and lessons learned.

- The goals and objectives of the task forces were similar and included: working collaboratively to identify victims and convict individuals engaged in severe forms of human trafficking, providing for the safety of victims and meeting their needs through quality service provision, and increasing task force presence within the community.
- The success of task forces was based on each member having something different to offer; being able to work together by getting to know, understand, and trust each other; and creating awareness of human trafficking within their own communities.
- Challenges included unique agency policies and procedures, the fact that human trafficking is a relatively new issue in most communities, and limited resources.
- Success included building trust among task force members, having agencies talk openly about the issue, ongoing collaboration between local law enforcement and non-governmental organizations, and additional training that resulted from the task forces.

## **Recommendations for the Field**

**Increase law enforcements understanding of human trafficking.** Though the crime recently has received public attention, some respondents reported that they still were not fully informed about the issue. By increasing awareness, law enforcement will continue to identify areas in which they need support, assistance, and information to better identify this crime and respond to its victims.

**Increase understanding of law enforcement's role in a human trafficking case.** Law enforcement has a crucial role to play in any human trafficking case. The data clearly suggested the need for more information on the roles of all law enforcement in the investigation of trafficking cases. Additionally, the role of law enforcement in helping victims of human trafficking should be addressed. Respondents indicated that law enforcement could benefit greatly from a better understanding of the law enforcement endorsement process and how the endorsement may affect the lives of human trafficking victims.

**Develop, refine, and share law enforcement specific protocols for identifying human trafficking victims and response techniques.** Respondents indicated that they were benefiting from human trafficking protocols in their daily law enforcement work. Ensuring the availability of such protocols across the law enforcement community would likely enhance investigators' and line officers' ability to detect a trafficking situation and improve their ability to work effectively with trafficking victims.

**Increase collaboration among law enforcement (Federal, State, and local), prosecutors, and victim service providers.** Working collaboratively with other agencies was important to address human trafficking adequately and meet the needs of victims. Through formal memoranda of understanding, data and information sharing protocols, and sharing policies, practices, and procedures, agencies can begin to learn the boundaries of their work, the work of others, and areas where they overlap.

## I. INTRODUCTION

Human trafficking not only crosses national and international borders, but also surfaces at the street level. Local law enforcement agencies often are the first to come into contact with this covert crime. As first responders, law enforcement agencies play a critical role in identifying and responding to human trafficking cases. The Trafficking Victims Protection Reauthorization Act of 2003 placed greater responsibility on law enforcement agencies to investigate and prosecute cases of human trafficking while coordinating with victim service providers to meet the unique and diverse needs of trafficking victims. However, little is known about how law enforcement agencies are organizing their response to human trafficking, or the capabilities of law enforcement to respond to the needs of trafficking victims.

The National Institute of Justice awarded a grant to Caliber, an ICF International Company to conduct an exploratory study to examine the understanding of human trafficking among law enforcement agencies currently working on the issue, provide an overview of how law enforcement agencies are responding to trafficking, and highlight the implications of this response for trafficking victims. Specifically, the study was designed to answer the following questions:

- How are law enforcement agencies organizing their response to human trafficking cases? What are current practices?
- What barriers/challenges do law enforcement agencies face in responding to human trafficking cases?
- What are the implications of law enforcement responses for trafficking victims?
- What barriers/challenges does local law enforcement face in coordinating/collaborating with Federal law enforcement agencies and victim service providers in responding to a trafficking case and meeting the needs of victims?

The following is a report of the findings from the *Study of Law Enforcement Response to Human Trafficking and the Implications for Victims: Current Practices and Lessons Learned*. It begins with a review of current literature on the issue of human trafficking, continues with a description of the research design and methodology of the study and presentation of the findings, and concludes with recommendations for the field and suggestions for future research.

## II. BACKGROUND AND UNDERSTANDING<sup>1</sup>

### 1. HUMAN TRAFFICKING DEFINED

The United Nations defines transnational crime as offenses whose inception, prevention and/or direct or indirect effects involve more than one country (United Nations, 2000). One type of transnational crime that is plaguing societies and communities is the crime of human trafficking. Historically, trafficking has been defined as the trade in women and children for prostitution or other immoral purposes (Europol, 2005). In 2000, the international community developed and agreed to a definition for trafficking in persons that can be found in Article 3 of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children:

“Trafficking in persons shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power, or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs (Europol, 2005, p. 10).”

During this same time, the United States Congress defined and classified human trafficking into two categories—sex trafficking and labor trafficking—in the Trafficking Victims Protection Act (TVPA) of 2000. Sex trafficking involves the recruitment, harboring, transportation, provision, *or* obtaining of a person for the purpose of a commercial sex act in which a commercial sex act is induced by force, fraud, or coercion, or in which the person forced to perform such an act is under the age of 18. A commercial sex act means any sex act on account of which anything of value is given to or received by any person. Labor trafficking is defined in the TVPA as the recruitment, harboring, transportation, provision, *or* obtaining of a person for labor services, through

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<sup>1</sup> This chapter was informed by Kevonne Small's doctoral thesis. Kevonne Small is a Ph.D. student at the American University located in Washington, D.C.

the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. Labor trafficking situations may arise in domestic servitude, restaurant work, janitorial work, sweatshop factory work, and migrant agricultural work. The term human trafficking thus encompasses both sex trafficking and labor trafficking. It is synonymous with trafficking in persons and trafficking in people and has commonly been called modern day slavery. Under the United State’s definition emphasis is placed on the presence of coercion, differential power among the trafficker and victim, and it does not require transportation or movement of the victim for the crime to occur.

## **2. LEGISLATIVE RESPONSE**

In the United States, various institutions and groups have made efforts on multiple fronts to combat the human trafficking problem. Legislators, law enforcement, prosecutors, immigrant advocacy organizations, legal advocates, faith-based organizations, victim advocates, and social service providers have responded with an array of prevention, intervention, and treatment strategies to address the crime. This review of the literature focuses on two primary strategies: Federal legislation and assistance for law enforcement.

### **2.1 Trafficking Victims Protection Act (TVPA) of 2000**

To help combat human trafficking, the U.S. Congress passed the TVPA (P.L. 106-386) on October 28, 2000. The TVPA was the first comprehensive U.S. law to address the various aspects of human trafficking (Cooper, 2002). The purpose of the TVPA was to “combat trafficking in persons, a contemporary manifestation of slavery whose victims are predominantly women and children, to ensure just and effective punishment of traffickers, and to protect their victims” (TVPA, 2000, 22 U.S.C. §7101(a)). The TVPA also recognized that, before its enactment, “existing legislation and law enforcement in the United States and other countries [were] inadequate to deter trafficking or to bring traffickers to justice, failing to reflect the gravity of the offenses involved” (TVPA, 2000, 22 U.S.C. §7101(a)) Thus, the TVPA was intended to help reduce the imbalance between the severity of the crime and the average length of criminal

sentences, supplement the inadequacy of similar U.S. laws, and begin to systematically and explicitly combat the issue of human trafficking in the United States and abroad. These goals were to be achieved through a three-tiered framework of prevention, prosecution, and protection.

### **Prevention of Trafficking in the TVPA**

Research shows that there are various factors that contribute to people becoming vulnerable to situations that may involve human trafficking. To help mitigate these factors in foreign countries, Congress directed the President to establish and implement international initiatives to enhance economic opportunities for potential human trafficking victims in their countries of origin (TVPA, 2000). Examples of these initiatives include micro-lending programs, job training and counseling, educational programs, public awareness programs, and grants to non-governmental organizations (NGOs) to accelerate and advance the political, economic, social, and educational roles of women in their home countries.

### **Prosecution of Traffickers in the TVPA**

The TVPA endeavors to provide Federal prosecutors with additional and stricter statutes under which to prosecute human trafficking offenses, sending a message to traffickers that the U.S. Congress is committed to apprehending and prosecuting traffickers so they can be punished for their crimes. For example, the TVPA broadens the definition of involuntary servitude as interpreted by the U.S. Supreme Court in *United States v. Kozminski*. In this case, the court held that violations of involuntary servitude must include threats or acts of physical or legal coercion. In the TVPA, Congress extended the definition of involuntary servitude to include non-violent coercion such as psychological coercion.

Lengths of imprisonment for human trafficking convictions were also increased. Prior to the TVPA, if convicted of involuntary servitude, a defendant was subject to a maximum prison term of 10 years. The TVPA stated that if convicted of human trafficking, a defendant could be sentenced up to 20 years in prison, and if death resulted

from any act of human trafficking, or if the violation included kidnapping and/or aggravated sexual abuse, the defendant could be imprisoned for any term of years up to life. Moreover, perpetrators who use children younger than 14 for human trafficking purposes can receive any term of imprisonment up to life. If the child is older than 14 but has not attained the age of 18, the maximum prison penalty is 20 years. The TVPA provides a maximum 5-year penalty for those who unlawfully destroy, conceal, remove, confiscate, or possess another's official documents (i.e., passport). The statute also permits a court to require a defendant to pay restitution to a victim of human trafficking for the full amount of the victim's losses as determined by a court. By increasing the authority of prosecutors in human trafficking cases, Congress hoped to deter human traffickers and realize a corresponding decrease in the prevalence of this crime.

### **Protection of Victims in the TVPA**

A primary goal of the TVPA was to address the protection of victims of human trafficking by affording them access to U.S. government benefits under Federal or State programs, regardless of their potentially illegal or undocumented status. The TVPA allowed victims who participate in the investigation and prosecution of their traffickers to apply for T nonimmigrant status (T-visa) and permanent residency and receive other benefits and services through grant programs. To be eligible for a T-visa, trafficking victims must meet certain criteria including: (a) the victim is or has been a victim of a severe form of trafficking in persons as defined in section 7102(8) of the TVPA; (b) the victim is physically present in the United States, American Samoa, or the Commonwealth of the Northern Mariana Islands, or at a port of entry thereto, on account of such trafficking; (c) the victim has complied with requests for help in the investigation or prosecution of traffickers or has not reached the age of 15; and (d) the victim would suffer extreme hardship involving unusual or severe harm upon removal from the United States (TVPA, 2000). In this instance, the TVPA works in conjunction with provisions in the Immigration and Nationality Act.

To implement the vision of the TVPA and the Immigration and Nationality Act, the U.S. Department of Justice (DOJ) and the U.S. Department of Health and Human

Services work together to certify trafficking victims through the Office of Refugee Resettlement. Certification is a process by which human trafficking victims are eligible to remain in the United States for a period of time. This certification allows victims to receive benefits including employment authorization, housing, mental health services, medical care, and Supplemental Security Income. These benefits can also be extended to a victim's family (derivatives) when appropriate. The Immigration and Nationality Act allows the Attorney General to grant derivative T-visas to the victim's spouse and children, and to the victim's parents if the victim is younger than 21 years of age (TVPA, 2000).

The TVPA also authorized the establishment of a task force and State Department office. On February 13, 2002, President Bush signed Executive Order 13257, which established a cabinet-level Interagency Task Force to Monitor and Combat Trafficking in Persons, and a specific agency, the Office to Monitor and Combat Trafficking in Persons, was created within the Department of State. Additionally, the TVPA requires the Secretary of State, with the assistance of the Interagency Task Force, to submit an annual report to Congress on the status of certain aspects of trafficking in persons, such as different countries' efforts to address and combat the issue. Overall, the passage of the TVPA represented a bold step by the U.S. government to adopt a modern approach to combating the crime of human trafficking both domestically and internationally.

### **Critiques of the TVPA**

Although the TVPA is widely regarded as a positive step toward addressing the global crime of human trafficking, scholars have offered various critiques and posed numerous questions surrounding certain structural aspects of the Act. With regard to the international standards and minimum thresholds that it sets for other countries, the TVPA has been accused of being culturally imperialistic by imposing U.S. requirements and values on other countries and cultures (Tiefenbrun, 2002). In addition, scholars have noted the lack of an enforcement component in the TVPA and question whether the Act has the power to truly enact and enforce its three-pronged strategy of prevention,

prosecution, and protection. Critics point out that while the Act has the potential to do much good, there is no guarantee that its provisions will be enforced.

Similarly, some voice concern about certain burdens of proof being placed on victims and the strict eligibility requirements to obtain a T-visa that the TVPA specifies (Clawson, Small, Go, & Myles, 2004). The TVPA has been criticized further for not providing adequate means of financial restitution for victims because it lacks mention of the awarding of actual and punitive damages, attorney's fees, and litigation expenses to victims (Hyland, 2001). Additionally, some question whether the TVPA can appropriately balance the human rights of trafficking victims with law enforcement obligations. The crime-fighting mechanism in the TVPA compromises the protection and assistance needs of trafficking victims (Hartsough, 2002). Many suggest that the protection and services infrastructure that exists for other crime victims in the United States has not yet been applied to victims of trafficking (Hyland, 2001).

## **2.2 Trafficking Victims Protection Reauthorization Act (TVPRA) of 2003 and 2005<sup>2</sup>**

The TVPA was first reauthorized in 2003 (P.L. 108-192) and included further improvements in criminal law and civil action so that victims may sue traffickers in Federal district court. The reauthorization recognized that an objective assessment of a country's efforts to combat human trafficking could only be achieved by an assessment of actual data. The law required the State Department to consider not only investigations and prosecutions, but also convictions and sentences in determining whether a country is meeting minimum standards to combat human trafficking or is making significant efforts to do so (TVPRA, 2003).

In 2005, the law was refined again (P.L. 109-164) to authorize additional funds for investigation and prosecution of trafficking of U.S. citizens (sometimes referred to as "domestic trafficking") and provide law enforcement with additional tools to continue

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<sup>2</sup> The reauthorizations of the TVPA are necessary because of the funding provisions specified in the Act. These reauthorizations present opportunities for continual reassessment and revision of the TVPA.

U. S. leadership in combating this crime worldwide and within U.S. borders. The 2005 reauthorization placed a greater focus on providing Federal and local law enforcement with increased investigative powers, and prosecutors with additional transnational mechanisms to successfully apprehend, prosecute, and convict human traffickers. The Federal government has furthered these efforts by funding anti-human trafficking task forces across the United States. Moreover, it is the intent of Congress and the funding agencies that these law enforcement and prosecutor task forces work with local community service providers.

Despite limitations of the TVPA, the U.S. government is making multi-pronged efforts to combat human trafficking both at home and abroad and demonstrated its continued commitment to combating this issue with the 2003 and 2005 TVPA reauthorizations. Through the combined efforts of various offices and agencies within the White House, the Department of State, DOJ, and the Department of Health and Human Services, the government has begun to build the foundations of a multi-disciplinary infrastructure designed to serve and protect trafficking victims. These Federal efforts are supported locally by community partnerships, many of which involve local law enforcement.

### **3. ASSISTANCE FOR LAW ENFORCEMENT**

With greater emphasis on the role that law enforcement should play in combating human trafficking, the TVPRA of 2003 called for the nation's 21,000 law enforcement agencies to become more involved in cases of human trafficking with regard to investigations and working with victims. Additionally, 26 states have passed or have pending anti-human trafficking legislation (Polaris Project, 2006), which provide State and local law enforcement with an additional tool to combat this crime. However, given the substantial amount of legislation to combat trafficking in persons, law enforcement is faced with an enormous undertaking to make policing human trafficking situations a priority for local public safety efforts. To assist police agencies with assuming a greater role in human trafficking work, the Federal government has provided financial assistance to agencies across the country to support their role in helping to combat this crime.

For example, in 2004, DOJ awarded \$14 million to over 25 law enforcement agencies and service providers to form task forces to address the issue of human trafficking. DOJ's Bureau of Justice Assistance and the Office for Victims of Crime administer grants to support these anti-human trafficking task forces, which are tasked with identifying victims, streamlining victim services, and assisting victims during criminal justice proceedings. In 2005, the number of federally funded task forces increased to 32 with an additional 10 expected in 2006.

In addition to funding these task forces, DOJ provides training to Federal, State, and local prosecutors, as well as to law enforcement agents and officers, NGOs, and officials of foreign governments. DOJ is also developing a model protocol for the victim-centered approach to identifying and responding to the needs of trafficking victims and investigating and prosecuting their traffickers and abusers.

#### **4. Current Research and Gaps**

To date, research on the role of law enforcement in human trafficking work has been limited and focused primarily on training needs of law enforcement outside of the United States, police corruption, and federal law enforcement involvement in interdiction and prosecution efforts. Little is known regarding law enforcement responses to this crime and their perceptions of this crime in the United States (Wilson, Walsh, and Kleuber, 2006).

One study which specifically looked at the role of local law enforcement in human trafficking cases was conducted by Wilson et al (2006) and addressed the attitudes and perceptions of the nature and extent of human trafficking in the United States; training of law enforcement on human trafficking issues; and human trafficking investigation activities by law enforcement. The researchers analyzed data from 83 surveys completed by the senior manager of each law enforcement agency (i.e., Chief, Deputy Chief, Sheriff, superintendent, and Commissioner). Major findings from this study suggest that: (1) local law enforcement is ill prepared to recognize human trafficking victims or investigate this emerging crime even when signs of this crime are in plain site; (2) local law enforcement believe that trafficking is not a problem in their

jurisdictions, but elsewhere and is best addressed by federal law enforcement; (6) most local law enforcement are not truly informed/educated about what human trafficking really entails; (7) the majority of local law enforcement agencies do not have set protocols and/or procedures, and trainings specifically designed or developed for human trafficking; and (8) local law enforcement feel little direct responsibility for investigating human trafficking cases (Wilson et al 2006). These findings are supported elsewhere in the little literature on law enforcement and human trafficking (Florida State University, 2003). The researchers' overall recommendation to law enforcement was that local law enforcement needs to join the global community and actively participate in addressing this crime (Wilson et al 2006).

While these findings provide us with information about the role of law enforcement in human trafficking work from the perspective of senior management, little is still known regarding the attitudes, perceptions, and role/behavior of the line officer or "street cop." Additionally, little information is known about what is working or best practices for law enforcement. The current study, while primarily exploratory in nature, attempts to fill in some of the existing gaps in our understanding of how local law enforcement are responding to the crime of human trafficking.

### **III. METHODOLOGY**

#### **1. RESEARCH DESIGN**

This study incorporated multiple methods, including telephone surveys, key stakeholder interviews, legal case reviews, and discussion forums with anti-trafficking task forces nationwide. This multi-phased design allowed Caliber to gather comprehensive information to explore responses to four overarching questions:

- How are law enforcement agencies organizing their responses to human trafficking cases? What are current practices?
- What barriers/challenges do law enforcement agencies face in responding to human trafficking cases?
- What are the implications of law enforcement responses for trafficking victims?
- What barriers/challenges does law enforcement face in coordinating/collaborating with Federal law enforcement agencies and victim service providers in responding to a trafficking case and meeting the needs of victims?

Together, the responses were intended to provide us with a snapshot of law enforcement agencies working on human trafficking.

#### **2. STUDY SAMPLE**

In the original research design, the first phase of the study involved conducting telephone surveys with Federal, State, and local law enforcement officials in key cities across the country. A critical first step involved defining law enforcement. Congress defines law enforcement as employees whose duties are primarily to investigate, apprehend, or detain individuals suspected or convicted of offenses against the criminal laws of the United States, including employees who perform these duties in a supervisory or administrative position (5 U.S.C. §8331(17)). The international community defines law enforcement as officers of the law who exercise police powers, especially the powers of arrest or detention, and who serve the community by protecting all persons against illegal acts, consistent with the high degree of responsibility required

by their profession (United Nations Code of Conduct Resolution 34/169 of 17 December 1979 Article 1). For the current study, law enforcement was defined as employees whose primary responsibility is to investigate, apprehend, or detain individuals suspected or convicted of criminal acts, and who work with victims during this process within a public law enforcement agency. These employees include line officers, investigators, agents, trainers, and victim-witness coordinators. They perform their duties at the Federal, State, and local level in frontline, managerial, or supervisory positions. Each of these position types is described below:

- **Victim-Witness Coordinators**—Victim-witness coordinators help promote victim well-being as victims cooperate with the criminal justice process (e.g., investigation, prosecution, and sentencing). Examples of their duties include notifying victims of important case events and proceedings, and providing victims with information and referrals for victim services (e.g., victim compensation programs, rape crisis centers, or mental health counseling).
- **Federal Agents**—Federal agents typically conduct initial interviews, survey the crime scene (e.g., sweatshop), seize evidence (e.g., records and computers), make arrests, translate documents, and serve grand jury and trial subpoenas (author, date) In a trafficking case, Federal agents investigate the spectrum of Federal criminal civil rights violations, crimes against children, and organized crime (author, date) The Federal Bureau of Investigation’s (FBI) Civil Rights Unit and field offices are responsible for the domestic enforcement of the TVPA. Other federal agencies critically involved include Immigration and Customs Enforcement (ICE), Diplomatic Security Section (DSS), the Internal Revenue Service (IRS), and investigators from the Department of Labor.
- **State and Local Investigators**—State and local investigators are police officers (including detectives, sergeants, sheriffs) with specialized training and experience who usually work in an investigative branch or unit of a police department. For a human trafficking case, they might oversee and manage the case at the State or local level and collaborate with Federal agents, prosecutors, victim service providers, and NGOs.
- **Police/Line Officers**—Line officers are general police officers whose primary responsibility is to provide routine patrol, conduct criminal and traffic investigations, and make arrests. In a human trafficking context, the line officer may be a first responder who is able to identify the indicators of a human trafficking situation, secure evidence for subsequent prosecution, and refer victims to social service providers.

- **Federal, State, Local Managers/Supervisors**—Law enforcement management or supervisors oversee law enforcement activities and help define priorities for the agency. With respect to human trafficking, managers and supervisors are responsible for ensuring that officers, investigators, and agents are trained on identification and response practices, and that human trafficking is a priority for their department or agency. They also work to foster local, State, and Federal collaboration and may serve on a joint task force.

While the study originally intended to survey Federal agents, the length of the approval process for including these officers proved longer than the study period and, therefore, interviews with Federal agents were not possible. Information from State, local, and Federal managers/supervisors was limited to the key stakeholder interviews.

Once law enforcement was defined, the next step was to determine where the telephone surveys would be conducted. The cities originally selected were San Diego, Los Angeles, San Francisco, Seattle, Dallas/Ft. Worth, Miami, Atlanta, and New York City. These locations were strategically chosen based on the following criteria: a) known trafficking activity in the communities; b) existing contacts within law enforcement and other agencies working in the area of trafficking; and c) established anti-trafficking task forces and/or comprehensive initiatives aimed at combating trafficking. *The study sample was never intended to be representative of the law enforcement community in general but was to be a targeted, purposeful sample of law enforcement agencies in jurisdictions with known trafficking activity.* While these cities yielded respondents with human trafficking experience as anticipated, the sample size fell short of our proposed 120 respondents. To increase our sample size, a decision was made to expand the number of targeted cities for the law enforcement telephone surveys to other key cities within the United States that met the same criteria described above (See U.S. map of the study sample in Appendix A.) The telephone surveys were supplemented with interviews from law enforcement supervisors/managers, representatives from the FBI's Human Trafficking/Smuggling Office, U.S. Attorney's Office, Trafficking in Persons Office, and the Department of Justice, Civil Rights Division.

Legal case reviews were the second phase of the research design. Caliber collected comprehensive case information from sources such as case reports, sanitized court reports, legal newspapers, magazines, and newsletters, as well as law review articles. This case review examined nine prosecuted cases of human trafficking since the passage of the TVPA.

The final data collection phase included discussion forums with established anti-trafficking task forces. These forums were designed to focus on the best practices and lessons learned for combating human trafficking. The forums were held in Los Angeles and San Diego, California, and Austin, Texas<sup>3</sup>. These task forces were selected for their strong presence in the trafficking field and their case experience. Additionally, the makeup of each task force provided access to a diverse range of expertise, knowledge, and perspectives related to human trafficking.

### **3. DATA COLLECTION**

The following sections describe the methods of data collection used for the study.

#### **3.1 Telephone Surveys and Key Stakeholder Interviews**

The first phase of data collection for this study was telephone surveys with law enforcement. Different versions of the telephone survey were created for the key categories of law enforcement targeted for this study (State/local investigators, police officers, victim witness coordinators, Federal agents). The surveys were reviewed and approved by Caliber's Institutional Review Board to protect the welfare of human subjects and ensure that physical, psychological, and social risks to study participants were minimized. (See Appendix B for the telephone surveys.) Each completed telephone survey lasted an average of 60 minutes.

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<sup>3</sup> A discussion forum was originally planned with the task force in San Francisco but due to a large trafficking case that was under investigation at the time of the study it was not possible to schedule the meeting.

In total, 292 individuals were contacted for the survey. Of these contacts, 82 were ineligible to participate because they reported having no familiarity or experience working on trafficking cases<sup>4</sup>. There were a total of 121 completed surveys and 89 non-responses (11 refusals and 78 non-contacts)<sup>5</sup>. Thus, the valid sample size was 210 individuals and the response rate for the telephone surveys was 58 percent. A modest compensation was offered to law enforcement officers who were allowed to accept compensation in order to increase participation<sup>6</sup>.

Staff who conducted the surveys were trained to ensure clear understanding of the project, familiarity with the content of the protocol, and standardization in protocol administration. Weekly meetings were held to discuss problems or issues that occurred during the survey administration and to identify solutions that could be applied systematically by all staff. To ensure the greatest efficiency and accuracy with data collection, survey responses were entered directly into an SPSS database. There were periodic reviews of databases to ensure quality control and adherence to standard procedures and protocol, as well as reviewing for errors or missing information.

To supplement the law enforcement surveys, key interviews were conducted with seven supervisors/managers representing Federal law enforcement and other key agencies involved in addressing human trafficking. The interviews were intended to provide information regarding senior management's perspective on the issue of human trafficking, identify barriers and challenges faced by law enforcement, and highlight emerging trends and best practices. On average, key stakeholder interviews lasted approximately 90 minutes. (See the Key Stakeholder Interview Guide in Appendix C.)

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<sup>4</sup> Because the study was intended to explore law enforcements response to human trafficking, it was critical to conduct telephone surveys with law enforcement who had some experience/familiarity with the crime.

<sup>5</sup> A non-contact was defined as an individual who did not respond after five telephone and/or e-mail contacts by a member of the research team.

<sup>6</sup> Compensation included gift certificates from Target, Wal-Mart, Home Depot, Lowes, Outback, Starbucks, Barnes and Noble and Border Books.

### **3.2 Legal Case Reviews**

The research team reviewed nine closed Federal cases of human trafficking to gather data on the role of law enforcement officials and other key stakeholders (i.e., attorneys, victim advocates, judges, and other court personnel) in the investigation and prosecution of these cases. As part of the review, the research team conducted an assessment of each case focusing on four core components of legal case analysis (Dees, 1998; Charrow, Erhardt, & Charrow, 1995): identifying the facts, defining the problem, identifying the rule to the facts (e.g., in light of the rule, how law enforcement approached the situation), and conclusion.

Staff who conducted the legal case reviews were trained on how to use the case review protocol to ensure that information was reliably extracted from each case. After a detailed review of the cases, data from the case review forms were thematically coded to identify patterns and themes across cases.

### **3.3 Task Force Discussion Forums**

The final data collection phase of the study featured onsite discussion forums with task forces in San Diego, Los Angeles, and Austin. The primary purpose of the forums was to discuss what task forces do, how they are structured, and whether task forces are an effective way to combat human trafficking. (See the Discussion Forum Guide in Appendix D.) Additionally, the forums provided an opportunity to identify lessons learned and examine potential effective strategies for addressing human trafficking.

The information from the telephone surveys, key stakeholder interviews, case reviews, and discussion forums were analyzed using both quantitative (e.g., descriptive statistics, correlations) and qualitative (e.g., thematic coding, content analysis) statistical techniques.

## IV. KEY FINDINGS

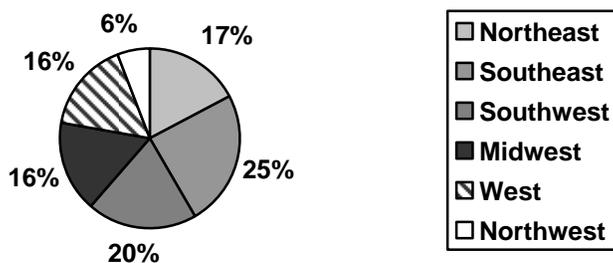
The study findings are based on survey responses from 121 law enforcement officials, seven key stakeholder interviews, nine legal case reviews, and three discussion forums with anti-trafficking task forces. For the survey results, differences in responses by type of respondent are reported when appropriate.

### 1. TELEPHONE SURVEYS<sup>7</sup>

#### 1.1 Demographics

**Geographic Region.** Law enforcement representatives from 22 States and the District of Columbia participated in the telephone surveys. As shown in Figure 1, the sample was aggregated by U.S. region, with representation greatest from the Southeast (25%) and Southwest (20%) portions of the country.

**Fig. 1 Regional Representation of Respondents**

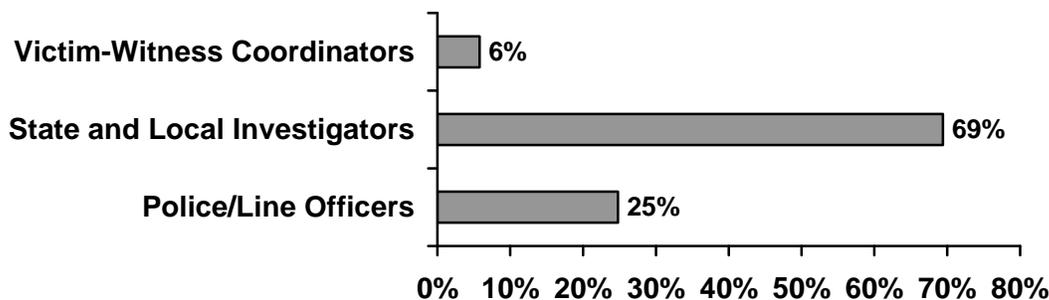


**Types of Positions Represented.** While efforts were made to ensure the telephone surveys were fairly representative across the geographic regions of the United States, efforts were also made to ensure inclusion of a variety of law enforcement personnel who work with the trafficking population. Respondents were allowed to self-identify their

<sup>7</sup> Throughout this section, it is important to remember that the sample for the telephone survey was never intended to be representative of the law enforcement community in general but was to be a targeted, purposeful sample of law enforcement agencies in jurisdictions with known trafficking activity. These findings serve as a snapshot of those currently involved in fighting the crime of human trafficking.

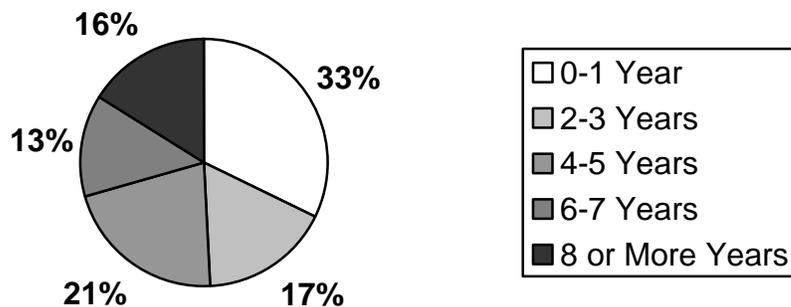
position within their law enforcement agency; positions represented were officers, detectives, sergeants, lieutenants, captains, deputy chiefs, sheriffs, deputy sheriffs, and special agents. Each description was coded into one of three categories: State and local investigators (N=84), police/line officers (N=30), and victim-witness coordinators (N=7). The results are shown in Figure 2. As noted previously, surveys were not conducted with Federal agents. It was clear early on that few law enforcement agencies contacted had victim-witness coordinators involved in human trafficking cases. Instead, law enforcement identified Federal victim-witness coordinators as primarily involved in cases. Again, because it was not possible to obtain permission to survey Federal agents during the timeframe of the study, Federal victim-witness coordinators could not be included in the sample.

**Fig. 2 Types of Positions Represented**



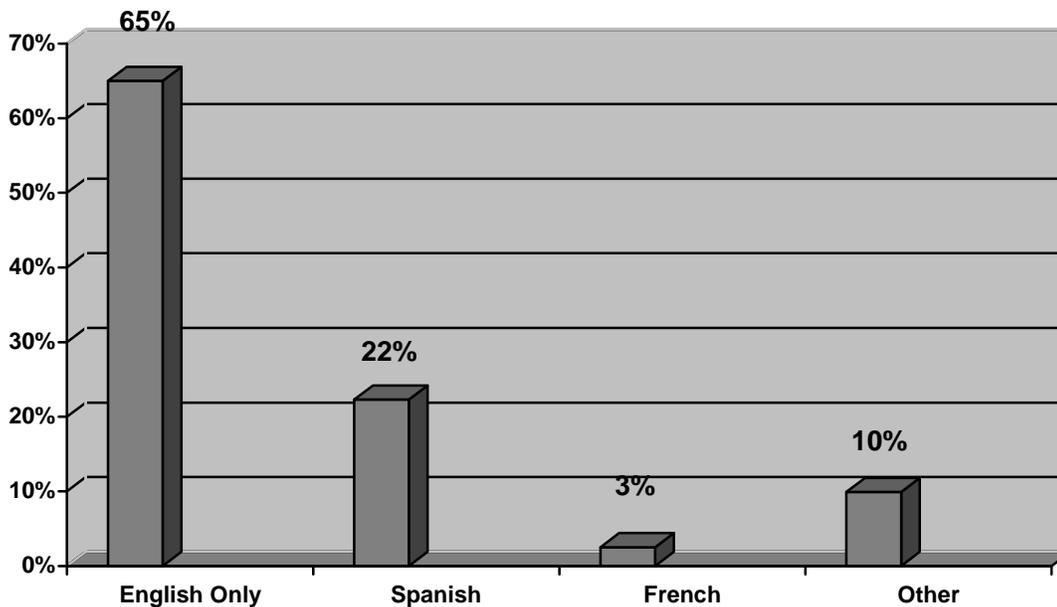
**Years of Experience.** As shown in Figure 3, while one-third (33%) of respondents were in their current position for 0 to 1 year, the remaining respondents were somewhat evenly distributed across the other categories, with the average experience being 2.6 years.

**Fig. 3 Years of Law Enforcement Experience**



**Language Capabilities.** As shown in Figure 4, most of the respondent (65%) reported having only English language capabilities, with 22 percent reporting Spanish language capabilities as well. Respondents who reported Other language capabilities identified Chinese, Mandarin, Portuguese, and Romanian as the other languages.

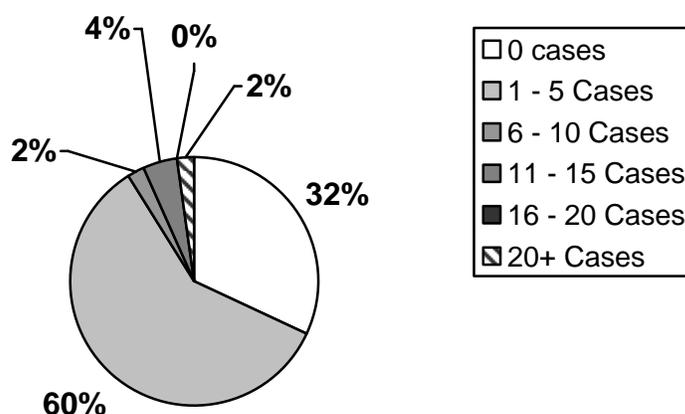
**Fig. 4 Respondent Language Capabilities**



**History Working Trafficking Cases.** As shown in Figure 5, most of the respondents (60%) reported having worked on an average of 1 to 5 trafficking cases.

Many of the respondents (32%) indicated that while they are working to address the issue of human trafficking, they have not yet worked an official case. For those respondents who have had cases (68%), 33 percent had less than 1 year of experience, while 41 percent had 1 to 2 years of experience working on these cases, 19 percent had 3 to 4 years of experience, and 7 percent had 9 or more years of experience working on cases. The average number of cases worked by those with experience was 4.4, ranging from 1 to 23 cases.

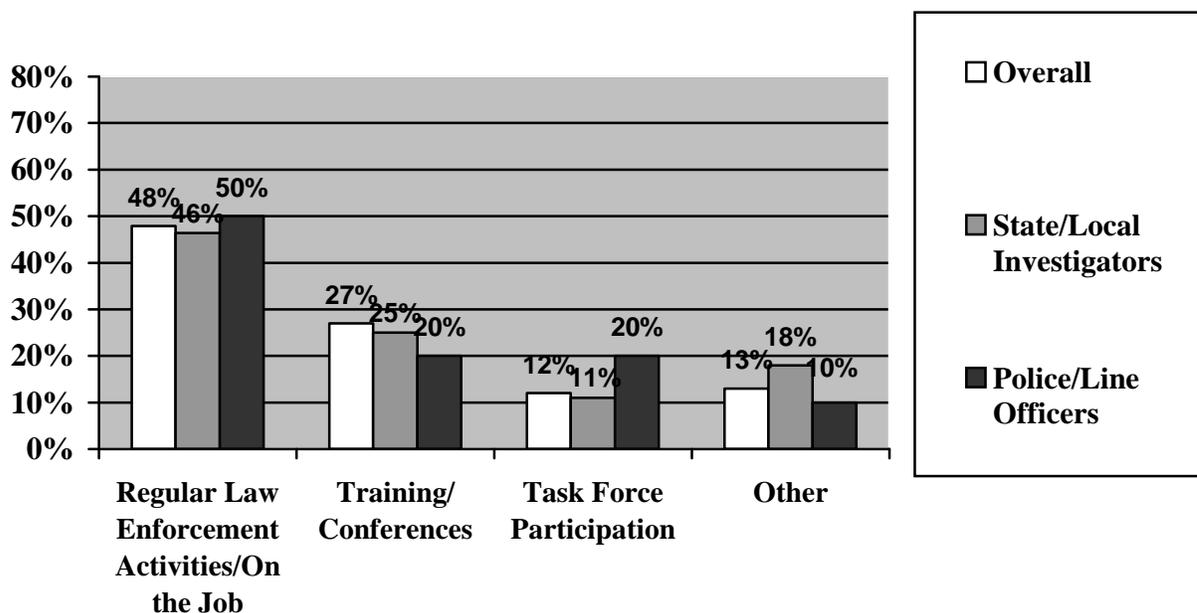
**Fig. 5 Total Number of Cases Worked**



## 1.2 Knowledge of Trafficking

Respondents were asked how they first learned about the subject of trafficking. As shown in Figure 6, almost half of the respondents (48%) learned about human trafficking through regular law enforcement activities, including roll call and on the job experience. Responses did not vary significantly among State/local investigators and police/line officers. Another quarter of respondents first learned about human trafficking through various training events and conferences sponsored by the Federal government and NGOs. Again, this response was similar for investigators and officers. There was a slight difference in the proportion of line officers who reported learning about human trafficking for the first time through a task force as compared to investigators. *Because*

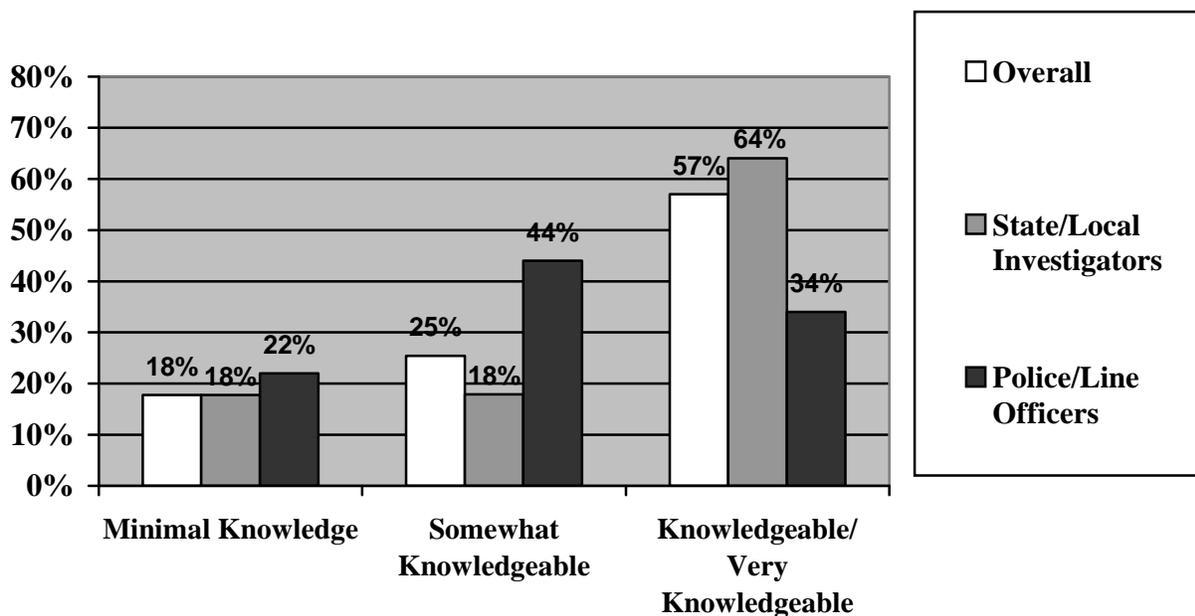
**Fig. 6 How Respondents First Learned of Trafficking**



*the number of victim witness coordinators responding to the survey was relatively small in comparison to the other categories of law enforcement personnel, their results are not shown separately here or throughout this section of the report. It is interesting to note, however, that the first source of information on human trafficking for the handful of local victim witness coordinators who did respond to the survey was NGOs and victim service providers.*

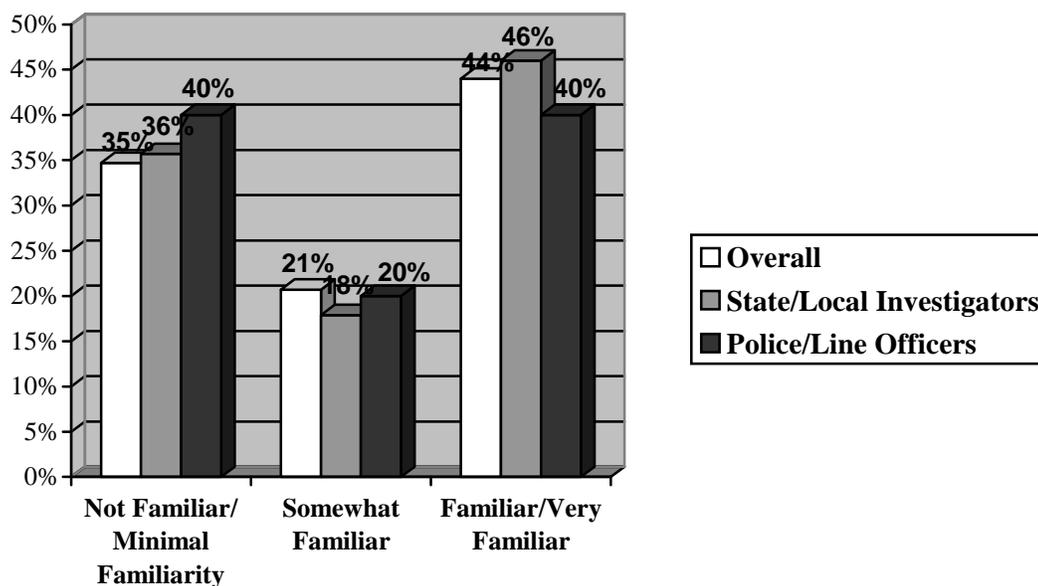
As shown in Figure 7, when asked how knowledgeable respondents were on the issue of human trafficking, more than half (57%) indicated they were knowledgeable to very knowledgeable, with 25 percent reporting they were somewhat knowledgeable, and 18 percent reporting minimal knowledge of human trafficking. While 64 percent of investigators indicated they were knowledgeable to very knowledgeable about human trafficking, only 34 percent of line officers reported similar knowledge. A greater proportion of line officers reported being only somewhat knowledgeable of the issue, suggesting a need for more training of those working on the front lines.

**Fig. 7 Knowledge of Human Trafficking**



Respondents also were asked about their familiarity with the TVPA. As shown in Figure 8, slightly more than one-third (35%) of respondents were not familiar to minimally familiar with the TVPA, with slightly less than half (44%) of respondents indicating they were familiar to very familiar with the Act.

**Fig. 8 Familiarity with TVPA**



Respondents also were asked about their familiarity with the 2003 TVPA reauthorization. While State and local investigators were fairly evenly distributed in their responses (39% not familiar/minimal familiarity, 32% somewhat familiar, and 29% familiar/very familiar), half of the line officers were not familiar to only minimally familiar with the reauthorization and the other half were only somewhat familiar. This finding is important as the reauthorization places greater responsibility on law enforcement, including local law enforcement, to respond to this crime.

When asked to define human trafficking in their own words, almost every respondent gave a definition that was consistent with the legal definition provided in the TVPA. Examples included:

- *“Persons deprived of liberty and forced into labor or prostitution.”*
- *“The trafficking of victims through force, fraud, or coercion for purposes of forced labor or sex.”*
- *“Transporting a person against their will as a commodity for some sense of monetary gain.”*
- *“People who are forced or coerced to work for another for a profit.”*
- *“When a person is taken against their will, forced to work without wages, and not free.”*

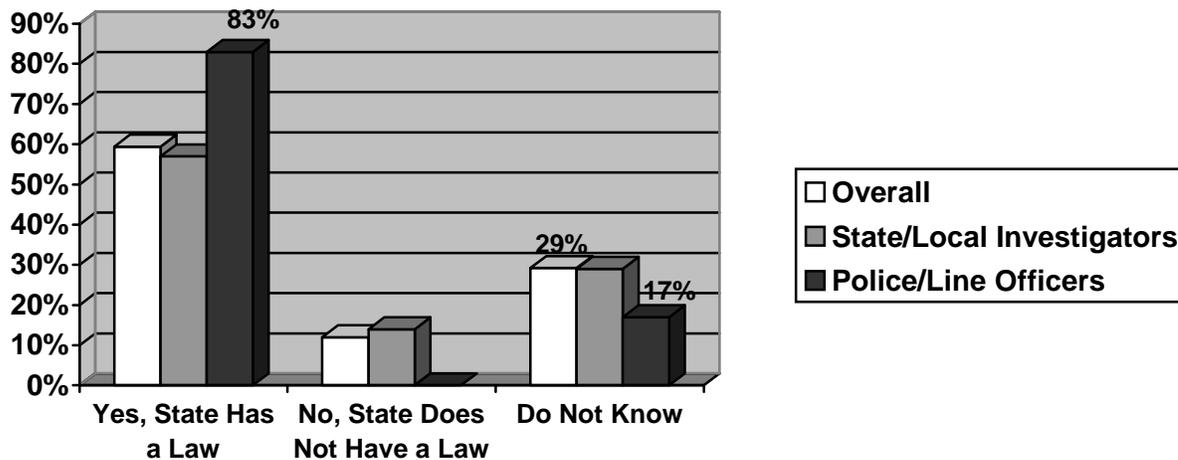
The most common definition or description of human trafficking was modern day slavery. Additionally, when asked if there was a difference between trafficking and smuggling, 80 percent of respondents said yes. Most respondents recognized that what starts as a smuggling case may end up a trafficking case. One respondent distinguished the two in the following way, *“When someone is trafficked, they are forced to do things. The crime of smuggling is a crime against a country. Human trafficking is a crime against a person.”* However, it is important to note that 20 percent of respondents did not distinguish trafficking from smuggling. This has implications for law enforcement’s ability to properly identify not only the crime of human trafficking but also the victims.

### 1.3 Capacity to Address the Issue

One way law enforcement is able to address the issue of human trafficking is through anti-trafficking task forces. When respondents were asked if they were working with a task force, 63 percent said yes. Interestingly, 71 percent of State/local investigators, yet only 25 percent of line officers, reported working with task forces.

Another way to enhance law enforcement's capacity to respond to human trafficking cases is through legislation. Respondents were asked if their State had specific trafficking laws in place. As shown in Figure 9, the majority of respondents (59%) indicated their State had a human trafficking law. Interestingly, almost one-third (29%) of respondents did not know if their State had a human trafficking law.

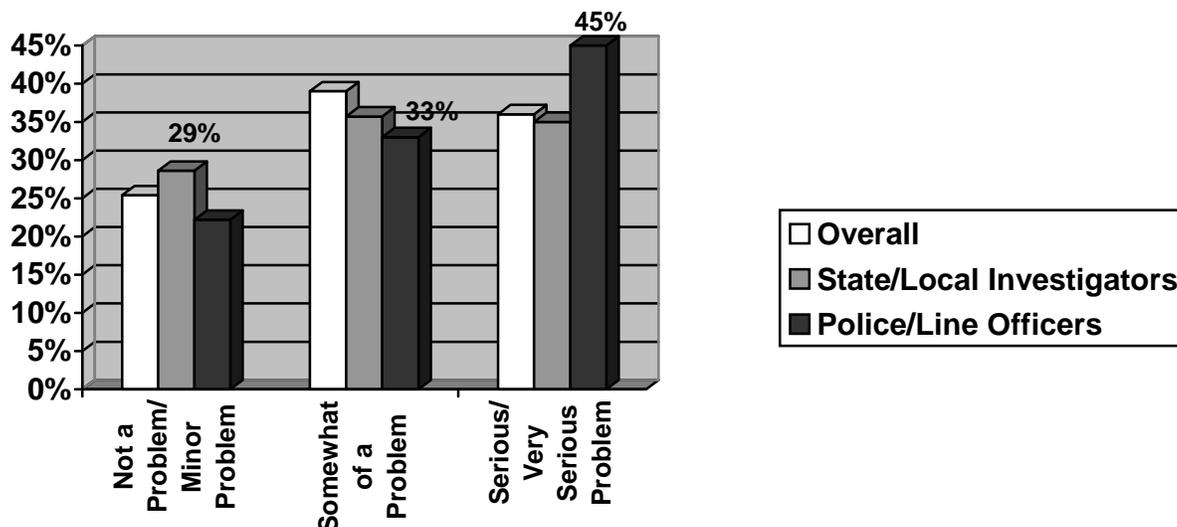
**Fig. 9 Presence of State Trafficking Laws**



Whether human trafficking is viewed as a serious problem or considered a priority crime can affect law enforcement's capacity to respond. As shown in Figure 10, when asked whether human trafficking was a serious issue in their community, 25 percent of respondents indicated it was not a problem or only a minor problem, 39 percent indicated human trafficking was somewhat of a problem, and 36 percent indicated it was a

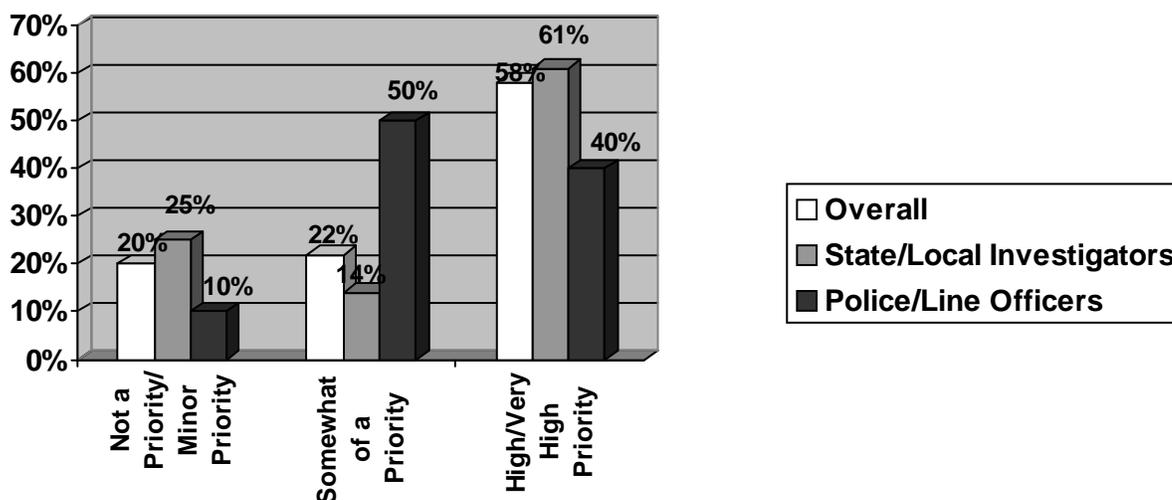
serious/very serious problem. Responses did not vary significantly by type of respondent.

**Fig. 10 Seriousness of the Problem**



Respondents were asked whether human trafficking was a priority for their agency. As shown in Figure 11, 20 percent indicated human trafficking was not a priority or a minor priority, 22 percent indicated it was somewhat of a priority, and 58 percent of respondents reported that human trafficking was a high to very high priority in their agency. A greater proportion (61%) of State/local investigators viewed human trafficking as a high to very high priority for their agency than line officers (40%). Not surprisingly, there was a significant positive correlation between the perceived seriousness of the problem and whether it was considered an agency priority. There was also a positive correlation between knowledge of human trafficking and perceived seriousness of the problem, suggesting more knowledgeable respondents are more likely to view human trafficking as a serious problem. This finding highlights the importance of educating law enforcement on the crime of human trafficking.

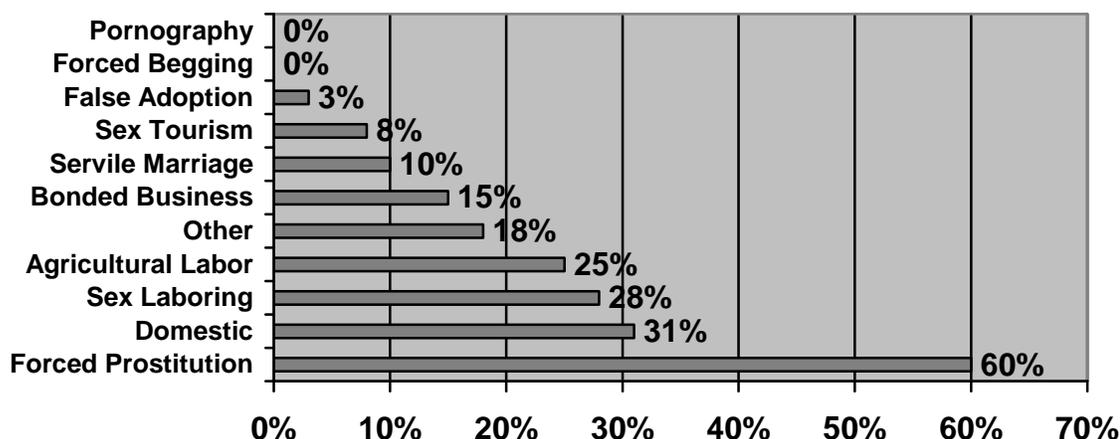
**Fig. 11 Agency Priority**



#### 1.4 Types of Trafficking Victims Encountered

When asked what types of victims they were working with, the majority (81%) of respondents indicated working with female victims, 19 percent reported working with male victims, and 8 percent reported working with both female and male victims. Of those working with victims, the majority (73%) of respondents reported working with adult victims. However, 38 percent of respondents indicated working with minor victims of human trafficking. Respondents also were asked the type of trafficking represented in their cases, as shown in Figure 12. The majority of respondents indicated working forced prostitution cases, followed by domestic servitude, sex laboring (non-prostitution sectors of the sex industry, such as striptease), and agricultural labor.

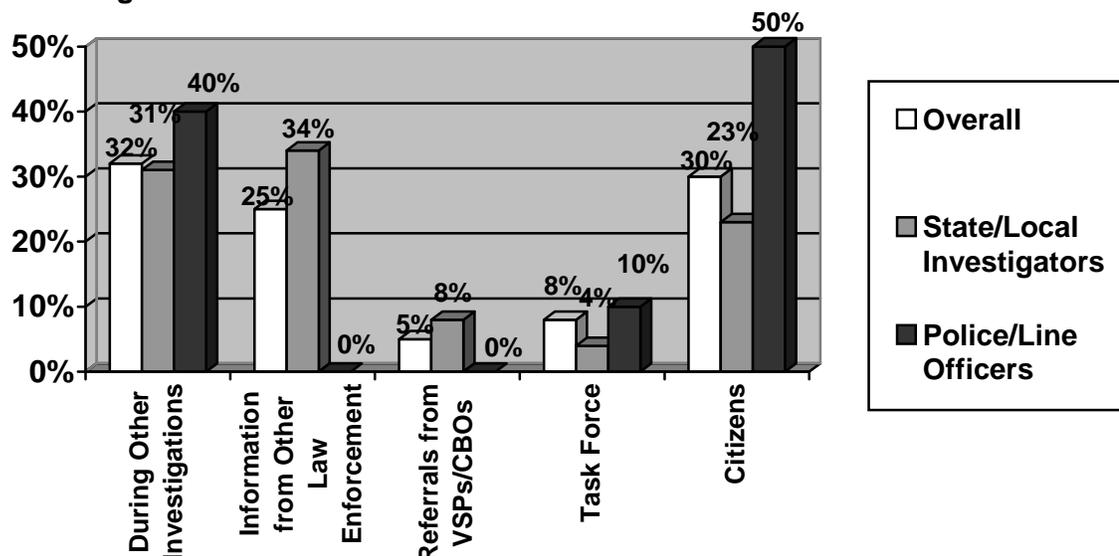
**Fig. 12 Types of Human Trafficking Cases**



### 1.5 Identifying Human Trafficking Cases

Respondents were asked how they learn of human trafficking cases. As shown in Figure 13, almost one-third (32%) of respondents indicated that many of their cases come to them during the course of other investigations that are already in progress. A similar percentage (30%) indicated receiving information about cases from citizens or Good Samaritans. Finally, 25 percent of respondents indicated learning about cases from other law enforcement officers. Task forces and referrals from victim service providers (VSPs) or community-based organizations (CBOs) were less common sources of referrals.

**Fig. 13 How Cases Come to the Attention of Law Enforcement**



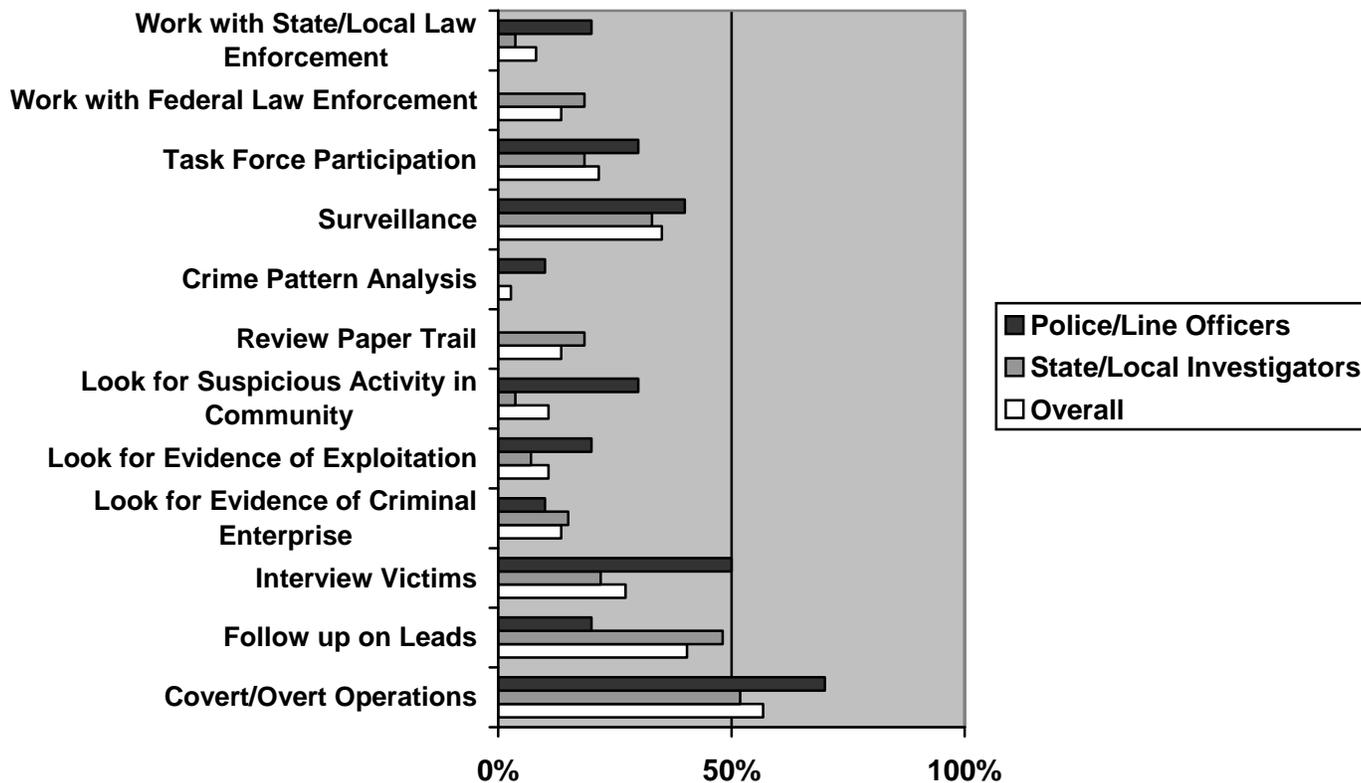
Respondents also were asked what the most common red flags, or warning signs, were that a situation might involve human trafficking. The responses were varied and cited evidence of restricted movement (not allowed to leave residence or place of employment unaccompanied by “employer”), nervousness when asked how the person came to the United States, lack of English speaking persons present in one establishment, one person who does all the talking for those present, frequency of movement in and out of an establishment, lack of evidence of personal belongings or documents, and no indication that the person has any free time.

As one of the respondents, an investigator from the Northeast, indicated, “...*An establishment might go out of business, then traffickers move in but don’t change the sign of the business. For example they may leave up the “dry cleaning” sign as a cover.*” A police officer from the Northeast noted, “*One person does all the talking for three or four people. The people do not appear to be able to speak for themselves without the “ok” of that one person. They are submissive and the one person is clearly dominant over them.*” An investigator from the Southeast noted, “*Too many people living in one small residence is also a red flag.*”

## **1.6 Law Enforcement Roles in Trafficking Cases**

There are many potential roles that law enforcement can play in a human trafficking case. Respondents were asked what they saw as their primary role in working on cases of human trafficking and their responses are shown in Figure 14. The most common roles identified for law enforcement included conducting covert/overt operations, following up on leads, conducting surveillance, and interviewing victims. Interestingly, a greater proportion of line officers saw conducting covert/overt operations (70%) and interviewing victims (50%) as their primary role. Additionally, more line officers (20%) saw working with other State/local law enforcement as a primary role than did investigators (4%). However, no line officers and only one-fifth (20%) of investigators saw working with Federal law enforcement as their primary role.

**Fig. 14 Primary Roles of Law Enforcement**



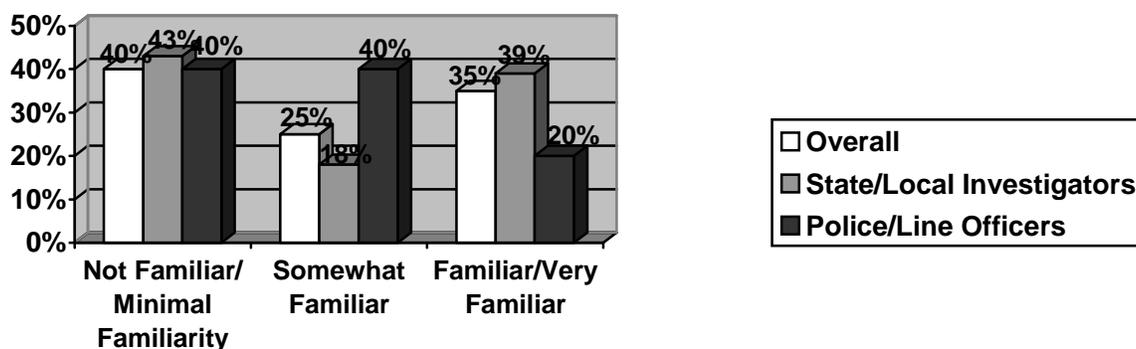
When asked about the role of Federal agents, the majority (90%) of respondents indicated they did not know what the role of Federal agents was during a human trafficking investigation. Similarly, 90 percent indicated they did not know what the role of victim service providers was during a human trafficking investigation, suggesting the need for greater education and cross-training.

While the majority of respondents could not articulate the specific roles of Federal agents or victim service providers during an investigation, they were able to recognize the importance of these agencies when working a trafficking case. In fact, more than one-quarter of respondents (28% and 29% respectively) identified Federal agents and victim service providers as vital to their role in working a human trafficking case. Another 12 percent identified other State and local law enforcement as vital and 16 percent identified prosecutors (Federal and local/State) as vital to their role. More investigators (35%) identified Federal law enforcement as vital to their role compared to line officers (0%),

whereas more line officers (50%) identified other State and local law enforcement as vital to their role than did investigators (8%). This suggests the more specialized and perhaps higher up within the agency, the more “in touch” an officer is to the Federal investigation of a case.

One critical role that law enforcement plays in a human trafficking case is granting continued presence to victims. As shown in Figure 15, when asked how familiar they were with the legal remedy of continued presence, 40 percent of respondents were not at all familiar to only minimally familiar, and responses did not vary significantly by position. This indicates another key area for law enforcement training.

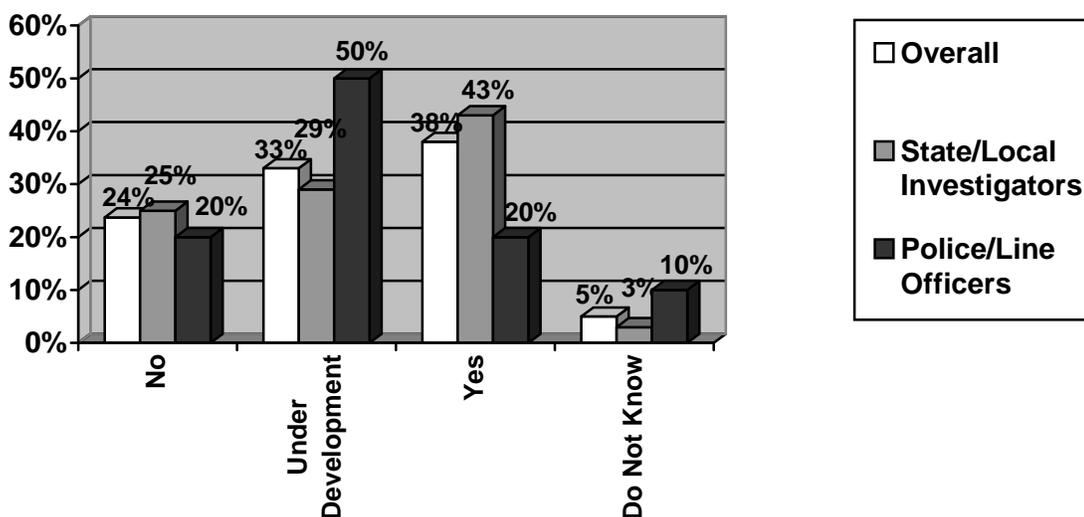
**Fig. 15 Familiarity with Continued Presence**



## 1.7 Current Practices

**Protocols for Identifying and Responding to Cases.** Respondents were asked if there were any formal protocols for identifying and responding to trafficking cases. As shown in Figure 16, the majority (71%) of respondents indicated that they already have a formal protocol or are in the process of developing one. For those who do not have a protocol, some indicated it was because there were only a few people in the agency who work on trafficking issues and a standard protocol did not seem necessary.

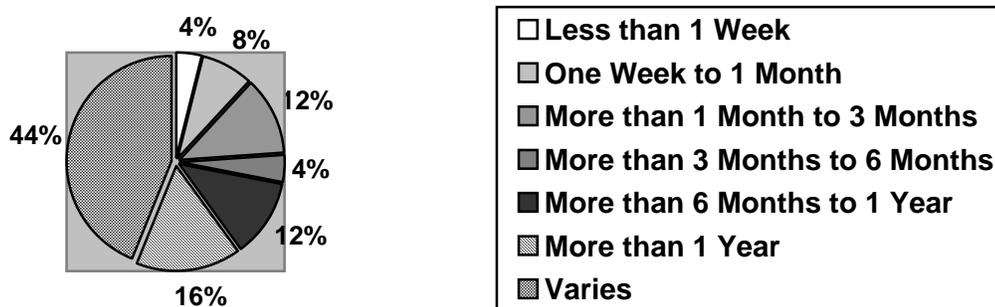
**Fig. 16 Formal Protocols for Identifying and Responding to Cases**



Respondents were also asked how useful their protocols were. The majority (79%) of the respondents indicated that the protocols were useful to very useful, and another 14 percent indicated the protocols were somewhat useful. Responses did not vary by position.

**Length of Time Working a Case.** Respondents were asked to determine, on average, how much time they spent working a trafficking case. For those respondents who had worked a case, their responses are shown in Figure 17. A sizeable percentage (44%) of respondents were unable to give an average because they indicated the amount of time varied greatly depending on the specifics of the case (e.g., number of victims

**Fig. 17 Length of Time Spent on Case**

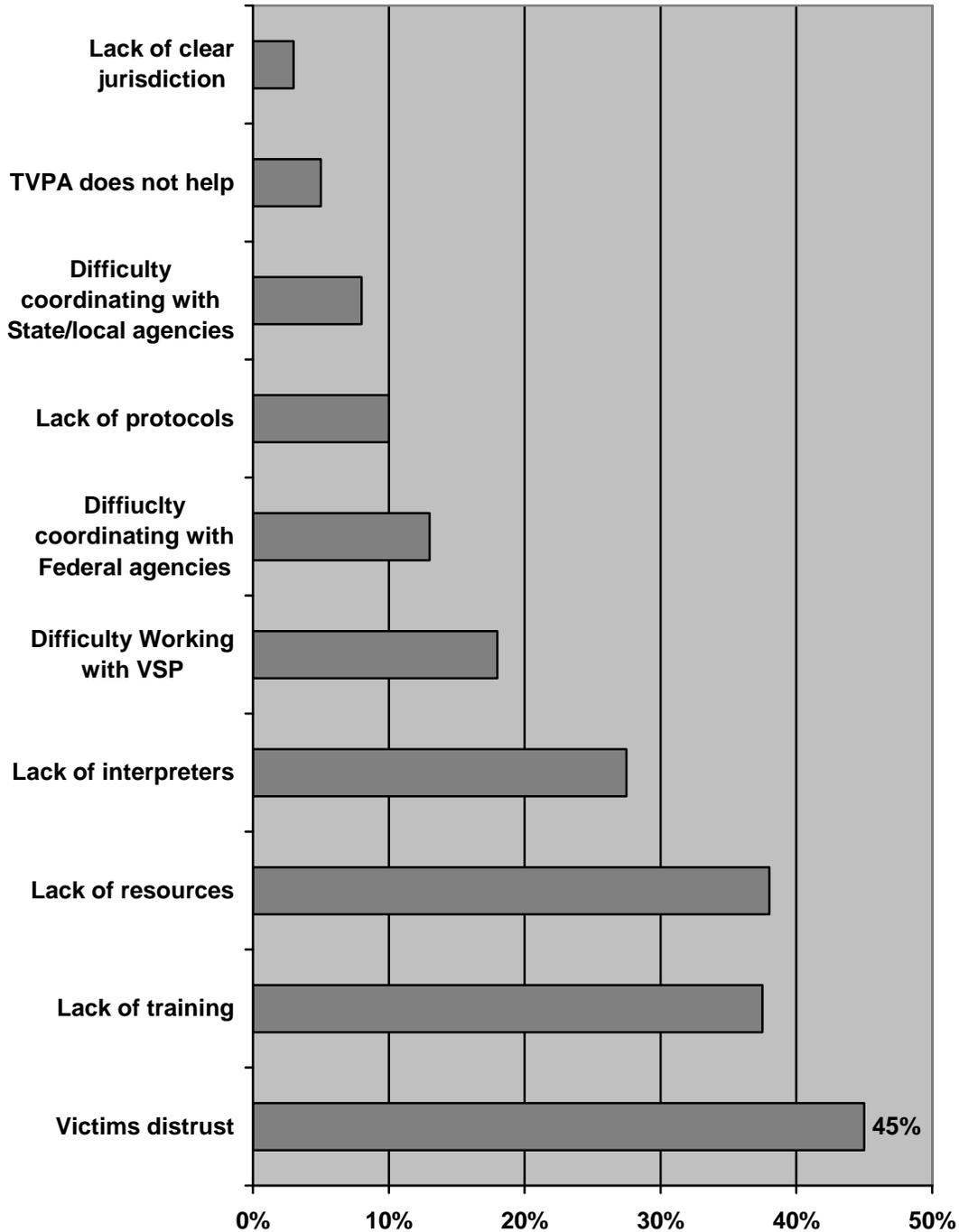


involved, age of victims, number of borders crossed [States, countries], immigration status, and number of traffickers involved).

## **1.8 Challenges and Barriers Faced in Trafficking Cases**

In all aspects of law enforcement work, there are barriers and challenges confronted when working a case. Respondents were asked what the primary barriers were in identifying and responding to trafficking cases. As shown in Figure 18, the most common barriers included victim distrust of law enforcement, lack of training/knowledge (inability to identify cases); lack of resources, and lack of interpreters (language barriers). As one investigator noted, *“Getting the victims to come forward and gaining their trust are challenges. Many do not trust the police and are afraid of being deported.”* This was echoed by a line officer who stated, *“Getting victims to trust is hard. They’re very anti-government. They are use to seeing corrupt cops in their countries.”* Another investigator commented, *“There is a lack of education at both the local and Federal levels in identifying cases. First responders are also call-driven and do not have time to conduct the detailed interview necessary to uncover the crime.”* This lack of time to investigate and probe deeper into the situation is related to another barrier, which is seeing the victim as a victim. As one line officer noted, *“It is difficult to determine a case without talking to the victim...to know if they are forced into prostitution or not. It is often easier to assume they are willing to be in prostitution.”* Other barriers or challenges included convincing ethnic communities to open up and trust law enforcement, lack of awareness among communities regarding the issue, and finding cases (*“It is hard to identify cases you never see.”*).

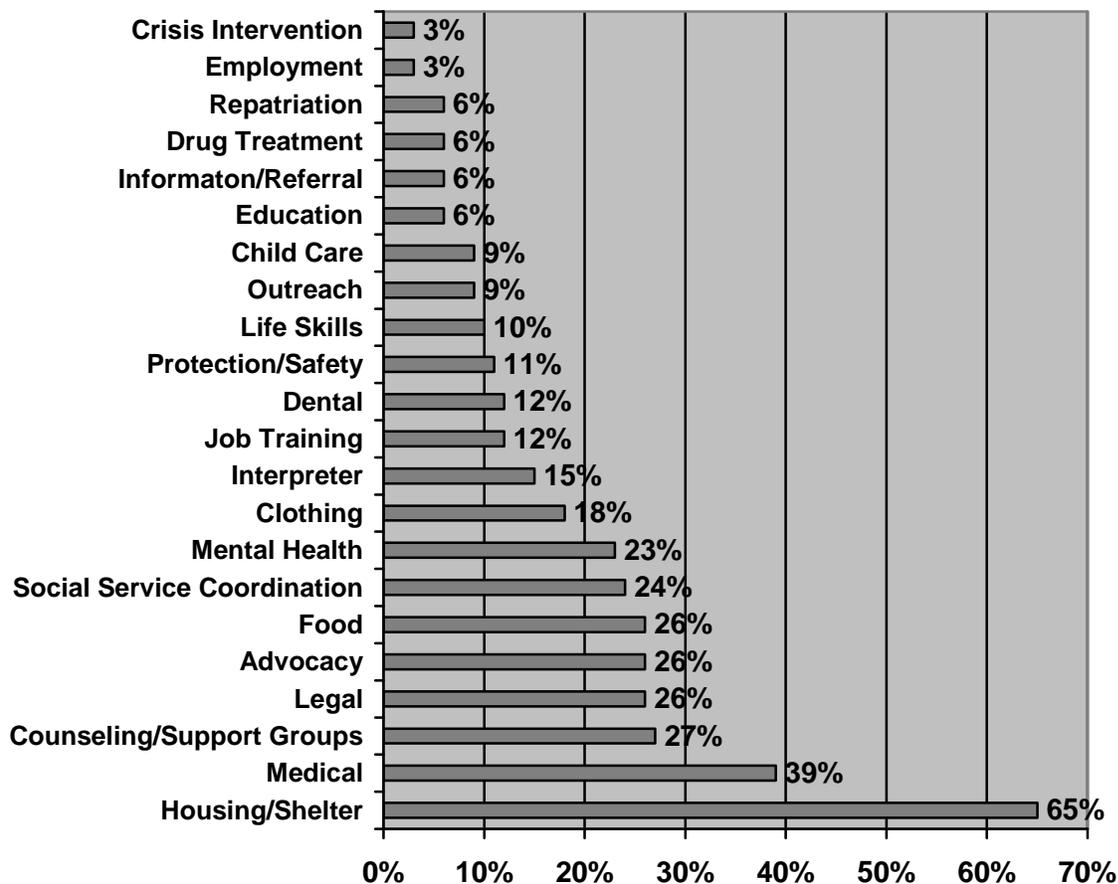
**Fig. 18 Challenges and Barriers to Investigating Cases**



## 1.9 Needs and Services

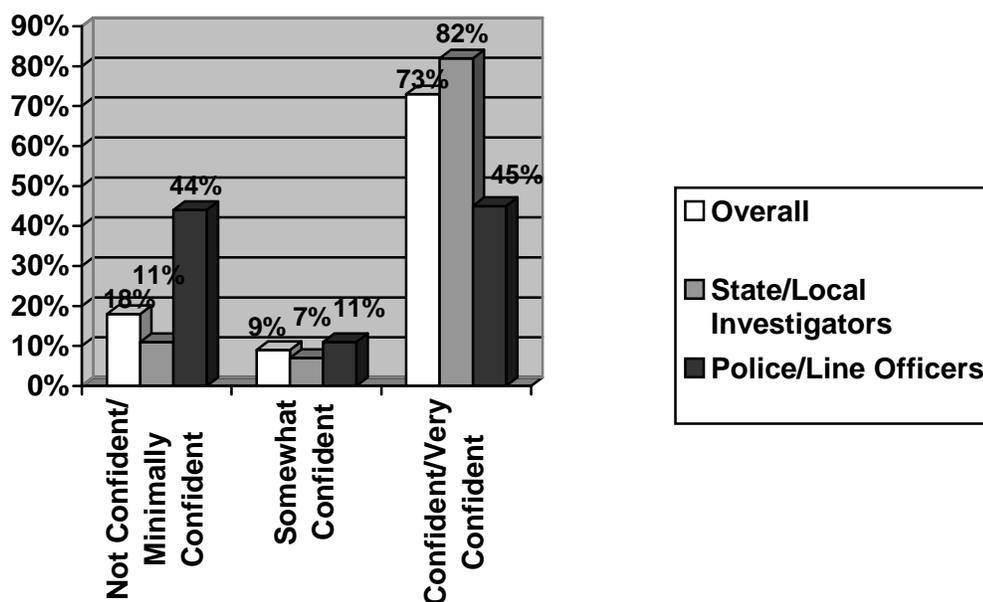
Respondents were asked about the special needs of trafficking victims and the services that are available to meet these needs. As shown in Figure 19, among the services they felt victims needed most, housing/shelter was the most common response (65%) followed by medical services (39%), counseling/support groups (27%), advocacy services (26%), legal services (26%), food (26%), social service coordination (24%), mental health services (23%), and clothing (18%). Interestingly, the service needs identified related primarily to basic or survival needs. Recognizing coordination of social services as a primary need was a surprising finding.

**Fig. 19 Needed Services**



While it was important to determine whether law enforcement recognized the needs of victims, it was equally important to determine how confident they were in their ability to refer victims to others who could provide services to meet these needs. As shown in Figure 20, the majority (73%) of respondents were confident to very confident in their ability to refer victims for services. However, only 45 percent of line officers reported the same level of confidence compared to 82 percent of investigators. Additionally, 44 percent of line officers indicated that they were not at all confident or only minimally confident in their ability to make referrals.

**Fig. 20 Ability to Refer Victims for Services**

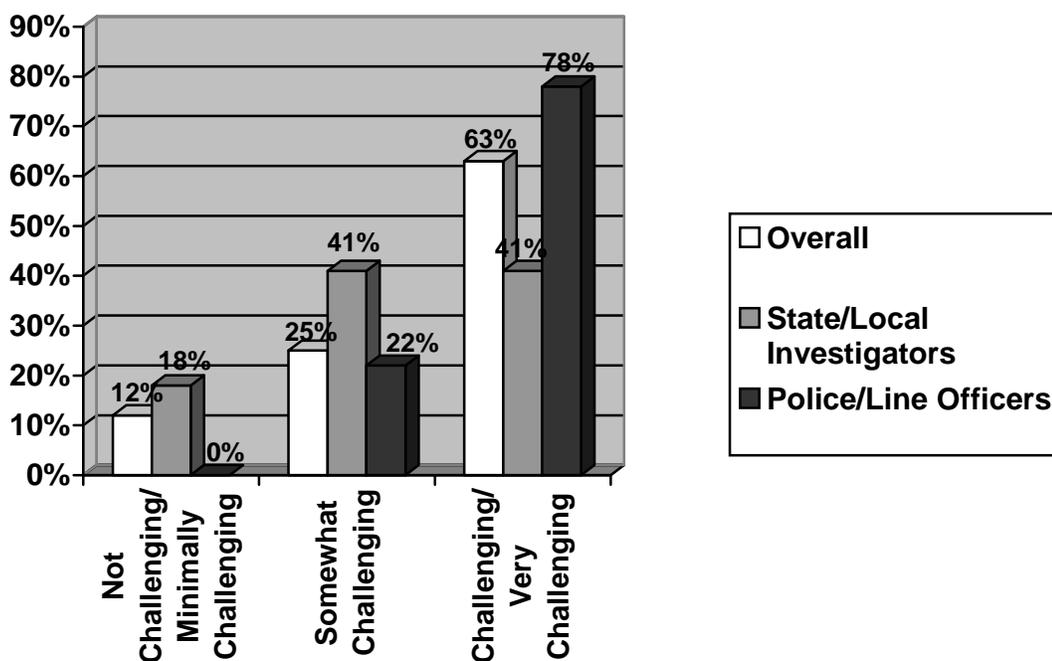


Respondents were asked whether their agencies had formal protocols in place to facilitate working with victim service providers and NGOs. The majority of respondents (73%) indicated they either had protocols in place or were in the process of developing them. Only 8 percent were unaware of whether such protocols existed and another 19 percent did not have protocols in place.

## 1.10 Challenges Working with Victims

Because victims often are apprehensive when working with law enforcement, respondents were asked how challenging it was for them to communicate with trafficking victims. As shown in Figure 21, the majority of respondents (63%) indicated it was challenging to very challenging communicating with victims. Interestingly, compared to investigators (41%), more line officers (78%) found communication with victims to be challenging. Additionally, respondents were asked how cooperative victims were when law enforcement was working on a case. Figure 22 shows that almost half the respondents (48%) reported victims as not cooperative or only minimally cooperative. These percentages were higher for line officers (71%) than for investigators (46%).

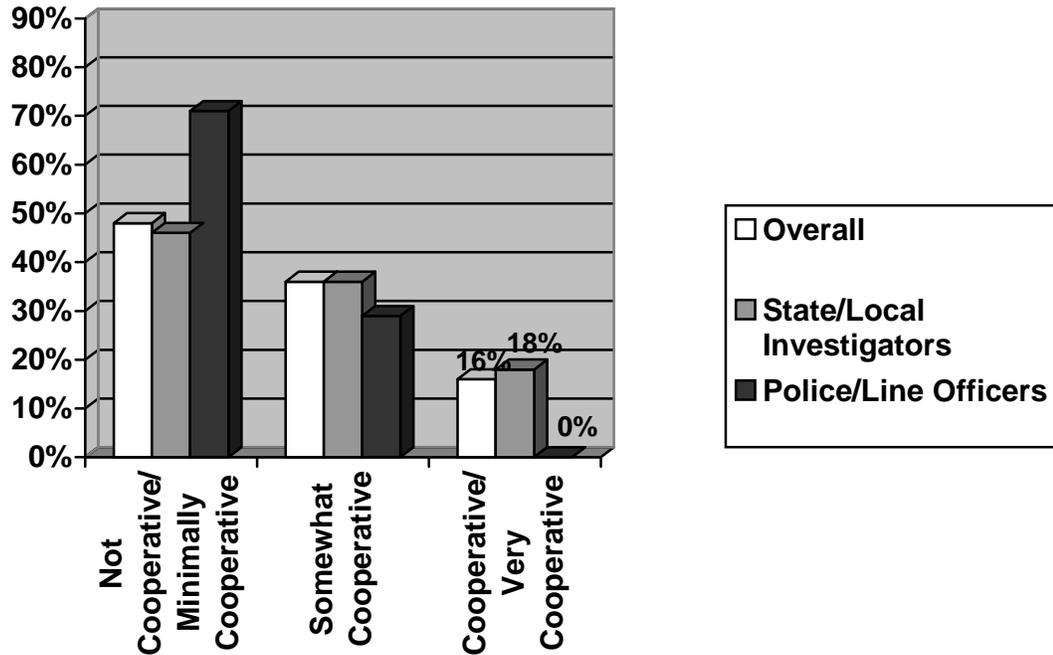
**Fig. 21 Ability to Communicate with Victims**



Given the importance of obtaining information from victims to build a case against the traffickers, these findings suggest the need for extensive training for law enforcement, particularly line officers, on working with victims. Additionally, the

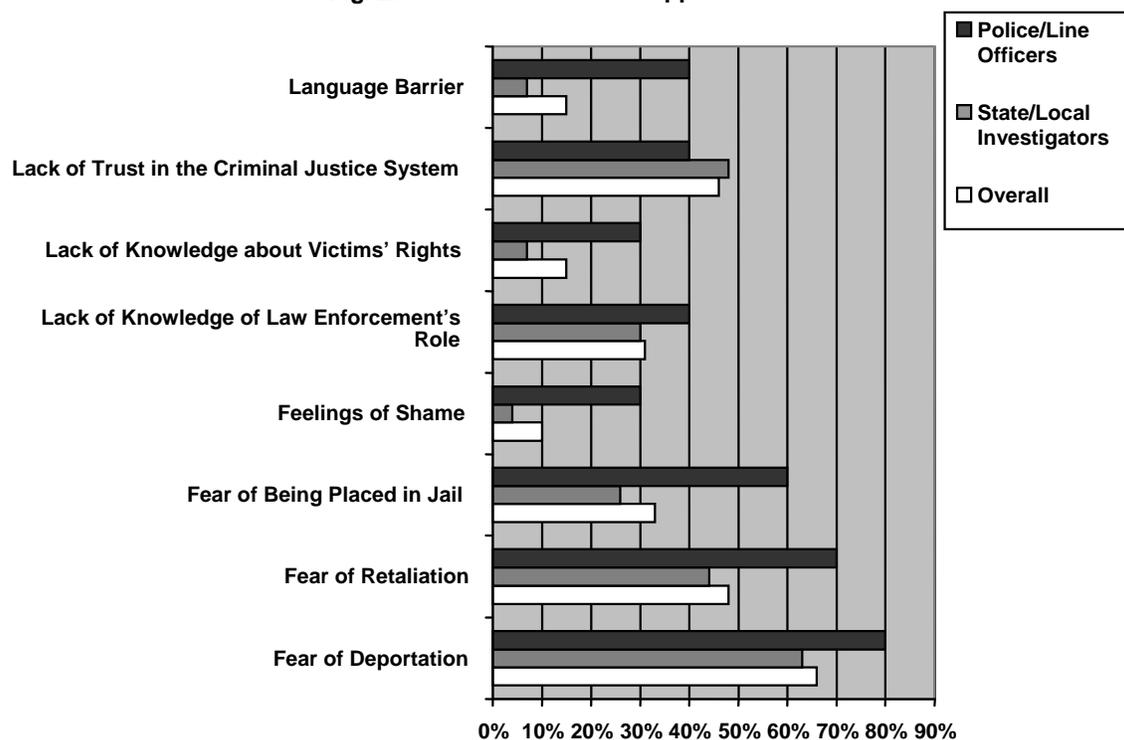
findings suggest a possible role that victim service providers and NGOs can play in assisting law enforcement with establishing rapport with victims.

**Fig. 22 Level of Cooperation from Victims**



Respondents were asked for their opinions on why they believed victims were apprehensive when working with law enforcement, as shown in Figure 23. The most common reasons given for victim apprehension included fear of deportation (66%), lack of trust in the U.S. criminal justice system (48%), and fear of retaliation against self or family (46%).

**Fig. 23 Reasons for Victims Apprehension**



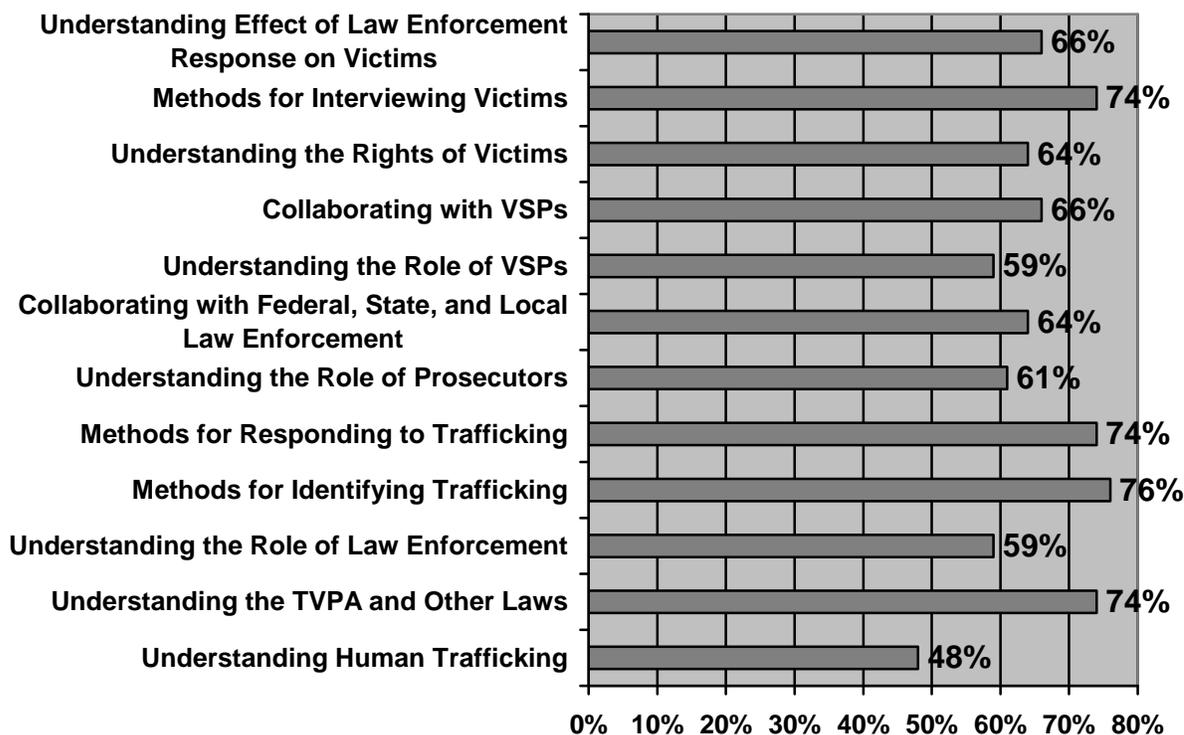
### 1.11 Training and Technical Assistance

Respondents were asked where they primarily receive their training on trafficking and working with victims of trafficking. Forty-five percent of respondents indicated that they received training mostly from Federal law enforcement-sponsored events, followed by on the job training (25%), and training provided by victim service providers (11%) and State and local law enforcement-sponsored events (11%). Only 5 percent indicated receiving training through task forces.

Respondents were asked to indicate on what topics training and technical assistance were most needed, as shown in Figure 24. While the majority of respondents found most of the topics to be important for future training of law enforcement, most notable were those with the greatest impact on law enforcement's ability to identify and respond to cases and victims: methods for identifying (76%) and responding to (74%)

cases, understanding the TVPA and other laws (74%), and methods for interviewing victims (74%).

**Fig. 24 Training Topics**



### **1.12 Additional Resources Needed**

Respondents also were asked to identify additional resources they needed to do a better job in providing services to trafficking victims. The data were thematically coded and analyzed. The needs most often cited included more education and training for those working on the issue, more task forces with representation from different agencies committed to working on trafficking, and availability of money and grants for law enforcement to respond to this crime.

### **1.13 Lessons Learned**

Respondents were asked to share one of the most important lessons they had learned from working on trafficking. Reflecting the current national education and outreach campaign on human trafficking, one investigator offered, *“You have to look beneath the surface and recognize that this work requires a lot of patience and time. Investigating these cases is not a quick process.”* Others noted that they had learned human trafficking was a larger problem than they and others once believed and that it was happening in the United States and not just outside our borders. Still others recognized that, *“the word has to get out to the community if we are ever to combat this crime. Law enforcement needs the help of the community to identify victims.”* It was also noted that there was a lack of understanding and information about the issue among law enforcement across the country. One respondent commented, *“This is an ongoing and increasing crime. The more information and education we can get out about this the better we will do at stamping it out. The local police agencies are familiar with traditional crimes, like prostitution, but human trafficking requires officers to look through a different filter at a situation they once thought they understood.”* Finally, several respondents noted that a real eye opener for them was learning to keep an open mind and recognizing that someone once viewed as a criminal might be a victim of a very serious crime.

## **2. KEY STAKEHOLDER INTERVIEWS**

Telephone interviews were conducted with seven key Federal stakeholders working on the issue of human trafficking. The respondents were senior managers and supervisors with 7 to 27 years of law enforcement experience. They were asked questions related to identification and investigation of human trafficking (signs and challenges), understanding victims of human trafficking, emerging trends and best practices, and training and technical assistance needs. Their responses are summarized below.

## **2.1 Identifying and Investigating Human Trafficking**

All respondents agreed on the signs law enforcement should be trained to look for and identify when investigating a potential human trafficking situation: country of origin of potential victims, languages spoken, behavior/body language of potential victims (e.g., nervousness, fear, isolation), lack of personal belongings present, appearance of coercive relationship among parties, lack of freedom of movement, and heavy monitoring/security of establishment. All respondents concurred that standard protocols should be in place to guide law enforcement in recognizing the crime of human trafficking and identifying victims.

Respondents also discussed the important role of local law enforcement in helping uncover these crimes. Because local law enforcement agencies and personnel know their communities, respondents agreed they were often in the best position to identify out of the ordinary situations and activities and were likely to know the local criminal elements. Local law enforcement's input into the identification and investigation of human trafficking cases was seen as invaluable. However, many respondents noted that while local law enforcement was often well suited to aid in an investigation, they often lacked the knowledge and resources needed to assist Federal agents. They suggested better training of more local law enforcement and making available more Federal agents to investigate these crimes.

Respondents offered suggestions for information that should be included in law enforcement training on investigating human trafficking. As with conducting other investigations, respondents indicated that law enforcement needed to understand the importance of obtaining victim testimony, corroborating stories, obtaining physical evidence, and following paper trails (e.g., bank records, phone records, leases, contracts) as they built their cases. They cited frustration with inaccuracies in victim testimonies as among the greatest challenges for law enforcement. Interviewees agreed law enforcement could benefit from training on the impact of trauma on a victim's memory of events and pointed out that victims of human trafficking are not like other victims of crime.

## 2.2 Understanding Victims of Trafficking

There were several important points made during the key stakeholder interviews regarding victims of human trafficking. First, respondents stressed the importance of reminding law enforcement that victims of human trafficking may not view themselves as victims. In some cases, victims may have chosen to enter the country illegally (smuggling) only to then be forced into prostitution (trafficked). Traffickers may remind victims of their choice to enter the country and repeatedly tell them that law enforcement would treat them as criminals and not victims. In other cases, traffickers may have possession of the victims' documents and tell them that without documents, law enforcement will treat them as being in the country illegally and deport them. Also, because most victims are unaware of their rights in the United States, they are less likely to come forward and accept assistance.

Immigration status, cultural diversity, language barriers, severity of the repeated trauma (physical, sexual, and/or psychological) experienced, lack of trust and fear of law enforcement, and fear for personal safety and the safety of others were cited as characteristics law enforcement should understand to distinguish trafficking victims from victims of other crimes.

The key respondents suggested that these characteristics or conditions placed victims of human trafficking outside the comfort zone of many "street cops." Several respondents indicated that even many of the special units tasked with addressing human trafficking (e.g., gang units, terrorism units, vice) are not accustomed to dealing directly with victims. According to the respondents, this creates a greater need for training and collaboration with victim service providers, immigrant service providers, legal advocates, and NGOs.

### **2.3 Emerging Trends and Best Practices**

Interviewees pointed to several emerging trends as law enforcement addresses the crime of human trafficking, including heightened awareness within law enforcement of what human trafficking is, particularly among special units; an ability to recognize human trafficking more quickly; more human trafficking-specific NGOs to work with law enforcement in providing assistance to victims; growing commitment of resources for law enforcement to address the issue, evident by the grants available for anti-trafficking task forces across the country, and greater awareness of the availability of resources; change in law enforcement mindset that these people are victims (beginning to “get it”); growth of interagency investigative models (working together to address the crime at the Federal, State, and local levels); growth of multidisciplinary task forces, which enable U.S. attorneys to work with local law enforcement as investigators and not just witnesses; and an increase in referrals from citizens.

While these trends were considered positive and important for combating the crime of human trafficking, several best practices were identified as critical to case success, including quality training of local law enforcement on how to identify human trafficking and interview victims. Respondents reported that in places where law enforcement had been well trained, victims were being identified and offering greater cooperation, suggesting that law enforcement officers were using interviewing techniques that were culturally sensitive, respectful, and non-threatening. In addition to training, conducting raids smartly was identified as a best practice. Smart raids meant conducting sufficient surveillance and collecting as much information as possible early on in the case (e.g., how many potential victims are at the location, how will the potential victims be separated from the potential traffickers, where will victims be housed, what services will victims need, what are the movement patterns of the victims and others in the establishment, who owns the establishment, what other establishments does this person own, what type of security is present at the establishment, are weapons present, and who are possible informants). To respondents, raiding smartly did not necessarily mean

raiding quickly and emphasized how labor- and time-intensive investigating a human trafficking case can be.

Another best practice noted was preparation of after action reports to document practices and procedures during an investigation and share lessons learned (what worked and what did not). Respondents reported these documents benefited not only agencies handling a particular case but also agencies and task forces working human trafficking cases across the country. They recommended developing a standard format for these reports and sharing it to guide others in the field.

## **2.4 Training Needs**

Key stakeholders commented on the primary training needs of law enforcement across the country. They mentioned the need for better quality training of more Federal, State, and local law enforcement and called attention to specific areas to address, including background information on what human trafficking is, recognizing indicators of human trafficking, interviewing potential victims, working collaboratively with other law enforcement and victim service providers, establishing memoranda of understanding and information sharing agreements, and reviewing investigation techniques. Respondents also suggested there was a need to train law enforcement on Federal and State human trafficking laws, although legal issues were regarded as less important than the human aspects of this crime. The key stakeholder recommendations were similar to those provided by investigators and line officers during the telephone surveys.

In addition to recommending training topics, respondents offered suggestions for training delivery, including cross-training conducted collaboratively with Federal, State, and local agencies (including NGOs), use of case studies and hands-on exercises, and incorporating human trafficking training into mandatory cultural competency training. The latter recommendation was based on the recognition that law enforcement, particularly local law enforcement, was call-driven, which often limited time available

for training. Incorporating human trafficking issues into mandatory training events would reduce the time law enforcement officers were off the street.

### **3. LEGAL CASE REVIEWS**

Human trafficking legal case reviews were conducted to enrich and supplement the findings from the telephone surveys and key stakeholder interviews. Specifically, the case reviews were intended to identify commonalities in law enforcement involvement and response to human trafficking cases. The case reviews examined prosecuted Federal and cases dating back to 1999.

#### **3.1 Selection Process**

There were 112 federally prosecuted human trafficking cases at the time of the study and the research team randomly sampled 10 percent of those cases to identify adequate information on law enforcements response to the trafficking case and whether the cases aligned with the study's goals. Of the 11 cases initially sampled, only nine were included in the final review. The remaining two cases were missing information that would allow for the comprehensive review, focusing on the four core components of legal case analysis: identifying the facts, defining the problem, identifying the rule to the facts (e.g., in light of the rule, how did law enforcement approach this situation), and conclusion.

#### **3.2 Overview of Cases**

Each of the reviewed cases dealt with sex and/or labor trafficking and included associated charges ranging from smuggling to involuntary servitude. Figure 25 presents an overview of the outcomes of the nine cases reviewed.

<b>U.S. v. Carreto (New York)</b>
<p>Each defendant pled guilty on April 5, 2005 to a 27 count indictment charging various crimes related to the trafficking of young women forced into prostitution. One co-defendant was sentenced in February to 27 months imprisonment for benefiting financially from the scheme. Two additional co-defendants, Consuela Carreto Valencia (who is the mother of Josue Flores Carreto and Gerardo Flores Carret) and Maria de los Angeles Velasquez Reyes, have been indicted in this district on charges of conspiracy, sex trafficking, forced labor, violations of the Mann Act, and immigration-related offenses. They are presently in Mexico, and the United States is seeking their extradition. On April 27, 2006, DOJ obtained two of the longest prison sentences ever imposed to date in a sex trafficking case—50 years each for defendants Josue Flores Carreto and Geraldo Flores Carreto. A third defendant, Daniel Perez Alonso, was sentenced to 25 years on the same day. Additionally, on February 2, 2006, co-defendant Edith Mosquera de Flores was sentenced to 27 months in prison for conspiring to force the young Mexican women into prostitution. On June 1, 2006, Elio Carreto Fernandez was sentenced to 80 months in prison. Sentencing for Eloy Carreto Reyes is pending.</p>
<b>U.</b>
<p>On May 10, 2004, defendant pleaded guilty to having harbored and abused an undocumented woman from Indonesia. On March 25, 2004, Trisanti also pleaded guilty to harboring another victim in a condition of involuntary servitude, during the same time period as the first victim. On March 4, 2005, in Los Angeles, CA, Mariska Trisanti was sentenced to 46 months in prison. Additionally, the court ordered a tentative restitution order of \$203,000. Trisanti had pled guilty to involuntary servitude and a co-defendant, Heri Nasution, had pled guilty to alien harboring in May 2004. Defendant Nasution was sentenced in August 2004 to 6 months home detention and 3 years supervised release.</p>
<b>U.S. v. Jimenez-Calderon (New Jersey)</b>
<p>On August 7, 2003, two leaders of the sex trafficking ring in New Jersey, Librada Jimenez-Calderon and Antonia Jimenez-Calderon, pleaded guilty to conspiracy and sex trafficking charges. Both were sentenced to over 17 years incarceration (one of the longest prison terms to date for charges brought under the TVPA). In May 2004, they also were ordered to pay a total of \$135,240 to four of their victims. Angel Ruiz also pleaded guilty and was sentenced to 44 months in prison on sex trafficking charges. Additionally, Sergio Farfan, after a guilty plea, was sentenced to 16 months in prison. Defendant Maritzana Diaz Lopez is still awaiting sentencing.</p>

**U.S. v. Kil Soo Lee (American Samoa)**

Kil Soo Lee was found guilty on 14 counts, including human rights violations, money laundering, and extortion. On June 22, 2005, in Honolulu, Hawaii, Kil Soo Lee, the former owner of an American Samoa garment factory, was sentenced to 40 years incarceration in the largest human trafficking case ever prosecuted to date. The 40-year sentence is the highest sentence to date to be handed down in a trafficking case that did not result in death. The multi-agency task team was honored with the Attorney General's Award for Distinguished Service, July 2003. More than 200 victims remained in the United States in search of jobs and were able to start their lives anew.

In 2002, the Ramos brothers were tried and convicted. On May 3, 2004, Juan Ramos was re-sentenced to 180 months in prison, followed by 3 years supervised release and a \$20,000 fine. Co-defendant Ramiro Ramos, Juan's brother, received the same sentence on March 1, 2004.

Local police called in the FBI and the Immigration and Naturalization Service to investigate, which led to 5 guilty pleas to hostage taking and smuggling offenses. Many other traffickers and co-conspirators were eventually discovered throughout Houston and Guatemala, from where the victims originated. All received prison sentences from 12 months to 27 months.

Ten defendants, including Luisa Medrano, are awaiting prosecution and sentencing.

**U.S. v. Lopez-Torres ( Texas)**

Defendant pleaded guilty to importation of an alien for immoral purposes and possession of illegal firearms. Lopez-Torres admitted to managing and supervising the operation from April 7, 2001 to May 22, 2003. Lopez-Torres was arrested on July 26, 2004 by U.S. Immigration and Customs Enforcement (ICE) agents. She remains in Federal custody to date. On December 17, 2004, Ms. Lopez was sentenced to 12 years after pleading guilty.

Mr. Tecum was arrested by Federal agents, tried, and convicted. He is currently serving a 9-year sentence. He was convicted of kidnapping, immigration violations, slavery, and conspiracy to manufacture false documents.

### **3.3 Key Themes**

The case reviews did not reveal as much information as was anticipated regarding law enforcement's role in the investigation and response to human trafficking cases, however, a few common themes and promising practices emerged. In four of the nine cases reviewed, law enforcement learned about the crime through members of the community, which highlights the importance of educating members of the community about human trafficking. Like law enforcement, communities need to understand what human trafficking is and signs for identifying it. In addition, collaboration among law enforcement, prosecutors, and victim service providers was a theme in seven of the nine cases. In all cases, Federal, State, and local law enforcement played an important role in helping the prosecution bring the cases to trial. While Federal law enforcement was the lead agency identified in all cases, State and local law enforcement were involved in planning for raids, gathering intelligence, following leads, and gathering evidence to corroborate victim statements. Early involvement of prosecutors in these cases also appeared to be a critical move by law enforcement. Additionally, in five of the cases reviewed, Federal victim-witness coordinators and local victim service providers were mentioned as playing an important role, primarily by providing victims with emergency and long-term care that was essential during the lengthy prosecution of the cases.

## **4. TASK FORCE DISCUSSION FORUMS**

Three nationwide task force discussion forums provided rich data on the goals and objectives of the anti-trafficking task forces, characteristics of successful task forces, greatest challenges, greatest successes, and lessons learned.

### **4.1 Goals and Objectives of the Task Forces**

The discussion forums were designed to gain a better understanding of the purpose of anti-trafficking task forces and determine the role they could play in addressing human trafficking. The goals and objectives of the three task forces were

similar and included working collaboratively to identify victims and convict individuals engaged in severe forms of human trafficking, providing for the safety of victims and meeting their needs through quality service provision, increasing task force presence within the community, and providing training on human trafficking issues (better identification of trafficking situations) to various community groups. While each task force had a slightly different approach to reaching these goals and objectives, common activities included establishing inter-agency relationships and formal agreements; establishing shared protocols to assist agencies in working together; offering in-service training to law enforcement and other agencies in the community; and enlisting community service providers, support groups, and education entities to increase public awareness of the problem and how best to respond.

## **4.2 A Successful Task Force**

Success for the purpose of this study was defined as meeting the goals and objectives set forth by each task force. The success of these task forces was attributed, in part, to the fact that all members offered different expertise and experiences within their respective disciplines. The wide representation of local, State, and Federal law enforcement agencies allowed for a broad perspective on human trafficking. A recurring theme throughout the discussions was that in order to work together on an issue, people must get to know, understand, and trust each other. Frequent and consistent meetings during which members can talk openly with one another were viewed as critical to task force success. Having a clear vision and clarifying roles would facilitate this process. As one Austin task force member explained, *“There can be no egos at the table; success requires team players only.”*

Members see the role of their task force to be creating awareness within their own communities to increase understanding of human trafficking and its diverse related issues. Members also indicated that a successful task force could serve as a repository of human trafficking information or offer help reviewing cases that need special attention. In addition, case coordination across agencies would help keep members up to date on

human trafficking developments and contribute to their training. Many members agreed that a successful task force should remain apolitical and develop tools and protocols to guide individuals on how to identify, assess, and assist trafficking victims.

### **4.3 Greatest Challenges**

These task forces have experienced various challenges and obstacles, including unique agency policies and procedures that make working together difficult. For example, because information sharing between agencies could be sensitive, understanding and appreciating an agency's capabilities and restrictions are crucial. Members had to accept these differences and find alternative ways to achieve mutual goals.

Another challenge for these task forces is that human trafficking is an enormous and relatively new issue for communities nationwide, and the law enforcement community itself, and requires considerable education and training. Task force members emphasized how crucial it was to have proper knowledge to accurately identify, investigate, and prosecute a case of human trafficking. Task force members also indicated that coordination was problematic, with many people doing this work and perhaps unknowingly working with the same victims of human trafficking. Because this crime can be complex and hidden, a learning curve was expected and must be overcome.

All task forces faced limited resources and members indicated that funding for investigations, services, and other essentials did not match the seriousness and magnitude of the problem. While a goal of each task force was to increase the identification of victims of human trafficking, members recognized the implications. Identifying more victims required more law enforcement manpower, more legal resources, and extensive, long-term services for victims and possibly family members. While task forces acknowledged the challenge of limited resources, they did not consider it a reason to abandon their fight against trafficking.

#### 4.4 Greatest Successes

The most common success reported by task forces was building trust among the members and holding frank discussions about trust and reasons for distrust. They also mentioned ongoing collaboration between law enforcement and local NGOs. One task force member explained that although there was never a conflict between the two groups, prior to establishment of the human trafficking task force, there was a lack of communication and uncertainty about how to work together, which were now considered invaluable to their overall success.

Members identified training of law enforcement, prosecutors, counselors, operators, and NGOs as another successful outcome of the task forces. As one San Diego task force member noted, *“We have planted seeds in all the police and sheriffs departments across the county. Now we just need to keep watering the seeds to help them grow.”* As one Los Angeles task force member indicated, *“We are hiring a person to knock on every training door to institute the integration of the roll call training video. This video will be presented at roll call with standard information on trafficking. We will personally contact training departments to show this video on an ongoing basis.”* Training was viewed by all as the most important outgrowth of the task forces and the activity with the greatest impact for raising awareness among law enforcement, prosecutors, victim service providers, NGOs, and the community at large.

Being able to collaborate on human trafficking also was considered a success across the task forces. Members recognized that they did not normally work together (at least not formally) to address problems in their communities, therefore, the task forces were a significant resource for the community and for each agency represented. Members were able to build on the expertise and knowledge of their fellow members to fill in gaps that would otherwise be present in their approach to this crime.

## 4.5 Lessons Learned

Among the lessons learned by the task forces was realizing the need for open mindedness, frank discussion, and patience. Communication played an essential role in accomplishing the tasks the groups set for themselves. As one Los Angeles task force member indicated, *“This is a process [building partnerships] that just takes time and takes risks. Each side has to take risks to end up best serving the client.”* Task force members also learned that to achieve law enforcement objectives related to human trafficking, input and feedback from those who work on the cases is vital both for planning and implementation. Other lessons learned included understanding the importance of adopting a victim-centered approach to addressing the problem, abandoning preconceptions about human trafficking and victims, having a willingness to compromise, and demonstrating respect for each others roles.

## **V. RECOMMENDATIONS FOR THE FIELD**

This report concludes with recommendations for the field that are supported by the literature and the results of the telephone surveys, key stakeholder interviews, legal case reviews, and task force discussion forums. These recommendations have been grouped into four categories (understanding of the problem, understanding of law enforcement's role, protocol development, and collaboration) for ease of presentation and are by no means an exhaustive list. Rather, they represent common themes among respondents and are intended to serve as a starting point for discussion and a catalyst for change.

### **1. INCREASE LAW ENFORCEMENT UNDERSTANDING OF THE HUMAN TRAFFICKING ISSUE**

The crime of human trafficking recently has received much public attention. Media accounts of trafficking situations are reported daily. However, some respondents reported that they and others are still not fully informed about this issue. What does human trafficking really entail? What are the guiding rules and regulations? What does it mean to be a victim of a severe form of human trafficking? How widespread is this crime in my jurisdiction? These are just some of the questions law enforcement indicated that they need answers to so that they can be better educated.

Answers to these and other questions, and areas noted previously, should be incorporated into existing law enforcement training opportunities (e.g., academy, roll call, conferences). Doing so will increase law enforcement exposure to human trafficking issues and, because this information would be shared in familiar settings, law enforcement could more likely accept the credibility and usefulness of the information presented. In addition, education or training materials should be developed and delivered by law enforcement personnel and be appropriate for the law enforcement audience (e.g., police culture, language, learning environments). By increasing awareness, law enforcement will continue to identify areas where support, assistance, and information are needed to better identify this crime and respond to its victims.

## **2. INCREASE UNDERSTANDING OF THE LAW ENFORCEMENT ROLE IN A HUMAN TRAFFICKING CASE**

Under Federal law and most State statutes, law enforcement has a crucial role in any human trafficking case and it ranges from the investigatory phase to the prosecution phase. It was clear from the results of the telephone survey that State and local law enforcement needed more information on the role of other law enforcement, in particular Federal agents, in the investigation of trafficking cases. The more they understand each other's roles, the more likely they will be able to work together effectively to solve a case. Additionally, State and local law enforcement indicated the need for more information and tools to help them identify cases and interview victims. Given the difficulties reported by many State and local law enforcement respondents working with victims (e.g., lack of trust, lack of cooperation, difficulty communicating), it is important for law enforcement to receive training, perhaps from victim service providers and NGOs, on how to interact with victims and information on understanding victims of human trafficking (e.g., their experiences, the impact of trauma on their behavior).

Greater attention also should be given to the role law enforcement has in helping victims of a severe form of human trafficking receive government-sponsored social services. Victims seeking government assistance can request a law enforcement endorsement that confirms the victims' participation in a criminal investigation and becomes part of the application for public benefits. Respondents indicated that law enforcement could benefit greatly from a better understanding of law enforcement endorsement, as well as the issue of continued presence, and how these processes could affect the lives of human trafficking victims. Specific law enforcement training materials should be developed to explain clearly the law enforcement endorsement process and any potential consequences (effects on human trafficking victims) of not providing this endorsement. As mentioned above, these materials should be developed and delivered with involvement by law enforcement personnel. Additionally, using these materials in cross-training between law enforcement and other service organizations will help increase understanding of each other's role and help spread information to victims

so they are better aware of U.S. law enforcement culture and practice related to human trafficking.

### **3. DEVELOP, REFINE, AND SHARE LAW ENFORCEMENT PROTOCOLS**

Protocols for identifying human trafficking victims and responding to trafficking cases are being developed by agencies across the United States. Other studies have indicated that protocol development and use have increased service organizations' ability to efficiently identify and respond to the needs of human trafficking victims (Clawson et al., 2004). Respondents to this study also expressed that they were benefiting from specific human trafficking protocols in their daily law enforcement work. Ensuring the availability of such protocols across the law enforcement community is likely to enhance investigators' and line officers' ability to detect a trafficking situation (What are the common red flags? What process should I use to investigate this crime? How should I coordinate my efforts with other law enforcement agencies?), and their ability to work effectively with trafficking victims (What different service entities need to be involved in a trafficking investigation and response? Who in my area should I contact to help me work with a victim? How should I treat a victim during the investigation and/or raid process? How can I ensure my response is culturally appropriate?).

Standardized protocols would contribute significantly to fostering a law enforcement environment that is sensitive to human trafficking issues, understands how to work these types of cases, and is better able to coordinate with other service organizations carrying out this work. Collaboration is difficult for any network of agencies that does not have a firm understanding of each other's priorities and practices, and power struggles and lack of information sharing can result. Sharing protocols is one approach for law enforcement and their networks to define each agency's role in a case and facilitate a streamlined response.

#### **4. INCREASE COLLABORATION AMONG LAW ENFORCEMENT (FEDERAL, STATE, AND LOCAL), PROSECUTORS, AND VICTIM SERVICE PROVIDERS**

As the current study demonstrated, agencies working collaboratively was considered critical for adequately addressing the crime of human trafficking and meeting the needs of victims. Similarly, understanding the role others play in a human trafficking case is essential for collaboration to be possible. Through formal memoranda of understanding, data and information sharing protocols, and sharing of policies, practices, and procedures agencies can begin to learn the boundaries of their work and the work of others, as well as areas of overlap. Additionally, Federal, State, and local law enforcement, prosecutors, victim service providers, and NGOs should establish formalized channels of consistent communication rather than relying on traditional reactive solicitation of information about a specific case, organization, or individual. More attention also should be given to institutionalizing inter-agency relationships for training (and cross-training), resources, and information sharing. Interviews with supervisors and managers confirmed that turf issues must be resolved in order for law enforcement to effectively respond to cases and help victims. Many of these recommendations can be accomplished through anti-trafficking task forces such as those highlighted in this study.

#### **5. CONCLUSION**

This study provides insight into current understanding of the issue of human trafficking and responses to cases by State and local law enforcement currently working on this issue. Additionally, the challenges and barriers to identifying and responding to victims, understanding of victim needs and ability to refer victims for services, and training and resource needs from the perspective of law enforcement with experience in this area have been highlighted. While considerable education and training at all levels of law enforcement are still needed, the findings from this study are promising. The majority of respondents were knowledgeable about human trafficking, could provide an appropriate definition of the crime, knew the signs to look for when investigating a case,

could identify victims' needs, and were aware of their own limitations (e.g., ability to communicate with victims and obtain cooperation, ability to refer victims for services, understanding of the role of others in responding to human trafficking cases). It is important to remember that these findings are not meant to be representative of the larger law enforcement community but are specific to State and local law enforcement agencies currently addressing the crime of human trafficking in their communities. This study provides a snapshot of those who are working these cases and who *should* be familiar with the issues.

Additionally, this study provides important information that suggests anti-trafficking task forces that involve Federal, State, and local law enforcement, prosecutors, victim service providers, NGOs, and key community leaders are a promising strategy for increasing awareness of human trafficking, increasing the identification of cases, and ultimately, improving the safety of victims.

Additional research should continue to explore these issues with a larger sample that includes Federal agents and perhaps a comparative sample of law enforcement agencies with limited exposure and experience to actual human trafficking cases. Future studies also need to explore other agencies current response to human trafficking, including Federal and State prosecutors charged with applying the TVPA and new State laws to prosecute traffickers, victim service providers, community-based organizations, and faith-based organizations working directly with victims.

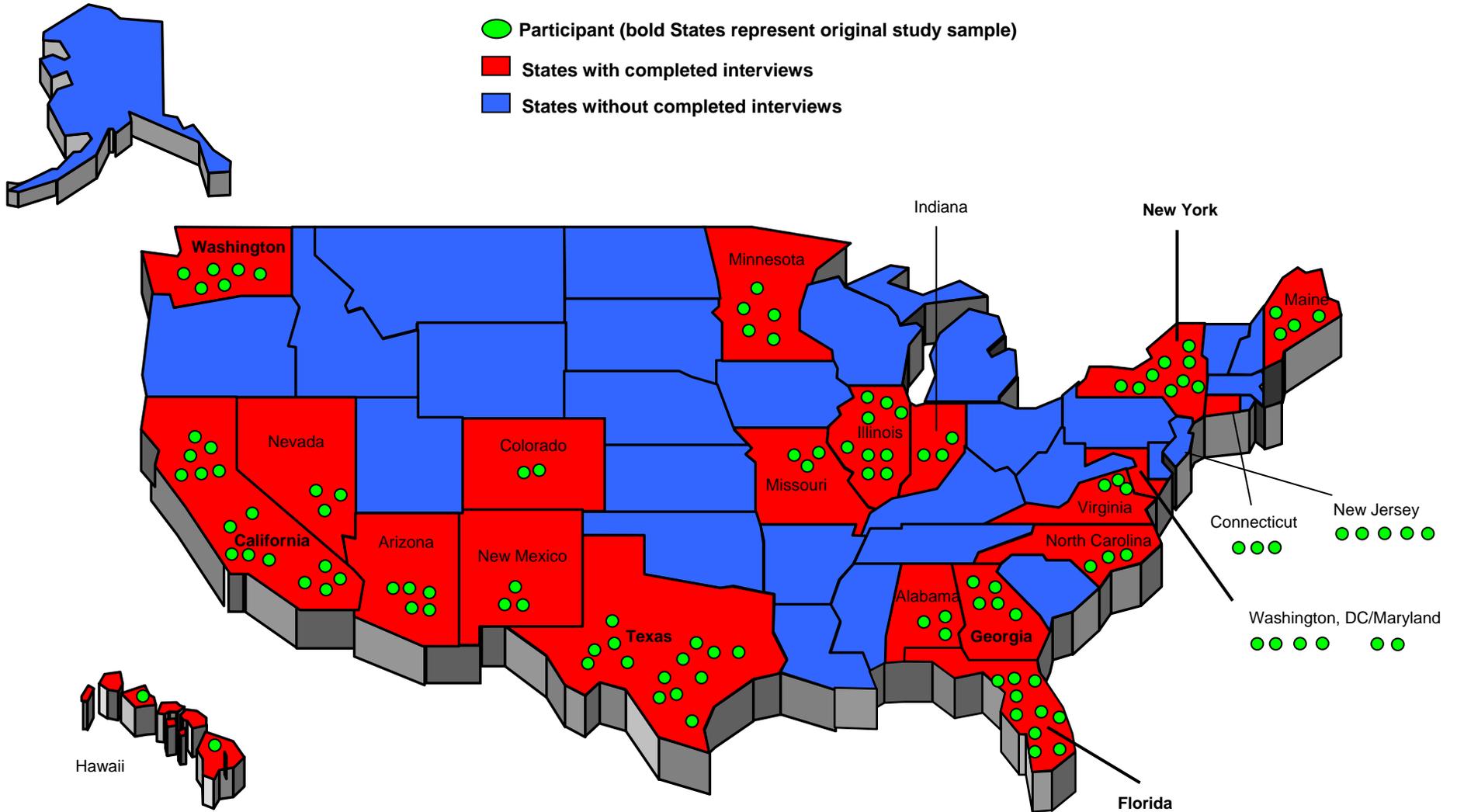
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## **APPENDIX A**

## U.S. Map of Telephone Survey Study Sample



This document is a research report submitted to the U.S. Department of Justice. This report has not been published by the Department. Opinions or points of view expressed are those of the author(s) and do not necessarily reflect the official position or policies of the U.S. Department of Justice.

## **APPENDIX B**

## State and Local Investigators

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Date:

Name:

Contact information:

The National Institute of Justice, the research arm within the Office of Justice Programs, has contracted with Caliber Associates to assess the needs of law enforcement who work on cases of human trafficking. Specifically, we are interested in learning how law enforcement identify and respond to cases of human trafficking, how law enforcement work collaboratively with other organizations involved in these cases, and what additional resources law enforcement need to better handle cases of human trafficking. Your participation in this study is voluntary and your answers will be kept confidential. Also, we understand that your answers reflect your opinion and experience only. We anticipate this interview to last about 60 minutes. Do you have any questions before we begin? Do you have the response list in front of you before we begin?

### **Background**

1. Briefly describe your current position and how long you have been in this position?
2. What language(s), other than English, do you speak fluently?

### **General Knowledge**

3. How did you first learn about the issue of human trafficking?
  4. What does the term “human trafficking” mean to you?
  5. In your opinion, is there a difference between human trafficking, smuggling, and kidnapping?
  6. On a scale from 1 to 5 with 1 = Not knowledgeable, 3 = Somewhat knowledgeable, and 5 = Very knowledgeable, overall, how knowledgeable are you with the issue of human trafficking?<sup>1</sup>
  7. On a scale from 1 to 5 with 1 = Not familiar, 3 = Somewhat familiar, and 5 = Very familiar, overall, how familiar are you with the Victims of Trafficking and Violence Protection Act of 2000?
-

8. On a scale from 1 to 5 with 1 = Not familiar, 3 = Somewhat familiar, and 5 = Very familiar, overall, how familiar are you with the Protection Act of 2003 (TVPA Reauthorization of 2003)?
9. Do you know if your state has state-specific anti-human trafficking legislation?
10. On a scale from 1 to 5 with 1 = Not a problem, 3 = Somewhat a problem, and 5 = Very serious problem, how would you rate the human trafficking problem in your area?
11. On a scale from 1 to 5 with 1 = Not a priority, 3 = Somewhat a priority, and 5 = Very high priority, how much of a priority is addressing human trafficking in your organization?
12. Are you currently working with a local human trafficking task force?

### **Human Trafficking Population**

13. How many human trafficking victims have you worked with? [best estimate.]  
Male \_\_\_\_\_  
Female \_\_\_\_\_  
Transgender \_\_\_\_\_
14. Of those human trafficking victims that you identified in question #13 above, how many of them were juvenile victims and how many of them were adult victims? [best estimate.]  
Juveniles (under 18 years old) \_\_\_\_\_  
Adults (over 18 years old) \_\_\_\_\_
15. When on the job, in what type(s) of environments have you encountered human trafficking?

### **Identification and Response Practices**

16. How many years of experience do you have working on human trafficking cases?
17. What is the total number of human trafficking cases you have worked on since 2000?
18. On average, how long do you spend working on a case of human trafficking?
19. In your opinion, what are the most common 'red flags' that signify that a case is potentially a case of human trafficking?
20. How do cases of human trafficking primarily come to your attention?

21. What are the primary investigative methods for responding to cases of human trafficking?
23. On a scale from 1 to 5 with 1 = Not familiar, 3 = Somewhat familiar, and 5 = Very familiar, how familiar are you with the legal remedy of “continued presence?”
24. What role does law enforcement play in helping victims access “continued presence?”
25. Do you have formal protocols for identifying and responding to human trafficking cases?
26. On a scale from 1 to 5 with 1 = Not useful, 3 = Somewhat useful, and 5 = Very useful, how useful do you think formal procedures/protocols are or would be in helping identify and respond to human trafficking cases?
27. What are the primary ways that human trafficking cases differ from other cases that you have worked on?
28. In your experience, which scenario best describes the outcome of the trafficking cases that you have worked on?

### **Barriers/Challenges**

29. What are the primary barriers/challenges law enforcement faces in *identifying* a case of human trafficking?
30. What are the most significant barriers/challenges law enforcement face in *responding* to a case of human trafficking?

### **Working with Victims**

31. How did you gain your knowledge on how to work with victims of human trafficking?
32. Based on your experience, what are the primary social services you find human trafficking victims need?
33. On a scale from 1 to 5 with 1 = Not confident, 3 = Somewhat confident, 5 = Very confident, how confident are you in your ability to refer victims to service providers who can help victims with their social service and legal needs?
34. On a scale from 1 to 5 with 1 = Do not meet needs, 3 = Adequately meet needs, 5 = More than adequately meet needs, to what extent do you think service providers in your area meet the needs of human trafficking victims that you work with?

35. Does your organization have protocols for working with victim service providers in the context of a human trafficking case?
36. How do you provide for the safety of human trafficking victims that you have worked with?
38. On a scale from 1 to 5 with 1 = Very challenging, 3 = Somewhat challenging, and 5 = Not challenging, how challenging is it to communicate with human trafficking victims
39. On a scale from 1 to 5 with 1 = Not cooperative, 3 = Somewhat cooperative, 5 = Very cooperative, how would you rate the victim's overall level of cooperation when you are working on a human trafficking case? [Probe for what they consider reasonable cooperation.]
40. What do you think are the primary reasons why some human trafficking victims are apprehensive about working with law enforcement?

**Training and Technical Assistance**

41. From what source(s) do you primarily receive your training and technical assistance on how to investigate cases of human trafficking?
42. Do you need training or technical assistance with:

<b>Type of assistance needed:</b>	<b>No/Yes</b>	<b>Not applicable</b>
a. Understanding the issue of human trafficking		NA
b. Understanding the TVPA and other laws that could be used in a human trafficking case		NA
c. Understanding the role of law enforcement in human trafficking cases		NA
d. Methods for identifying cases of human trafficking		NA
e. Methods for investigating cases of human trafficking		NA
f. Understanding the role of prosecutors in human trafficking cases		NA
g. Collaborating with federal, state and local law enforcement		NA
h. Understanding the role of victim service providers in human trafficking cases		NA

i. Collaborating with victim service providers		NA
j. Understanding what rights victims of human trafficking have in the United States		NA
k. Methods for interviewing human trafficking victims		NA
l. Understanding how law enforcement's response to victims impacts the victims' mental health and their ability to cooperate with law enforcement in investigating and prosecuting cases		NA

43. What additional information or resources do you need to better address human trafficking cases?

44. What is the one most important thing you have learned from doing this work? If you had to share one thing with the field, what would it be?

### **Next Steps**

Can you refer us to others in your area we should contact for this study?

- No
- Yes

Agency/organization: \_\_\_\_\_

Contact person: \_\_\_\_\_

Telephone number: \_\_\_\_\_

***Thank you for participating in our study!!!***

## Police/Line Officers

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Date:

Name:

Contact information:

The National Institute of Justice, the research arm within the Office of Justice Programs, has contracted with Caliber Associates to assess the needs of law enforcement who work on cases of human trafficking. Specifically, we are interested in learning how law enforcement identify and respond to cases of human trafficking, how law enforcement work collaboratively with other organizations involved in these cases, and what additional resources law enforcement need to better handle cases of human trafficking. Your participation in this study is voluntary and your answers will be kept confidential. Also, we understand that your answers reflect your opinion and experience only. We anticipate this interview to last about 60 minutes. Do you have any questions before we begin? Do you have the response list in front of you before we begin?

### **Background**

1. Briefly describe your current position and how long you have been in this position?
2. What language(s), other than English, do you speak fluently?

### **General Knowledge<sup>2</sup>**

3. How did you first learn about the issue of human trafficking?
  4. What does the term “human trafficking” mean to you?
  5. In your opinion, is there a difference between human trafficking, smuggling, and kidnapping?
  6. On a scale from 1 to 5 with 1 = Not knowledgeable, 3 = Somewhat knowledgeable, and 5 = Very knowledgeable, overall, how knowledgeable are you with the issue of human trafficking?
  7. On a scale from 1 to 5 with 1 = Not familiar, 3 = Somewhat familiar, and 5 = Very familiar, overall, how familiar are you with the Victims of Trafficking and Violence Protection Act of 2000?
  8. On a scale from 1 to 5 with 1 = Not familiar, 3 = Somewhat familiar, and 5 = Very familiar, overall, how familiar are you with the Protection Act of 2003 (TVPA Reauthorization of 2003)?
-

9. Do you know if your state has state-specific anti-human trafficking legislation?
10. On a scale from 1 to 5 with 1 = Not a problem, 3 = Somewhat a problem, and 5 = Very serious problem, how would you rate the human trafficking problem in your area?
11. On a scale from 1 to 5 with 1 = Not a priority, 3 = Somewhat a priority, and 5 = Very high priority, how much of a priority is addressing human trafficking in your organization?

### **Human Trafficking Population**

12. How many human trafficking victims have you worked with?
13. Of those human trafficking victims that you identified in question #12 above, how many of them were juvenile victims and how many of them were adult victims?
14. When on the job, in what type(s) of environment have you encountered human trafficking?

### **Identification and Response Practices**

15. How many years of experience do you have working on human trafficking cases?
16. What is the total number of human trafficking cases you have worked on since 2000?
17. On average, how long do you spend working on a case of human trafficking?
18. In your opinion, what are the most common 'red flags' that signify that a case is potentially a case of human trafficking?
19. How do cases of human trafficking primarily come to your attention?
20. What is your primary role in working on cases of human trafficking?
21. On a scale from 1 to 5 with 1 = Not knowledgeable, 3 = Somewhat knowledgeable, and 5 = Very knowledgeable, overall, how knowledgeable are you with the legal remedy of "continued presence?"
22. What role does law enforcement play in helping victims access "continued presence?"
23. Do you have formal guidelines for identifying and responding to human trafficking cases?

24. On a scale from 1 to 5 with 1 = Not useful, 3 = Somewhat useful, and 5 = Very useful, how useful do you think formal guidelines are or would be in helping identify and respond to human trafficking cases?
25. What are the primary ways that human trafficking cases differ from other cases that you have worked on?
26. In your experience, which scenario best describes the outcome of the trafficking cases that you have worked on?

### **Barriers/Challenges**

27. What are the primary barriers/challenges law enforcement faces in *identifying* a case of human trafficking?
28. What are the most significant barriers/challenges law enforcement face in *responding* to a case of human trafficking?

### **Working with Victims**

29. How did you gain your knowledge on how to work with victims of human trafficking?
30. Based on your experience as a first responder, what are the primary social services you find human trafficking victims need?
31. On a scale from 1 to 5 with 1 = Not confident, 3 = Somewhat confident, 5 = Very confident, how confident are you in your ability to refer victims to service providers who can help victims with their social service and legal needs?
32. On a scale from 1 to 5 with 1 = Do not meet needs, 3 = Adequately meet needs, 5 = More than adequately meet needs, to what extent do you think service providers in your area meet the needs of human trafficking victims that you work with?
33. Does your organization have guidelines for working with service providers in the context of a human trafficking case?
34. How do you provide for the safety of human trafficking victims?
35. What do you think are the primary ways that human trafficking victims differ from other crime victims that you have worked with? [Probe for how law enforcement feels about human trafficking victims compared to other crime victims.]

36. On a scale from 1 to 5 with 1 = Very challenging, 3 = Somewhat challenging, 5 = Not challenging, how challenging is it to communicate with human trafficking victims?
37. On a scale from 1 to 5 with 1 = Not cooperative, 3 = Somewhat cooperative, 5 = Very cooperative, how would you rate the victim's overall level of cooperation when you are working on a human trafficking case?
38. What do you think are the primary reasons why human trafficking victims are apprehensive about working with law enforcement?

**Training and Technical Assistance**

39. From what source(s) do you primarily receive your training and technical assistance on how to investigate cases of human trafficking?
40. Do you need training or technical assistance with:

<b>Type of assistance needed:</b>	<b>No/Yes</b>	<b>Not applicable</b>
a. Understanding the issue of human trafficking		N/A
b. Understanding the TVPA and other laws that could be used in a human trafficking case		N/A
c. Understanding the role of law enforcement with respect to investigating human trafficking		N/A
d. Methods for identifying cases of human trafficking		N/A
e. Methods for investigating cases of human trafficking		N/A
f. Understanding the role of prosecutors in human trafficking cases		N/A
g. Collaborating with federal, state and local law enforcement		N/A
h. Understanding the role of the victim service providers in human trafficking cases		N/A
i. Collaborating with victim service providers		N/A
j. Understanding what rights victims of human trafficking have in the United States		N/A
k. Methods for interviewing human trafficking victims		N/A
l. Understanding how law enforcement's response to victims impacts the victims' mental health and their ability to cooperate with law enforcement in investigating and prosecuting cases		N/A

41. What additional information or resources do you need to better address human trafficking cases?
42. What is the one most important thing you have learned from doing this work? If you had to share one thing with the field, what would it be?

**Next Steps**

Can you refer us to others in your area we should contact for this study?

Agency/organization: \_\_\_\_\_

Contact person: \_\_\_\_\_

Telephone number: \_\_\_\_\_

*Thank you for participating in our study!*

## Victim-Witness Coordinators

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Date:

Name:

Contact information:

The National Institute of Justice, the research arm within the Office of Justice Programs, has contracted with Caliber Associates to assess the needs of law enforcement who work on cases of human trafficking. Specifically, we are interested in learning how law enforcement identify and respond to cases of human trafficking, how law enforcement work collaboratively with other organizations involved in these cases, and what additional resources law enforcement need to better handle cases of human trafficking. Your participation in this study is voluntary and your answers will be kept confidential. Also, we understand that your answers reflect your opinion and experience only. We anticipate this interview to last about 60 minutes. Do you have any questions before we begin? Do you have the response list in front of you before we begin?

### **Background**

1. Briefly describe your current position and how long you have been in this position?
2. What language(s), other than English, do you speak fluently?

### **General Knowledge**

3. How did you first learn about the issue of human trafficking?
4. What does the term “human trafficking” mean to you?
5. In your opinion, is there a difference between human trafficking, smuggling, and kidnapping?
6. On a scale from 1 to 5 with 1 = Not knowledgeable, 3 = Somewhat knowledgeable, and 5 = Very knowledgeable, overall, how knowledgeable are you with the issue of human trafficking?
7. On a scale from 1 to 5 with 1 = Not familiar, 3 = Somewhat familiar, and 5 = Very familiar, overall, how familiar are you with the Victims of Trafficking and Violence Protection Act of 2000?
8. On a scale from 1 to 5 with 1 = Not familiar, 3 = Somewhat familiar, and 5 = Very familiar, overall, how familiar are you with the Protection Act of 2003 (TVPA Reauthorization of 2003)?

9. On a scale from 1 to 5 with 1 = Not familiar, 3 = Somewhat familiar, and 5 = Very familiar, how familiar are you with the various law enforcement agencies in your area that work on human trafficking cases?
10. Do you know if your state has state-specific anti-human trafficking legislation?
11. Are you currently working with a local human trafficking task force?
12. On a scale from 1 to 5 with 1 = Not a problem, 3 = Somewhat a problem, and 5 = Very serious problem, how would you rate the human trafficking problem in the region where you are currently assigned?
13. On a scale from 1 to 5 with 1 = Not a priority, 3 = Somewhat a priority, and 5 = Very high priority, how much of a priority is addressing human trafficking in your organization?

### **Human Trafficking Population**

14. How many human trafficking victims have you worked with?
15. Of those human trafficking victims that you identified in question #14 above, how many of them were juvenile victims and how many of them were adult victims?
16. When on the job, in what types of environments have you encountered human trafficking?

### **Identification and Response Practices**

17. How many years of experience do you have working on human trafficking cases?
18. What is the total number of human trafficking cases you have worked on since 2000?
19. On average, how long do you spend working on a case of human trafficking?
20. How do cases of human trafficking primarily come to your attention?
21. What is your primary role in working with human trafficking victims?
22. Who do you think is most vital to your role in working with human trafficking victims?
23. On a scale from 1 to 5 with 1 = Not familiar, 3 = Somewhat familiar, and 5 = Very familiar, how familiar are you with the legal remedy of “continued presence?”

24. What role does law enforcement play in helping victims access “continued presence?”
25. Do you have formal protocols for identifying and working with human trafficking victims?
26. On a scale from 1 to 5 with 1 = Not useful, 3 = Somewhat useful, and 5 = Very useful, how useful do you think that protocols are or would be in helping to identify, and work with, human trafficking victims?
27. What are the primary ways that human trafficking cases differ from other cases that you have worked on?
28. In your experience, which scenario best describes the outcome of the trafficking cases that you have worked on?

### **Barriers/Challenges**

29. What are the primary barriers/challenges law enforcement faces in *identifying* a case of human trafficking?
30. What are the most significant barriers/challenges law enforcement face in *responding* to a case of human trafficking?

### **Working with Victims**

31. How did you gain your knowledge on how to work with victims of human trafficking?
32. Based on your experience, what are the primary social services you find human trafficking victims need?
33. On a scale from 1 to 5 with 1 = Not confident, 3 = Somewhat confident, 5 = Very confident, how confident are you in your ability to refer victims to service providers who can help victims with their social service and legal needs?
34. On a scale from 1 to 5 with 1 = Do not meet needs, 3 = Adequately meet needs, 5 = More than adequately meet needs, to what extent do you think service providers in your area meet the needs of human trafficking victims that you work with?
35. Does your organization have protocols for working with service providers in the context of a human trafficking case?
36. How do you provide for the safety of human trafficking victims?
37. What do you think are the primary ways that human trafficking victims differ from other crime victims that you have worked with?

38. On a scale from 1 to 5 with 1 = Very challenging, 3 = Somewhat challenging, 5 = Not challenging, how challenging is it to communicate with human trafficking victims?
39. On a scale from 1 to 5 with 1 = Not cooperative, 3 = Somewhat cooperative, 5 = Very cooperative, how would you rate the victim's overall level of cooperation victims when you are working on a human trafficking case?
40. What do you think are the primary reasons why some human trafficking victims are apprehensive about working with law enforcement?

**Training and Technical Assistance**

41. From what source(s) do you primarily receive your training and technical assistance on how to investigate cases of human trafficking?
42. Do you need training or technical assistance with:

<b>Type of assistance needed:</b>	<b>No/Yes</b>	<b>Not applicable</b>
a. Understanding the issue of human trafficking		N/A
b. Understanding the TVPA and other laws that could be used in a human trafficking case		N/A
c. Understanding the role of law enforcement with respect to investigating human trafficking		N/A
d. Methods for identifying cases of human trafficking		N/A
e. Methods for investigating cases of human trafficking		N/A
f. Understanding the role of prosecutors in human trafficking cases		N/A
g. Collaborating with federal, state and local law enforcement		N/A
h. Understanding the role of the victim service providers in human trafficking cases		N/A
i. Collaborating with victim service providers		N/A
j. Understanding what rights victims of human trafficking have in the United States		N/A
k. Methods for interviewing human trafficking victims		N/A

1. Understanding how law enforcement's response to victims impacts the victims' mental health and their ability to cooperate with law enforcement in investigating and prosecuting cases		N/A
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- 43. What additional information or resources do you need to better address human trafficking cases?
- 44. What is the one most important thing you have learned from doing this work? If you had to share one thing with the field, what would it be?

**Next Steps**

Can you refer us to others in your area we should contact for this study?

Agency/organization: \_\_\_\_\_  
Contact person: \_\_\_\_\_  
Telephone number: \_\_\_\_\_

*Thank you for participating in our study!*

## Federal Agents

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Date:

Name:

Contact information:

The National Institute of Justice, the research arm within the Office of Justice Programs, has contracted with Caliber Associates to assess the needs of law enforcement who work on cases of human trafficking. Specifically, we are interested in learning how law enforcement identify and respond to cases of human trafficking, how law enforcement work collaboratively with other organizations involved in these cases, and what additional resources law enforcement need to better handle cases of human trafficking. Your participation in this study is voluntary and your answers will be kept confidential. Also, we understand that your answers reflect your opinion and experience only. We anticipate this interview to last about 60 minutes. Do you have any questions before we begin? Do you have the response list in front of you before we begin?

### **Background**

1. Briefly describe your current position and how long you have been in this position?
2. What language(s), other than English, do you speak fluently?

### **General Knowledge**

3. How did you first learn about the issue of human trafficking? If you have multiple items for this response, please rank the order of their import.
4. What does the term “human trafficking” mean to you?
5. In your opinion, is there a difference between human trafficking, smuggling, and kidnapping?
6. On a scale from 1 to 5 with 1 = Not knowledgeable, 3 = Somewhat knowledgeable, and 5 = Very knowledgeable, overall, how knowledgeable are you with the issue of human trafficking?
7. On a scale from 1 to 5 with 1 = Not familiar, 3 = Somewhat familiar, and 5 = Very familiar, overall, how familiar are you with the Victims of Trafficking and Violence Protection Act of 2000?
8. On a scale from 1 to 5 with 1 = Not familiar, 3 = Somewhat familiar, and 5 = Very familiar, overall, how familiar are you with the Protection Act of 2003 (TVPA Reauthorization of 2003)?

9. On a scale from 1 to 5 with 1 = Not familiar, 3 = Somewhat familiar, and 5 = Very familiar, how familiar are you with the various law enforcement agencies in your area that work on human trafficking cases?
10. Are you currently working with a local human trafficking task force?
11. On a scale from 1 to 5 with 1 = Not a problem, 3 = Somewhat a problem, and 5 = Very serious problem, how would you rate the human trafficking problem in the region where you are currently assigned?
12. On a scale from 1 to 5 with 1 = Not a priority, 3 = Somewhat a priority, and 5 = Very high priority, how much of a priority is addressing human trafficking in your organization?

### **Human Trafficking Population**

13. How many human trafficking victims have you worked with?
14. Of those human trafficking victims that you identified in question #13 above, how many of them were juvenile victims and how many of them were adult victims?
15. When on the job, in what type(s) of environment have you encountered human trafficking?

### **Identification and Response Practices**

16. How many years of experience do you have working on human trafficking cases?
17. What is the total number of human trafficking cases you have worked on since 2000?
18. On average, how long do you spend working on a case of human trafficking? If you have multiple items for this response, please rank the order of their import.
19. In your opinion, what are the most common 'red flags' that signify a case is potentially a case of human trafficking?
20. How do cases of human trafficking primarily come to your attention? If you have multiple items for this response, please rank the order of their import.
21. Once your agency has identified or been made aware of a trafficking case, how is it determined which agency will take the lead in the investigation? If you have multiple items for this response, please rank the order of their import.
22. What is the primary role of the federal agent at the time of a raid? If you have multiple items for this response, please rank the order of their import.

23. What is the primary role of a victim service provider immediately following a raid? If you have multiple items for this response, please rank the order of their import.
24. What are the primary investigative methods for responding to cases of human trafficking? If you have multiple items for this response, please rank the order of their import.
25. Who do you think is most vital to your role in working on a human trafficking case? If you have multiple items for this response, please rank the order of their import.
26. On a scale from 1 to 5 with 1 = Not familiar, 3 = Somewhat familiar, and 5 = Very familiar, how familiar are you with the legal remedy of “continued presence?”
27. What role does law enforcement play in helping victims access “continued presence?”
28. Do you have formal protocols for identifying and responding to human trafficking cases?
29. On a scale from 1 to 5 with 1 = Not useful, 3 = Somewhat useful, and 5 = Very useful, how useful do you think formal procedures/protocols are or would be in helping to identify and respond to human trafficking cases?
30. What are the primary ways that human trafficking cases differ from other cases that you have worked on?
31. In your experience, which scenario best describes the outcome of the trafficking cases that you have worked on? If you have multiple items for this response, please rank the order of their import.

### **Barriers/Challenges**

32. What are the primary barriers/challenges law enforcement faces in *identifying* a case of human trafficking?
33. What are the most significant barriers/challenges law enforcement faces in *responding* to a case of human trafficking? If you have multiple items for this response, please rank the order of their import.

### **Working with Victims**

34. How did you gain your knowledge on how to work with victims of human trafficking?

35. Based on your experience, what are the primary social services you find human trafficking victims need? If you have multiple items for this response, please rank the order of their import.
36. On a scale from 1 to 5 with 1 = Not confident, 3 = Somewhat confident, 5 = Very confident, how confident are you in your ability to refer victims to service providers who can help victims with their social service and legal needs?
37. On a scale from 1 to 5 with 1 = Do not meet needs, 3 = Adequately meet needs, 5 = More than adequately meet needs, to what extent do you think service providers in your region meet the needs of human trafficking victims that you work with?
38. Does your organization have protocols for working with service providers in the context of a human trafficking case?
39. How do you provide for the safety of human trafficking victims? If you have multiple items for this response, please rank the order of their import.
40. What do you think are the primary ways that human trafficking victims differ from other crime victims that you have worked with? If you have multiple items for this response, please rank the order of their import.
41. On a scale from 1 to 5 with 1 = Very challenging, 3 = Somewhat challenging, 5 = Not challenging, how challenging is it to communicate with human trafficking victims?
42. On a scale from 1 to 5 with 1 = Not cooperative, 3 = Somewhat cooperative, 5 = Very cooperative, how would you rate the victim's overall level of cooperation when you are working on a human trafficking case?
43. What do you think are the primary reasons why some human trafficking victims are apprehensive about working with law enforcement? If you have multiple items for this response, please rank the order of their import.

### **Training and Technical Assistance**

44. From what source(s) do you primarily receive your training and technical assistance on how to investigate cases of human trafficking? If you have multiple items for this response, please rank the order of their import.
45. Do you need training or technical assistance with:

<b>Type of training or technical assistance needed:</b>	<b>No/Yes</b>	<b>Not applicable</b>
a. Understanding the issue of human trafficking		NA
b. Understanding the TVPA and other laws that could be used in a human trafficking case		NA

c. Understanding the role of law enforcement in human trafficking cases		NA
d. Methods for identifying cases of human trafficking		NA
e. Methods for investigating cases of human trafficking		NA
f. Understanding the role of prosecutors in human trafficking cases		NA
g. Collaborating with federal, state and local law enforcement		NA
h. Understanding the role of victim service providers in human trafficking cases		NA
i. Collaborating with victim service providers		NA
j. Understanding what rights victims of human trafficking have in the United States		NA
k. Methods for interviewing human trafficking victims		N/A
l. Understanding how law enforcement's response to victims impacts the victims' mental health and their ability to cooperate with law enforcement in investigating and prosecuting cases		NA

46. What additional information or resources do you need to better address human trafficking cases?
47. What is the one most important thing you have learned from doing this work? If you had to share one thing with the field, what would it be?

**Next Steps**

Can you refer us to others in your area we should contact for this study?

Agency/organization: \_\_\_\_\_  
 Contact person: \_\_\_\_\_  
 Telephone number: \_\_\_\_\_

***Thank you for participating in our study!***

This document is a research report submitted to the U.S. Department of Justice. This report has not been published by the Department. Opinions or points of view expressed are those of the author(s) and do not necessarily reflect the official position or policies of the U.S. Department of Justice.

## **APPENDIX C**

## **KEY STAKEHOLDER INTERVIEW GUIDE**

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### **Background Information and General Knowledge**

*First, we would like to begin by asking you a few questions about you and your law enforcement experience?*

1. How many years have you been in the law enforcement/criminal justice field?
2. Please describe your current position and primary roles.
3. Please describe what types of cases you primarily work on and the population(s) you primarily serve.

### **Identification and Response Practices**

4. Please describe your knowledge and experience with the crime of human trafficking or working with human trafficking victims.
5. Looking back on past cases of human trafficking that you worked on , how does your organization typically become aware of a case of human trafficking?
6. How do you determine if a case is a human trafficking case? Can you list any number of "red flags" that you might look for to help identify a case that involves the crime of human trafficking?
7. After your organization becomes aware of a case of human trafficking, can you please describe your organization's typical response?
8. Are there any unique differences in the way that your organization works with human trafficking cases as compared to victims of other types of crimes?

## **Training and Technical Assistance**

*Please think about previous human trafficking trainings you have attended and/or technical assistance you have received to help you with your human trafficking cases.*

9. What about each training event made it most useful to you?
  
10. What about the technical assistance received made it most useful to you?
  
11. Based on your knowledge and experience what are the 3 most emerging trends in working on human trafficking cases for law enforcement?
  
12. Please describe the most pressing issues your organization faces related to training/technical assistance needs.

## **Collaboration**

13. Do you serve on any special task forces or work closely with any coalitions that are working on the issue of human trafficking? If so, please describe the task force or coalition and the nature of your involvement.
  
14. What are some other organizations that your organization might work with to respond to a case of human trafficking?
  
15. Are there any other specific individuals or agencies that would you like/need to work with on human trafficking cases that you are currently not working with?
  
16. How would you describe the role law enforcement plays in the certification process that enables victims of human trafficking to receive social services and/or permits while in the United States?

### **Best Practices**

17. What identification and response practices are you aware of for cases of human trafficking that seem to be particularly innovative and effective at producing positive results? What are the best practices that you've seen or implemented?
  
18. Can you describe any positive impacts of recently enacted human trafficking legislation passed at the State level?

### **Barriers/Challenges**

19. What are some barriers/challenges involved in working a case of human trafficking? [Probe: Victims not easily detected; ineffective information sharing/communication between agencies; lack of funding; lack of resources; lack of training/knowledge of the crime; language concerns; safety concerns; complex cases; needs of victims; ineffective legislation or lack of legislation (e.g., at the State level)]
  
20. What do you think might help to overcome these barriers/challenges?
  
21. What do you/your organization need to help you do a better job in identifying and responding to crimes of human trafficking and working with human trafficking victims?

*Thank you for your participation in our study!*

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## **APPENDIX D**

## DISCUSSION FORUM GUIDE

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**Date:** \_\_\_\_\_

**Site:** \_\_\_\_\_

**Number of Participants:** \_\_\_\_\_

### Introduction

We are holding on-site discussion forums with members of anti-trafficking task forces in four selected cities nationwide. Before we begin the discussion forum, let me reiterate that your participation in this study is voluntary and that your answers will be kept confidential. Your responses will only be reported in the aggregate so that identifiable information will be kept confidential. You may decline to participate or withdraw your participation at any time. In addition, your answers will not affect your current work in any negative way (e.g., information will not be reported to your police chief, supervisor, administrator, etc.). Feedback from you and other law enforcement officers is extremely important to this research study. The results of the study will be used to increase the understanding of law enforcement's role in working with victims of human trafficking, and to provide recommendations for policy, training, and operating procedures regarding human trafficking cases. Do you have any questions before we begin?

### Discussion Items

What do you see as the role of the Anti-Trafficking Task Force? What is your role in the community? What is your role in working on cases?

What are the ingredients for a successful Task Force? (who needs to be at the table; leadership; how supported, etc.)

What have been some of your greatest challenges to date? How have you overcome these challenges? How are you planning to resolve these challenges?

What have been some of your greatest successes to date? What impact has the Task Force had in your community? Across the nation? Why do you think that you were successful?

What are the most important lessons learned that you would want to share with others?