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Report to Congress from Attorney General Alberto R. Gonzales on U.S. Government Efforts to Combat Trafficking in Persons in Fiscal Year 2004

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ACRONYMS

AFMLS	Asset Forfeiture and Money Laundering Section
AOUSC	Administrative Office of the U.S. Courts
ATF	Bureau of Alcohol, Tobacco, and Firearms
BJA	Bureau of Justice Assistance
BJS	Bureau of Justice Statistics
CEOS	Child Exploitation and Obscenity Section
COPS	Community Oriented Policing Services
DEA	Drug Enforcement Administration
DHS	Department of Homeland Security
DOJ	Department of Justice
DOL	Department of Labor
DOS	Department of State
DSS	Diplomatic Security Service
DSS	Domestic Security Section
ETA	Employment and Training Administration
FBI	Federal Bureau of Investigation
FY	Fiscal Year
HHS	Department of Health and Human Services
HSTC	Human Smuggling and Trafficking Center
HSTU	Human Smuggling/Trafficking Unit
ICE	U.S. Immigration and Customs Enforcement
ICITAP	International Criminal Investigative Training and Assistance Program
INL	Bureau of International Narcotics and Law Enforcement Affairs
IOM	International Organization for Migration
IRS	Internal Revenue Service
LSC	Legal Services Corporation
NCMEC	National Center for Missing and Exploited Children
NGO	Non-governmental Organization
NSC	National Security Council
OCRS	Organized Crime and Racketeering Section
OJP	Office of Justice Programs
OIA	Office of International Affairs

OPDAT	Office of Overseas Prosecutorial Development, Assistance, and Training
ORR	Office of Refugee Resettlement
OVC	Office for Victims of Crime
RLA	Resident Legal Advisor
SECI	Southeast European Cooperative Initiative
SPOG	Senior Policy Operating Group
SSI	Supplemental Security Income
TANF	Temporary Assistance for Needy Families
TIMS	Total Information Management System
TIP	Trafficking in Persons
TVPA	Trafficking Victims Protection Act of 2000
TVPRA	Trafficking Victims Protection Re-authorization Act of 2003
UN	United Nations
URM	Unaccompanied Refugee Minors
USAID	United States Agency for International Development
USDA	United States Department of Agriculture
USMS	United States Marshals Service
VCMOS	Violent Crimes and Major Offenders Section

I. Introduction

People come to America hoping for a better life. And it is a terrible tragedy when anyone comes here, only to be forced into a sweatshop, domestic servitude, pornography, or prostitution…This trade in human beings brings suffering to the innocent and shame to our country, and we will lead the fight against it.

--President George W. Bush, July 2004

Trafficking in persons is a regrettably widespread form of modern-day slavery. An estimated 600,000 to 800,000 human beings are trafficked across international borders each year. Furthermore, between 14,500 and 17,500 victims are trafficked into the United States each year. In response, the United States has led the world in the fight against this terrible crime.

The U.S. government's fight against modern-day slavery is an Administration priority. President George W. Bush addressed the subject in a speech to the United Nations in September 2003, where he announced a $50 million initiative to combat trafficking around the world. In July 2004, President Bush demonstrated his concern for the plight of trafficking victims in the United States by speaking at the national conference, *Human Trafficking into the United States: Rescuing Women and Children from Slavery*, held in Tampa, Florida. He said, "America will not tolerate slave traders who bring women and children into our country for abuse."

The centerpiece of U.S. government efforts is the Trafficking Victims Protection Act of 2000 (TVPA), Pub. L. 106-386, signed into law on October 28, 2000. It enhanced three aspects of federal government activity to combat trafficking in persons (TIP): protection, prosecution, and prevention. The TVPA provided for a range of new protections and assistance for victims of trafficking in persons; it expanded the crimes and enhanced the penalties available to federal investigators and prosecutors pursuing traffickers to increase prosecutions; and it expanded U.S. activities internationally to prevent victims from being trafficked in the first place.

Specifically, the TVPA:

- Provided for victim assistance in the United States by making trafficking victims eligible for federally-funded or -administered health and other benefits and services as if they were refugees; mandated U.S. government protections for victims of trafficking and, where applicable, their families; outlined protections from removal, including "T non-immigrant status" for juvenile victims and for certain trafficking victims who are willing to cooperate with law enforcement in the investigation and prosecution of trafficking; and allowed T non-immigrant status holders to adjust to permanent resident status;

- Created new crimes and enhanced penalties for existing crimes, including forced labor, trafficking with respect to peonage, slavery, involuntary servitude, or forced labor; sex

trafficking of children or by force, fraud, or coercion; and unlawful conduct with respect to documents; criminalized attempts to engage in these behaviors; and provided for mandatory restitution and forfeiture; and

- Provided for assistance to foreign countries in drafting laws to prohibit and punish acts of trafficking and to strengthen investigation and prosecution of traffickers; created programs to assist victims; and expanded U.S. government exchange and international visitor programs focusing on trafficking in persons.

The Trafficking Victims Protection Reauthorization Act of 2003 (TVPRA), Pub. L. 108-193, signed into law by President Bush on December 19, 2003, reauthorized the TVPA and added responsibilities to the U.S. government's anti-trafficking portfolio. In particular, the TVPRA mandated new information campaigns to combat sex tourism, added some refinements to the federal criminal law, and created a new civil action that allows trafficking victims to sue their traffickers in federal district court. In addition, the TVPRA required a report from the Attorney General to be submitted to Congress every year. This report was mandated to provide information on the following U.S. government activities to combat trafficking in persons:

- The number of persons who received benefits or other services under section 107(b) of the TVPA in connection with programs or activities funded or administered by the Secretary of Health and Human Services, the Secretary of Labor, the Board of the Directors of the Legal Services Corporation, and other appropriate federal agencies;

- The number of persons who had been granted "continued presence" in the United States under TVPA section 107(c)(3);

- The number of persons who applied for, had been granted, or had been denied T non-immigrant status or otherwise provided status under section 101(a)(15)(T)(i) of the Immigration and Nationality Act (8 USC § 1101(a)(15)(T)(i));

- The number of persons who were charged or convicted under one or more of sections 1581, 1583, 1584, 1589, 1590, 1591, 1592, or 1594 of title 18, United States Code, during Fiscal Year 2004, and the sentences imposed against each such person;

- The amount, recipient, and purpose of each grant issued by any federal agency to carry out the purposes of sections 106 and 107 of the Act, or section 134 of the Foreign Assistance Act of 1961;

- The nature of training conducted pursuant to section 107(c)(4); and

- The activities undertaken by the Senior Policy Operating Group (SPOG) on Trafficking in Persons to carry out its responsibilities under section 105(f) of the TVPRA.

This report, the second required under the TVPRA, is submitted to Congress in compliance with that directive. Information contained in the report is current as of May 1, 2005.

II Benefits and Services Given Domestically to Trafficking Victims

The success of U.S. government efforts to combat trafficking in persons hinges on pursuing a victim-centered approach. All U.S. government agencies are therefore committed to providing victims access to the services and benefits provided by the TVPA. Because government benefits are typically tied to a person's immigration status, the TVPA created a mechanism for allowing certain non-citizens who were trafficking victims access to benefits and services from which they might otherwise be barred. The TVPA allows for the "certification" of adult victims to receive certain federally-funded or -administered benefits and services, such as cash assistance, medical care, food stamps, and housing. Under sections 107(b)(1) and (b)(2) of the TVPA, various federal agencies must extend some of their existing benefits to trafficking victims and are authorized to provide grants to effectuate such assistance. This section chronicles the activities of the Department of Health and Human Services, the Department of Justice, the Department of Agriculture, the Department of Labor, and the Legal Services Corporation to implement sections 107(b) and 107(c) of the TVPA.[1]

A. Department of Health and Human Services

1. Certification and Eligibility Letters

The Office of Refugee Resettlement (ORR) in the Administration for Children and Families within the Department of Health and Human Services (HHS) issues certification letters to adults, and eligibility letters to minors, who are determined to be victims of a "severe form of trafficking in persons" and so that these individuals can qualify under the TVPA for federally-funded or administered benefits and services to the same extent as refugees. In July 2004, HHS entered into a Memorandum of Understanding with the Departments of Homeland Security and Justice to streamline this process.

The TVPA defines a "severe form of trafficking in persons," as: (1) sex trafficking in

[1]It should be noted that the Department of Health and Human Services's refugee benefits and services programs and the Department of Justice's victim assistance funds are available to alien trafficking victims who are trafficked internationally into the United States, as well as to alien victims who are trafficked internally, but not to U.S. citizen victims of trafficking. Based on the statutory language and legislative history of the TVPA, HHS-funded benefits and services are made available only to assist victims who are "aliens." Because funds were initially limited to post-certification under the TVPA (certain grant funds were expanded by the TVPRA to reach pre-certification potential victims in the pre-certification stage), Department of Justice grant moneys have focused on the "pre-certification" period of victims, which logically only applies to those victims who need to be certified to receive benefits and services, *i.e.*, aliens. In most circumstances, eligible U.S. citizens and refugees may receive assistance, such as Temporary Assistance for Needy Families (TANF), Medicaid, and food stamps, that, absent this law, would otherwise be barred to non-citizen trafficking victims on the basis of their immigration status.

which a commercial sex act is induced by force, fraud, or coercion, or in which the person who is induced to perform such act has not attained 18 years of age; or (2) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

In the case of adults, ORR examines whether the victim meets the statutory requirements for certification:

1) The individual is willing to assist in every reasonable way in the investigation and prosecution of severe forms of trafficking in persons; and

2) The individual has made a bona fide application for a visa under section 101(a)(15)(T) of the Immigration and Nationality Act that has not been denied; or

3) The individual is a person whose continued presence in the United States the federal government is ensuring in order to effectuate the investigation and prosecution of traffickers.

ORR issues Certification Letters, which it signs and notarizes, to adults who meet these criteria, confirming their status as trafficking victims. The victims can then present the letter to social services agencies as proof that they are eligible for federally-funded or -administered programs to the same extent as refugees. The letter includes the toll-free ORR "Trafficking Victims Verification" telephone number so that the benefit-granting agency can verify the victim's eligibility.

Under the TVPA, victims under 18 years of age do not need to meet the statutory requirements for certification in order to receive benefits. For these victims, ORR issues Letters of Eligibility, similar to the adult certification letters, stating that a child is a victim of a severe form of trafficking and is eligible for federally-funded or -administered benefits to the same extent as refugees.

Numbers of Certification and Eligibility Letters

FY01: 198
FY02: 99
FY03: 151
FY04: 163

Total: 611

In Fiscal Year 2004, ORR issued 163 letters on behalf of victims, of which 144 were certification letters to adults and 19 were eligibility letters to minors. These certification and eligibility letters, combined with the 151 letters issued in Fiscal Year 2003, the 99 letters issued in Fiscal Year 2002 and the 198 letters issued in Fiscal Year 2001, bring to 611 the total number of letters issued during the first four fiscal years in

which the program has operated.[2]

Victims who received certification and eligibility letters were located in 19 states and were from numerous foreign countries, mainly Peru, Mexico, and the Philippines.

The Fiscal Year 2004 letters were sent to victims or their representatives in 19 states. The largest concentrations were in California, Arizona, Illinois, Texas and New York.[3] The beneficiaries of these letters were predominately women (65 percent).[4] The countries of origin for the greatest number of victims were Peru (39 percent), Mexico (17 percent), and the Philippines (7 percent).[5]

2. ORR Programs

ORR strives to encourage the participation of certified trafficking victims in existing assistance programs for refugees – primarily the Voluntary Agency Matching Grant Program and the Refugee Cash and Medical Assistance Program. Of the 163 adults certified as victims in Fiscal Year 2004, three elected not to apply for either of these programs, 150 enrolled in the Matching Grant Program, and 13 enrolled in the Refugee Cash and Medical Assistance Program.

The Voluntary Agency Matching Grant Program is a Congressionally-funded alternative to state-administered refugee resettlement assistance. Participating agencies agree to match every two dollars in ORR funds with one dollar in cash and in-kind contributions (a minimum of 20 percent of their match must be in cash). The program goal is to help refugees attain self-sufficiency within four months of the date of eligibility without accessing public assistance. The participating non-governmental organizations (NGOs) provide intensive case management and services, including job counseling and placement; assistance with food, housing, and transportation; English language training; and assistance in obtaining health, medical, and social adjustment services. In order enroll in this program, victims must obtain employment authorization from U.S. Customs and Immigration Enforcement (ICE) within the Department of Homeland Security (DHS). Some trafficking victims in the Voluntary Matching Grant Program may also be eligible to receive other benefits (such as food stamps, Medicaid, or Refugee Medical Assistance).

The Refugee Cash and Medical Assistance Program provides transitional assistance for up to eight months from the date of certification. This program is designed to provide temporary

[2] A single case in 2001, involving Vietnamese garment workers, resulted in 206 victims, most of whom received certification in Fiscal Year 2001.
[3] In Fiscal Year 2003, ORR issued letters to benefit offices in 18 states, of which the largest concentrations were to Texas, New York, Oklahoma and California.
[4] In Fiscal Year 2003, 46 percent of the victims were female.
[5] In Fiscal Year 2003, victims were primarily from India (38 percent), Vietnam (11 percent), and Mexico (9 percent).

assistance to those refugees who are not eligible for other federal benefits such as Temporary Assistance for Needy Families (TANF), Medicaid, or Supplemental Security Income (SSI).

Of the 19 minor victims on whose behalf ORR issued letters of eligibility in 2004, 13 are residing with guardians and are not receiving public benefits. The remaining six minor victims were enrolled into ORR's Unaccompanied Refugee Minors (URM) program. The URM program offers specialized resettlement and foster care services for unaccompanied refugee minors. As appropriate to their developmental needs and their cultural, linguistic, and religious backgrounds, the URM program places minors into foster care, group homes, or independent living arrangements. The program provides the victims with comprehensive care including medical, mental health, education, case management, independent living skills, job skills training, career/college counseling, legal assistance and, when possible, on-going family tracing.

3. Discretionary Grants

HHS has utilized discretionary grants to create a network of service organizations available to assist victims of a severe form of trafficking.

Since the inception of HHS's Human Trafficking Program in Fiscal Year 2001, ORR has awarded discretionary grants to 28 organizations. The Fiscal Year 2001 grants provided $1.25 million in funding to eight organizations for an eighteen-month period that ended in March 2003. The purpose of these grants was to assist victims and promote awareness of the trafficking issue by hosting training and media activities. In Fiscal Years 2002 and 2003, all trafficking grant awards were for a one-year period, renewable annually for up to three years. ORR awarded the grants in two categories.

Category One grants fund projects that raise awareness of trafficking in persons and/or provide case management and direct services to victims.[6] Category One grant projects include establishing nationwide networks of anti-trafficking organizations and nationwide networks of providers of services to victims of trafficking. Additional Category One projects established regional anti-trafficking networks in Chicago; Florida; Georgia; Hawaii; Kansas; Los Angeles; the Mid-Atlantic states; New York City; New Jersey; Orange County, California; Portland, Oregon; San Diego, and San Francisco.

Category Two grants fund technical assistance projects to provide training and technical expertise to law enforcement agencies, social service providers, faith-based

[6] Under the TVPA as originally enacted, grantees could not use HHS-funded assistance for pre-certified adult victims of trafficking. Depending on case circumstances, the prohibition frequently created a gap in federal assistance between the time the victim was identified (whether by law enforcement or by NGOs) and the time of certification. During that time period, grantees refrained from using HHS funds to assist the victims and, instead, attempted to identify other sources of funds. In the case of nonentitlement programs, the TVPRA authorized HHS to provide benefits and services to assist potential victims in achieving certification. Such funding may also be used to assist minor dependent children of victims or of potential victims of trafficking.

communities, and professional associations. In Fiscal Year 2002, ORR awarded approximately $3.37 million in grants to 14 organizations throughout the United States. In Fiscal Year 2003, ORR awarded approximately $3.48 million to 15 organizations. All Fiscal Year 2003 grants were Category One grants.

In Fiscal Year 2004, ORR awarded approximately $3.37 million in second-year continuation grants to the 14 organizations that originally received grant awards in Fiscal Year 2002. Ten of these groups received Category One grants, and the remaining four received Category Two grants. In addition, ORR awarded approximately $3.48 million in third-year continuation grants to the 15 organizations originally awarded grants in Fiscal Year 2003. All these grants are for Category One.

Examples of Organizations Funded by ORR

Center for Multicultural Human Services, Falls Church, VA
County of Los Angeles, Office of Refugee Assistance
Crisis House, Inc., El Cajon, CA
End Child Prostitution, Child Pornography, and Trafficking of Children for Sexual Purposes, New York, NY
International Institute of New Jersey
International Rescue Committee, Resettlement Department
New York Association for New Americans
Nihonmachi Legal Outreach, San Francisco, CA
Pacific Gateway Center, Honolulu, HI
Refugee Women's Alliance, Seattle, WA
Refugee Women's Network, Decatur, GA
St. Anselm's Cross-Cultural Community Center, Orange County, CA

A full list of the organizations awarded grants is contained in Appendix 1.

4. State-Administered Programs

State and local benefit offices are not statutorily required to report information on benefits and services accessed by trafficking victims, though ORR strongly encourages benefit offices to report. ORR cannot, therefore, provide a comprehensive assessment of services and benefits accessed by trafficking victims.

B. Department of Justice

In Fiscal Year 2003, the Office for Victims of Crime (OVC) within the Department of Justice (DOJ) awarded funding to 11 NGOs to provide trafficking victims with comprehensive or specialized services. Comprehensive services grants provide direct services to meet the broad range of needs of trafficking victims, including the following services: case management; legal advocacy; housing; medical, dental, and mental health services; and access to job skills training, education, and other social services. Supplemental/specialized services support an organization's capacity to deploy a single service, for example emergency housing or mental health assessment and crisis intervention, as needed, within a broad geographic area. From January through December 2004 (OVC's operating time-frame), OVC awarded 10 additional grants, including one to a state agency, to expand provision of comprehensive services to victims of human trafficking. One of these was awarded to the Salvation Army on January 7, 2005, but with a project period beginning in December 2004. In total, at the end of 2004, OVC was administering 18 comprehensive services grants, three supplemental/specialized services grants, and one technical assistance grant. In addition, OVC made one award to an NGO to provide training, technical assistance, and other professional support to the other OVC grant funded programs that serve trafficking victims. OVC maintains a matrix of its grantees on its website, www.ojp.usdoj.gov/ovc/help/traffickingmatrix.htm.

OVC-funded services are primarily focused on meeting the acute and emergency needs of trafficking victims before they are certified and subsequently eligible for federally-funded or federally-administered benefits. The period between being rescued and receiving certification, however, is the time when victims are most vulnerable and typically have a host of needs that includes housing, clothing, and food; medical, dental, and psychological care; legal assistance and immigration advocacy; and interpretation services; however, few organization or communities have the resources to provide or fund these services. The OVC grant program helps communities fill this critical service gap and, in the process, supports victims' abilities to cooperate with law enforcement.

During 2004, these OVC grantees provided services to 357 victims of human trafficking. OVC grantees have served a total of 557 victims of human trafficking since the inception of the program in January 2003. During 2004, OVC grantees provided training on trafficking to 17,285 law enforcement officials, prosecutors, civil attorneys, social service providers, physicians, members of the clergy, teachers, and other members of their communities. Since the inception of the program in January 2003, OVC grantees have trained 24,600 individuals. Training topics have included the dynamics of trafficking, the legal definition of trafficking under the TVPA, legal rights and services for trafficking victims, and cultural considerations in serving these victims.

In addition, OJP and its Bureau of Justice Assistance (BJA) awarded $7,674,614 to 18 local communities to form law enforcement task forces to address the problem of human

trafficking and rescue its victims. These 18 communities were among those identified by the Department's Civil Rights Division as having a high number of trafficking operations and victims. These local law enforcement task forces will join forces with victim service providers, as well as with the local U.S. Attorneys, and other federal agencies, including ICE, to identify and rescue trafficking victims, including women and children. Applicants were specifically encouraged to partner with service providers supported by existing grants from OVC and ORR.

Recipients of Task Force Grants

American Samoa, Atlanta, Austin, Boston, Cobb County (Georgia), Collier County (Florida), State of Connecticut, District of Columbia, El Paso, Harris County (Texas), State of Hawaii, Los Angeles, Miami, Nassau County (New York), State of New Jersey, Oakland, Phoenix, San Diego County, San Francisco, San Jose, Suffolk County (New York), Seattle

Information on OJP grantees in Fiscal Year 2004 is included in Appendix 1.

C. Department of Labor

After passage of the TVPA, the Employment and Training Administration (ETA) of the Department of Labor (DOL) sent an advisory to its field offices outlining the provisions of the TVPA and providing guidance on how the One-Stop delivery system can offer assistance to trafficking victims. The services provided at ETA "One-Stop Career Centers" – notably job search assistance, career counseling, and occupational skills training – may be of significant value to trafficking victims. Any such services are provided directly by state and local grantees to trafficking victims; ETA does not collect information on the extent to which such services are offered to or utilized by trafficking victims. ETA's Job Corps program also may provide useful job training opportunities.

D. Legal Services Corporation

The Legal Services Corporation (LSC) is a private, non-profit corporation established by Congress which funds legal aid programs around the nation to help poor Americans gain access to the civil justice system. Under section 107(b) of the TVPA, LSC must make legal assistance available to trafficking victims, who often need assistance with immigration and other matters. Following enactment of the TVPA, the LSC issued a guidance to all LSC program directors describing the LSC's obligations to provide legal services to trafficking victims. (*see* <http://www.lsc.gov/foia/pl/02-5.htm>)

In Fiscal Year 2004, eight LSC grantees assisted 170 trafficking victims. (See chart.)

LSC Grantees	# of Persons Served
Florida Rural Legal Services	13
South Carolina Centers for Equal Justice	1
Colorado Legal Services	1
Southern Arizona Legal Aid	1
Nassau/Suffolk Law Services Committee (New York)	10
Legal Aid Bureau of Maryland	5
Legal Aid Services of Oklahoma	6
Legal Aid Foundation of Los Angeles	133
TOTAL	**170**

E. Department of Agriculture

Trafficking victims are eligible to receive food stamps through the Food and Nutrition Service of the U.S. Department of Agriculture (USDA). Although USDA does not have a data collection requirement for state welfare departments to report the number of trafficking victims who receive food stamp benefits as refugees under the TVPA, a rough estimate of the benefits issued can be obtained by multiplying the number of certification letters ORR issued in Fiscal Year 2004 by the average monthly per person food stamp benefit issued in Fiscal Year 2004 ($86.04). According to a 1999 Food and Nutrition Service study, the time period of participation for first time participants is nine months. Thus, the average per-person benefit for victims of trafficking would be $774.36. With 162 victims certified or declared eligible in Fiscal Year 2004, in rounded numbers, this would equate to a little more than $125,000 in food stamp benefits distributed in Fiscal Year 2004.

III. Immigration Benefits Given to Trafficking Victims: Continued Presence and T Non-immigrant Status

Two immigration benefits are available to trafficking victims through the TVPA. First, victims may be authorized "continued presence" to remain temporarily in the United States if federal law enforcement officials determine that they are potential witnesses to trafficking and submit a request on their behalf to DHS. Second, victims may also petition U.S. Citizenship and Immigration Services within DHS to receive T non-immigrant status, also known as a "T visa," a

status available to victims who have complied with reasonable requests for assistance in the investigation or prosecution of acts of trafficking. Victims who receive T non-immigrant status may remain in the United States for three years and then may apply for lawful permanent residency subject to certain statutory criteria.

In Fiscal Year 2004, the DHS's Vermont Service Center received 520 applications for T non-immigrant status, granted 136 and denied 292, and had 92 pending at the end of the fiscal year.

Applications for T-Visas in FY04

Received:	520
Granted:	136
Denied:	292
Pending:	92

As of September 30, 2004, DHS had granted 484 continued presence requests and, as of November 30, 2004, had received 1,015 T non-immigrant status applications, 454 of which resulted in T non-immigrant status grants, 286 of which were denied, and the remaining of which were pending. Many trafficking victims who received continued presence later applied for and received T non-immigrant status; therefore, the total of 686 trafficking victims served over the life of this program includes victims who have received both types of benefits.

Once a trafficking victim has held T non-immigrant status for three years, he or she may apply to adjust status; the first T non-immigrant status recipients will become eligible to adjust status beginning in 2005.

IV. Investigations and Prosecutions of Trafficking in Persons

A. Investigations

Investigations of trafficking in persons are most often undertaken by Federal Bureau of Investigation (FBI) and ICE agents. FBI agents investigate the spectrum of federal criminal civil rights violations, crimes against children, and organized crime. ICE agents focus on border security and immigration enforcement in addressing human trafficking, both domestically and internationally. The responsibility for the domestic enforcement of the TVPA is located in the FBI's Civil Rights Unit at FBI Headquarters and in field offices, as well as in the Human Smuggling/Trafficking Unit (HSTU) at ICE headquarters and in its Special Agent-in-Charge field offices. International enforcement of the TVPA is supported by FBI Legal Attaches and ICE's Foreign Attaches at U.S. embassies.

In addition, FBI agents in the Civil Rights Unit coordinate with agents in the Organized Crime and Crimes Against Children Units to ensure that smuggling cases are identified appropriately as trafficking cases when exploitation is present, that organized crime groups that traffick in commodities are identified as human trafficking operations if applicable, and that

trafficking aspects of Internet crimes against children or sex tourism investigations are examined. Similarly, ICE financial investigative divisions systematically follow the trail of illicit money of the organizations that traffick in humans. ICE's asset identification groups at each regional office target the finances and assets of trafficking organizations and focus on civil asset forfeiture. In addition, ICE's Law Enforcement Support Center serves as a national enforcement operations and intelligence center that provides timely information on the status and identities of aliens, allowing ICE to rapidly arrest and maintain custody of potential traffickers under immigration charges while further criminal investigations are being completed. In addition, the ICE Cyber Crime Center focuses on child exploitation investigations, including those under the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today (PROTECT) Act of 2003. ICE also has 305 collateral-duty ICE victim-witness coordinators in the Office of Investigation and Detention and Removals, as well as the Federal Protective Service. Also, the ICE Victim-Witness Assistance Program has a Federal Crime Victim Assistance Fund for Victims of Trafficking that is available to assist with emergency services for victims of slavery, peonage, involuntary servitude and trafficking. The fund is provided by DOJ's Office for Victims of Crime to assist trafficking victims and their families when local resources are not available.

In June 2004, the FBI, along with other law enforcement agencies, began an Involuntary Servitude and Slavery/Trafficking in Persons Initiative for aggressive investigation and coordination. Likewise, in the Innocence Lost Initiative, the Violent Crimes and Major Offenders Section (VCMOS) of the FBI, in partnership with the Child Exploitation and Obscenity Section (CEOS) of DOJ's Criminal Division and the National Center for Missing and Exploited Children (NCMEC), address the growing problem of children forced into prostitution in the United States. The FBI identified 14 field offices located in areas where there is a high incidence of prostituted children and asked each of these offices to establish a task force to address the problem. VCMOS also asked the remaining field offices to assess whether the localities they serve have a substantial child prostitution problem. The original 14 cities identified as part of the initiative were Atlanta, Chicago, Dallas, Detroit, Las Vegas, Los Angeles, Miami, Minneapolis, New York, San Diego, San Francisco, St. Louis, Tampa, and Washington D.C. Additional cities have been added as interest and potential cases have developed, including Atlantic City, Boston, Cleveland, Denver, Harrisburg, Houston, Indianapolis, Orlando, and Portland (OR). Federal law enforcement agencies, prosecutors, and social service providers from each city were brought to NCMEC, where the group from each city was trained together in order to cultivate cooperation, partnership and an effective integration between the critical enforcement entities in each city.

The modern anti-trafficking investigative and prosecution model strives for interagency cooperation to bring the specialties of each agency to bear on these multi-faceted, complex, and labor-intensive criminal cases. FBI and ICE agents and victim-witness staff have exhibited a highly professional ability to work together as teams on trafficking cases. Agents from the State Department's Diplomatic Security Service (DSS), both in the United States and abroad, are playing a key and expanding role in trafficking investigations since the passage of the TVPA. As

needed, agents from the Internal Revenue Service (IRS); Bureau of Alcohol, Tobacco and Firearms (ATF); U.S. Marshals Service (USMS); and Drug Enforcement Administration (DEA) have been incorporated into investigative teams, as have state and local law enforcement, as necessary.

Law enforcement efforts to investigate trafficking in persons also include those of DOL, which continues to increase its emphasis on compliance with labor standards laws, such as the Fair Labor Standards Act and Migrant and Seasonal Agricultural Worker Protection Act, in low-wage industries like garment manufacturing and agriculture. DOL civil law enforcement responsibilities relating to trafficking are carried out by the Wage and Hour Division with the support of the Office of the Solicitor. The Wage and Hour Division is broadening its enforcement strategy to focus on additional services and establishments in low-wage industries, including healthcare services, day-care facilities, restaurants, guard services, janitorial services, hotels and motels, and temporary help agencies. These include a substantial concentration of undocumented, and sometimes trafficked, workers. Wage and Hour investigators are in workplaces every day, and often are the first government authorities to witness exploitive conditions and to talk to victims. These investigators collaborate closely with DOJ, notably through the federal Trafficking in Persons and Worker Exploitation Task Force (TPWETF), which coordinates trafficking investigations. Additionally, criminal enforcement agents from DOL's Office of the Inspector General have worked hand-in-hand with their FBI and ICE counterparts on a growing number of criminal investigations.

Finally, state and local police officers handle a significant number of child sex trafficking investigations. These officers are often most familiar with the locations, victims, and perpetrators of these crimes in their jurisdictions and provide critical facts and observations that can lead to larger interstate or international investigations.

B. Prosecutions

The Criminal Section of DOJ's Civil Rights Division, in collaboration with U.S. Attorneys' Offices nationwide, has principal responsibility for prosecuting human trafficking crimes, except for cases involving trafficking in children, which is a specialization of the Child Exploitation and Obscenity Section (CEOS) of the Criminal Division. Since its creation in 1957, the Civil Rights Division, at first relying on general civil rights statutes that were previously enforced by the U.S. Attorneys, has investigated and prosecuted cases of exploitation in which force and threats of force were used to compel persons to work involuntarily, or to engage in prostitution or other sexual exploitation. The Criminal Section, as the locus of the Department's anti-trafficking activities, maintains a TPWETF complaint line (1-877-428-7581) that has been responsible for almost half of the trafficking investigations opened since its inception, and has resulted in the apprehension and conviction of 32 traffickers.[7]

[7] The TPWETF complaint line differs from the Rescue and Restore hotline funded by HHS (described below) in that it provides a mechanism for victims and service providers to report trafficking cases when they are ready. The staffs of each complaint line, however, maintain close contact with the goal of a seamless and effective response to the

Within DOJ's Criminal Division, CEOS historically has taken a leading role in the prosecution of cases of trafficking of minors and sex tourism. Child sex tourism is a crime that involves individuals traveling to foreign countries to engage in sexual acts with children, who are often victims of trafficking. In April 2003, the United States strengthened its ability to fight sex tourism through the passage of the PROTECT Act and the TVPRA. These laws broaden statutory prohibitions against sex tourism in several ways, increase the penalties for statutory violations, and provide added protections for victims. Among other things, the PROTECT Act enhances the ability to prosecute sex tourism by broadening the sex tourism statute's coverage to include persons coming to the United States to engage in illicit sexual activity as well as persons who operate child sex tours, and making it a crime to engage in illicit sexual conduct while traveling in foreign commerce, regardless of whether that was the intended purpose of the travel.

A number of other DOJ components within the Criminal Division contribute to prosecutions of traffickers as well. The Organized Crime and Racketeering Section (OCRS) has moved to ensure that its targeting of organized crime networks includes international trafficking networks. In addition, the Section has detailed one attorney on a full-time basis to the Human Smuggling and Trafficking Center (described in detail below). The person detailed will ensure that the Criminal Division's efforts to target transnational trafficking enterprises are informed by the best intelligence and information. OCRS also works closely with the many Organized Crime and Racketeering Strike Forces throughout the country. In Philadelphia, San Francisco, and Houston, the U.S. Attorneys have assigned their Strike Forces the primary responsibility for prosecuting trafficking cases in their jurisdictions.

The Asset Forfeiture and Money Laundering Section (AFMLS) provides the critical expertise needed to identify, seize, and forfeit the ill-gotten gains of traffickers. In particular, AFMLS has the highly technical expertise necessary when dealing with hidden and foreign assets. Section attorneys oversee asset forfeiture and money laundering training and conduct training for federal prosecutors, investigating agents, and law enforcement personnel both domestically and worldwide.

The Domestic Security Section (DSS) enforces federal criminal laws relating to immigration-related offenses, in which the line between alien smuggling and trafficking in persons is not always clear. For example, during the course of an investigation of a suspected alien smuggling network, investigators may see a pattern emerge involving the movement of small groups of young women as part of larger, more diverse groups of smuggled migrants. The ultimate destinations and fates of the migrants, including the subgroups, may not be readily apparent. In other cases, smuggled migrants may become trafficking victims after they have crossed our borders if they cannot pay their smuggling fees. Again, the ultimate fate of the migrant is not apparent at the border. Efforts to prevent alien smuggling can therefore have an important impact on anti-trafficking efforts, although it may never be known that a trafficking crime was prevented from turning to a trafficking crime. Additionally, by systematically identifying, targeting, and dismantling established smuggling networks, the DSS makes it more

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various needs of the victims.

difficult and riskier for traffickers to get their victims into the United States. Finally, the alien smuggling and document fraud statutes allow DOJ to prosecute and put out of business targets suspected of involvement in trafficking, but against whom there is an insufficient quantum of admissible evidence to charge them with trafficking.

The DSS also co-chairs the Interagency Working Group on Smuggling and Trafficking, a subgroup of the NSC's International Organized Crime Policy Coordinating Council. Among other things, the Interagency Working Group assists in coordinating Administration efforts to dismantle significant international smuggling and trafficking organizations.

The Office of International Affairs (OIA) is the link between federal, state, and local anti-trafficking efforts and foreign prosecution and judicial authorities. All incoming and outgoing requests to obtain evidence from another country come through this office, including letters rogatory (requests for service of process) and Mutual Legal Assistance Treaty requests. OIA also processes all extradition requests, and in some cases fugitives are deported or expelled to waiting U.S. Marshals. OIA, working with the Department of State (DOS), also engages in the negotiation of new treaties, conventions, and other agreements on international criminal matters. Furthermore, experienced OIA attorneys participate in a number of expert groups established under the auspices of the UN and other international organizations to combat a variety of international law enforcement problems including organized crime, migrant smuggling, and trafficking in persons. OIA's most significant contribution to U.S. anti-trafficking efforts has been to assist in gathering evidence from abroad and to assist foreign prosecutors in gathering evidence located in the U.S. For example, in the *Carreto* case (described in more detail below) OIA helped secure testimony, as well as documentary and physical evidence, gathered by Mexican authorities in their investigations of the Carretos transnational operation. Similarly, OIA secured evidence and testimony from Russia in support of a federal prosecution of a defendant in California accused of trafficking her niece into the United States and forcing her to be used in prostitution. In another case, OIA assisted a European country investigating a trafficking scheme involving Europe and Eastern Europe. DOJ sent to that country evidence obtained pursuant to searches in the United States of locations where the targets were believed to have stored potential evidence of their crimes.

C. Statistics

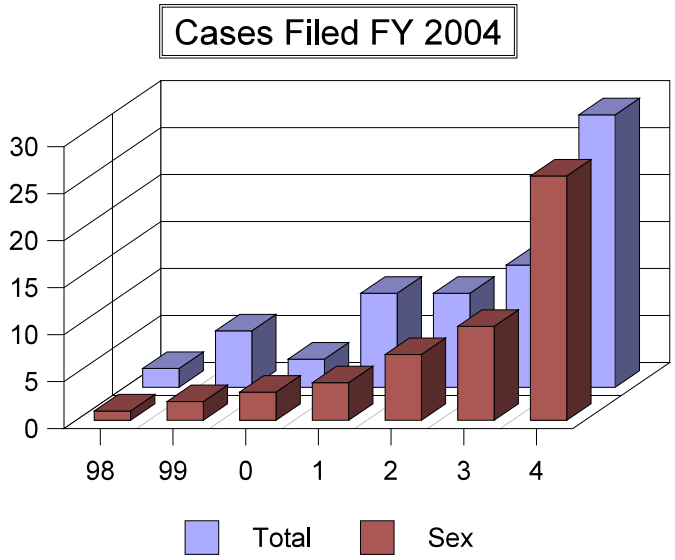
In the past four fiscal years (2001-2004), DOJ has

- initiated more than three times the number of investigations (340 vs. 106)
- filed almost four times as many cases (62 vs. 16)
- charged more than twice as many defendants (170 vs. 72), and
- doubled the number of defendants convicted (120 vs. 59)

as in the prior four-year period.[8]

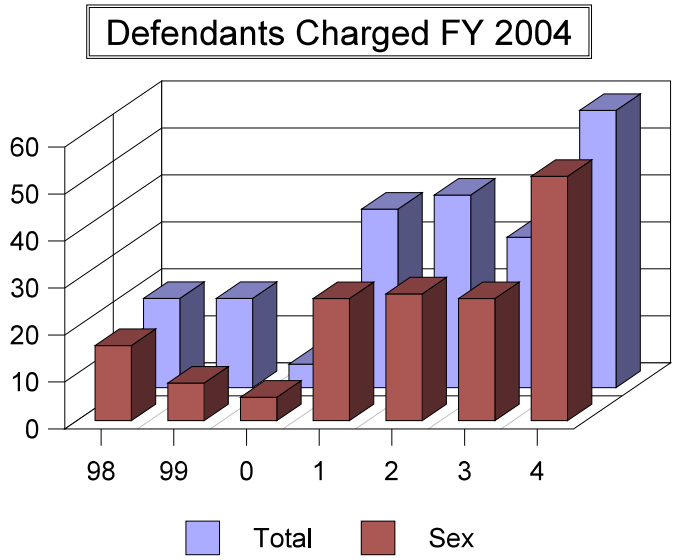
All Trafficking Prosecutions	97	98	99	00	01	02	03	04
Investigations Initiated	6	18	18	64	63	65	82	130
Cases Filed								
Total	5	2	6	3	10	10	13	29
Sex	0	1	2	3	4	7	10	26
Defendants Charged								
Total	29	19	19	5	38	41	32	59
Sex	0	16	8	5	26	27	26	52
Convictions								
Total	11	25	13	10	23	28	26	43
Sex	4	4	5	7	15	23	21	40

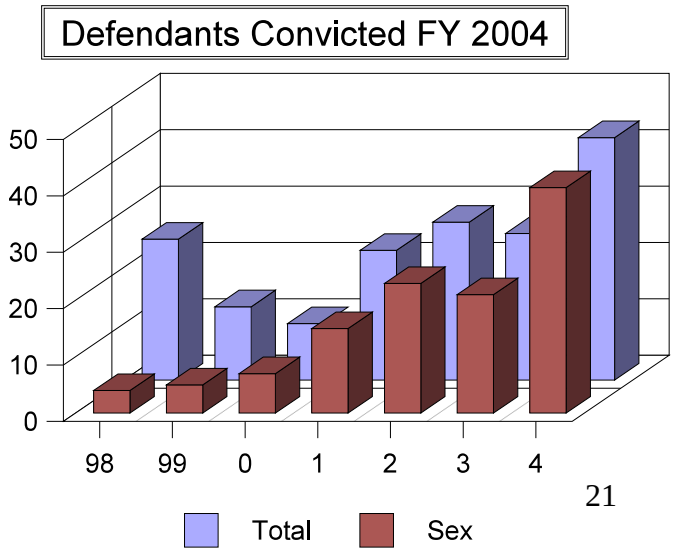
[8]These figures include cases brought under the Involuntary Servitude (Section 1584) or Forced Labor (Section 1589) statutes, which also cover non-commercial sexual exploitation, and cases brought under Section 1591(Sex Trafficking), which is limited to commercial sexual exploitation.



In Fiscal Year 2004, DOJ filed 29 human trafficking cases, almost equaling the 33 total that were filed in the three previous years combined.

In Fiscal Year 2004, DOJ initiated prosecutions against 59 traffickers, the highest number ever prosecuted in a single year. More than half (32) of those defendants were charged with violations created by the TVPA, and all but one of those cases involved sexual exploitation. (See chart on next page)





In Fiscal Year 2004, DOJ obtained a record number of convictions against 43 traffickers, the highest number ever obtained in a single year.

The following chart lists the numbers of defendants charged, prosecuted, and convicted of trafficking offenses under the TVPA alone during Fiscal Year 2004 and prior fiscal years. (Defendants charged in Fiscal Year 2004 with a trafficking offense are not necessarily the same defendants convicted and sentenced in Fiscal Year 2004.)

TVPA Prosecutions	01	02	03	04
Total Cases Filed	5	7	10	12
Sex (subset of total)	2	5	8	11
Total Defendants Charged	11	21	25	32
Sex (subset of total)	6	13	21	27
Total Convictions	5	6	19	24
Sex (subset of total)	3	6	14	24

In addition to these trafficking cases, since the passage of the PROTECT Act, there have been roughly 60 sex tourism investigations (many still pending), 27 sex tourism indictments and 16 convictions (although these indictments and convictions reflect conduct that occurred both before and after the passage of the PROTECT Act). Descriptions of sex tourism cases prosecuted in 2004 are included in the section below.

D. Sentences

In order to present data regarding sentences, the DOJ's Bureau of Justice Statistics reviewed the Administrative Office of the U.S. Courts (AOUSC) criminal case database[9] to preliminarily calculate average sentence length for cases completed in Fiscal Year 2004 that involved the trafficking offenses of 18 U.S.C. §§ 1581 (peonage), 1583 (enticement for slavery), 1584 (sale into involuntary servitude), 1589 (forced labor), 1590 (trafficking with respect to peonage/slavery/involuntary servitude/forced labor), 1591 (sex trafficking of children or by force, fraud or coercion), 1592 (unlawful conduct with respect to documents in

[9] Two groups of data were used from the AOUSC criminal master file to complete this report's requirements: defendants in criminal cases filed and defendants in criminal cases concluded. The first group describes the number of defendants in criminal cases filed in Fiscal Year 2004, which includes the filing of an indictment, information, complaint or other significant paper against a defendant in U.S. district court. The second group describes the number of defendants in criminal case adjudicated in U.S. district court, the number convicted, and the sentences imposed in Fiscal Year 2004 Because of the time it takes to process a case, a defendant appearing in the "case filed" data group does not necessarily appear in the "case adjudicated" data group. Up to five filing offenses are reported per defendant.

furtherance of trafficking), and 1594 (general provisions). This calculation differs from the case statistics presented in the preceding charts, because the AOUSC database tracks the statutes involved in a court case rather than the underlying facts of each case. As a result, the AOUSC database search was unable to determine sentences in trafficking prosecutions in which defendants pleaded guilty to non-trafficking offenses such as immigration violations or visa fraud. In addition, the AOUSC database chronicles only the top five offenses charged, and not the universe of charges brought.

Based on the AOUSC database search, in Fiscal Year 2004, there were 29 defendants in cases filed in U.S. district court where one of the above statutes was indicated. In addition, in Fiscal Year 2004 there were 18 defendants in cases concluded where a trafficking statute was indicated. All 18 defendants were convicted and, of these, 14 received a prison term and four received probation. The average prison term for the 14 defendants was 86 months and prison terms ranged from 27 months to 168 months (specifically, one with 27 months, one with 41 months, two with 60 months, one with 63 months, two with 70 months, one with 96 months, two with 97 months, one with 108 months, one with 120 months, one with 121 months, and one with 168 months). Two defendants received a probation term of 12 months and one defendant received 36 months of probation (information on the probation term of the fourth defendant receiving probation is not available).

E. Descriptions of Cases

The following are summaries of trafficking and sex tourism cases prosecuted by the Department of Justice in Fiscal Year 2004.

United States v. Kang, et al. (New York). Seven defendants, including a Korean couple named the Kangs and two DHS employees, were charged with violating the TVPA and other statutes. The Kangs lured young women from South Korea to New York City with promises of jobs as hostesses in their nightclub, but upon their arrival subjected them to rapes and physical abuse and attempted to force them into commercial sexual exploitation. After the victims reported the abuse, the two DHS employees, at the behest of the defendants, tried to obstruct the investigation by arranging for the victims to leave the country. One defendant, a Korean immigrant, pleaded guilty in September 2004 to obstructing justice for attempting to conceal business records and other documents from the bar run by the Kangs. Sentence for that defendant is pending. Trial for the remaining defendants is scheduled for October 31, 2005.

United States v. Roberts (Florida). A police patrolman in Hollywood, Florida was charged with sex trafficking of children and coercion or enticement of a female into prostitution. He was arrested in a sting after going to a Miami hotel thinking that he was about to meet two children brought to the United States to have sex with him. He was convicted at trial in January 2005 on the sex trafficking charge and acquitted on the other violation and was sentenced in April 2005 to 37 months in prison.

United States v. Domingo Gonzalez-Garcia, United States v. Gonzalez-Garcia, and *United States v. Romero-Gonzalez* (New Jersey). In New Jersey, three Mexican nationals, including a man and his nephew, pleaded guilty to smuggling an alien into the United States for the purpose of engaging in prostitution. The defendants admitted that in July 2001 they brought the common law wife of the nephew from Mexico to Union City, New Jersey with the intent that she work as a prostitute in New York, New Jersey, Pennsylvania, and elsewhere. They were sentenced to three years in prison to be followed by three years supervised release and fined $1,000.

United States v. Mubang (Maryland). The defendant, a single mother of young children, was charged and convicted at trial of involuntary servitude and harboring an alien. A naturalized citizen from Cameroon, she brought a young Cameroonian girl from Africa to the United States under false pretenses and then forced the girl to work against her will as a domestic servant. Once in the United States, the girl, 11 years old, was forced to care for the defendant's two children and to perform all the household chores without pay. The defendant forced the victim to comply by beating her with a broken metal broom stick and a cable cord; forbade her from speaking to anyone about her living and working conditions; forbade her from leaving the house or opening the door to anyone; and interfered with her mail. The defendant had previously brought other young girls to the United States using the same false identification. Mubang fled the United States prior to sentencing and is now being sought as a fugitive. On February 28, 2005, she was sentenced *in absentia* to 210 months in prison.

United States v. Lopez-Torres (Texas). Defendant Maria Magdalena Lopez-Torres, a resident alien and convicted felon living in Austin, Texas, was charged in a three-count indictment with the illegal importation of aliens for prostitution and with firearm violations. The indictment alleged that on May 22, 2003, she managed or supervised an operation where minor females were forced to engage in commercial sex acts. The indictment also charged that Lopez-Torres possessed a Sako bolt-action rifle that she knew was stolen and, as a convicted felon, was prohibited from possessing. The defendant pleaded guilty and was sentenced to 12 years in prison.

United States v. Alugubelli (Florida). The defendant, a naturalized citizen from India, brought an Indian woman to the United States in 1997 to care for an invalid son under a visitor's visa that expired in 1998. The victim worked every day for more than five years without a day off and was never paid for caring for the child and doing other household chores. The defendant told the victim never to leave the house and not to let anyone in the home. When the victim asked to go back to India, the defendant told her that she would procure the proper paperwork to send her back, but she never did so. The defendant pleaded guilty to one count of harboring an illegal alien and was sentenced to 3 years probation. Her husband, a doctor, was not charged, but agreed to pretrial diversion requiring him to pay almost $69,564 in unpaid wages as restitution to the victim and to pay for her return air fare to India. The U.S. Attorney's Office made arrangements with an international bank and a non-governmental organization in India to assist the victim.

United States v. Parsons, United States v. Thomas, United States v. Washington, United States v. Williams and Southwell, United States v. White, United States v. Sutherland, United States v. Scott, and *United States v. Phillips* (Oklahoma). Nine defendants were charged in connection with "Stormy Nights," a child prostitution investigation undertaken by the FBI. The defendants were charged with sex trafficking of minors and transporting juveniles for use in prostitution. Eight defendants pleaded guilty between June 14, 2004 and August 20, 2004, and received prison terms ranging up to 210 months, with the average about 100 months. A ninth defendant was convicted at trial on January 11, 2005, and his sentencing is pending.

United States v. Gates and Heyward (District of Columbia). Defendants Gary Gates and Tamisha Heyward were charged with violating multiple counts of sex trafficking and transportation of persons, including minors, for use in prostitution. Heyward was also charged with unlawful possession of a firearm, while Gates was charged with two counts of first degree child sexual abuse. The defendants operated a sex-trafficking and Internet prostitution business from their home, at times using girls as young as 14 to perform sexual acts. Gates beat the women who disobeyed him, and he also sexually assaulted many of the women and provided drugs to support some of the women's addictions. Both defendants pleaded guilty. Gates was sentenced to 178 months in prison and fined $1,000, and Heyward was sentenced to 108 months in prison and fined $5,000.

United States v. Valle-Maldonado, et al. (California). Four defendants, including a Mexican woman who ran a brothel, were convicted on federal conspiracy charges to bring at least 12 Mexican women, including 14- and 15-year-old girls, to work as prostitutes in the United States. Valle-Maldonado, who pleaded guilty, admitted that she recruited young women, including teenagers, in Mexico and paid for them to be smuggled into the United States so they could work for her as prostitutes at massage parlors and residences in the Los Angeles area. Two other defendants pleaded guilty to conspiracy to import and harbor aliens for the purpose of prostitution and importation of aliens for the purpose of prostitution. A fourth defendant was found guilty at trial of transporting illegal aliens. On November 1, 2004, defendant Valle-Maldonado was sentenced to 54 months in prison and ordered to pay $135,542 in restitution to the victims; on August 16, 2004, and September 13, 2004 two other defendants received six-month prison terms. Sentencing for the fourth defendant is pending.

United States v. Adaobi and George Udeozor (Maryland). The defendants, husband and wife Nigerian nationals, were charged with smuggling a teenage girl from Nigeria into the United States, forcing her to work long hours at their home in Maryland and at the wife's medical practice, sexually assaulting and regularly beating her. The husband fled to Nigeria prior to trial and is being sought as a fugitive. The wife's month-long trial resulted in her conviction for harboring-for-financial-gain and for conspiring to hold the girl in involuntary servitude. Her sentencing is pending.

United States v. Trakhtenberg, et al. (New Jersey). Three defendants were charged in 2002 with conspiring to commit forced labor, document fraud, and inducing aliens to unlawfully

enter the United States, for carrying out a scheme to obtain the labor and services of Russian women. From the summer of 1999 through August 2002, the defendants induced more than 25 women to come from Russia to the United States using visa petitions falsely claiming they were part of an exchange program with the University of Illinois at Chicago. Instead, the women were forced to dance nude up to 10 hours a day, six days a week at strip clubs. In addition, the women's passports and return airline tickets were confiscated to make it difficult for them to leave. In 2004, two defendants pleaded guilty to conspiring to force Russian women to dance in New Jersey strip clubs and are awaiting sentencing. Trial is pending for the remaining defendant. In a related case brought in 2004 in the Southern District of New York, one defendant was charged and subsequently pleaded guilty to conspiring to commit extortion against another Russian woman he had prostituted, who was told she had to pay $5,000 when she wanted to quit. When the woman failed to pay the demanded sum, the defendant arranged for a conspirator to contact the woman and threaten her family with physical harm. He was sentenced in that related case on March 10, 2005, to 42 months in prison, to be followed by three years supervised release, and to pay $10,000 restitution.

United States v. Trisanti and Nasution (California). In 2003, Mariska Trisanti, an Indonesian national, was indicted on charges of involuntary servitude, visa fraud, and harboring undocumented women who were forced to work as live-in domestic workers in her home. Trisanti's husband, Herri Nasution, was also charged with harboring illegal aliens. Trisanti used threats and physical violence to force the young Indonesian women to work against their will, often from early in the morning until very late at night. Trisanti pleaded guilty to involuntary servitude and was sentenced on March 4, 2005, to 46 months in prison and ordered to pay restitution to the victims.

United States v. Carreto, et al. and *United States v. Carreto Reyes* (New York). As the result of an investigation based initially upon information from the U.S. Embassy in Mexico, eight defendants have been charged with forced labor and organizing and operating a trafficking ring that smuggled Mexican women and girls into the United States and then forced them into commercial sexual exploitation in Queens and Brooklyn. The defendants, most of whom are related to each other, come from the same small town in south-central Mexico. They recruited young impoverished women in Mexico by forming romantic relationships with them. Once in the United States, the women were beaten and threatened to keep them working. Proceeds from commercial sex acts were taken by the defendants and wire transferred to the defendants' family in Mexico. Six defendants have pleaded guilty to trafficking charges, including three who had initially been prepared to go to trial, but then subsequently pleaded guilty to all 27 counts of the indictment after jury selection. The two remaining defendants are presently incarcerated in Mexico on Mexican federal charges related to their role in this human trafficking conspiracy. Private attorneys have also assisted the victims in obtaining custody of their children, who were being held by the traffickers' families to control the women, and efforts are underway to reunite them with their mothers. This is a high-profile case that was featured on the television program *48 Hours*.

United States v. Du Preez, et al. (Georgia). Five defendants were charged with violating 8 U.S.C. §1324, 18 U.S.C. §1546 and 18 U.S.C. §1001 in connection with a scheme to bring aliens from other countries (most often South Africa) into the United States illegally and to provide them with employment at their granite and marble business. Once in the United States, the aliens resided in apartments leased by the granite company, and they were induced to provide labor for cash or for credit against the cost of their rent, furniture, utilities, and visa applications. The defendants threatened to report the aliens' illegal status to ICE as a means to keep the aliens under their employment. Trial is pending.

United States v. Thompson (Minnesota). Ray Jay Dean Thompson was charged with transportation of a minor with intent to engage in criminal sexual activity, sexual trafficking of a minor, and being a felon in possession of ammunition. The defendant allegedly prostituted two minor females in Minneapolis-St. Paul. On March 14, 2005, defendant Thompson entered a guilty plea, and sentencing is pending.

United States v. Romero-Flores and Ventura (California). Two defendants were charged with two counts of harboring aliens and two counts of harboring aliens for purposes of prostitution. Defendant Ventura was also charged with one count of bringing an alien into the United States for financial gain and one count of transporting an alien for purposes of prostitution. The defendants allegedly brought two women to the United States from Mexico to work as prostitutes. Trial is pending.

United States v. Tantirojanikitkan, et al. (New Jersey). Three of five defendants charged in 2001 with conspiring to transport illegal female aliens from Thailand into the United States to engage in prostitution have been convicted. Two defendants who pleaded guilty to conspiracy charges received prison terms of 17 months and 12 months. In Fiscal Year 2004, a third defendant was convicted at trial of alien smuggling, transporting aliens for prostitution and attempting to hire a hit man to murder a Special Agent of the FBI. He was sentenced to 17 and one half years in prison. Two defendants are fugitives.

United States v. Rojas (Georgia). Three brothers, using various pseudonyms, engaged in a sex trafficking scheme to seduce young Mexican women and girls and lure them to the United States with promises of legitimate employment. The defendants smuggled the victims from Mexico to the Atlanta metropolitan area and then forced them into prostitution through a combination of psychological coercion, threats, and physical abuse. Upon their arrival in the United States, the victims were told never to leave the apartment. The defendants threatened to call the victims' parents and tell them that the girls were working as prostitutes and threatened to abandon the girls without any money or support. Thereafter, the victims were made to work nearly every night of the week, servicing upwards of 20 customers per night. Arrangements were made for the girls to be taken to various apartments by taxi drivers. At the end of each night, the taxi driver would keep half the money earned, and the defendants, the other half. The defendants were charged with conspiracy, sex trafficking, importing and harboring aliens for the purpose of prostitution, alien smuggling and interstate transportation of illegal aliens. Two brothers pleaded

guilty in 2004 and were sentenced to 71 months and 57 months in prison. The third brother fled and is now a fugitive.

United States v. Bradley and O'Dell (New Hampshire). Two U.S. citizens were convicted on eighteen counts of forced labor and wire fraud for their treatment of Jamaican citizens brought to New Hampshire to work in their tree cutting business. These convictions, among the first secured at trial under the TVPA's forced labor statute, 18 U.S.C. § 1589, were upheld on appeal in 2004. The defendants were sentenced to 70 months in prison, 3 years supervised release, and ordered to pay a $12,500 fine and $13,052 restitution.

United States v. Nathan Lovaas (California). Nathan Lovaas was indicted on September 30, 2003, in San Francisco, California, for distribution of child pornography and conspiracy to commit the offense of traveling for the purpose of engaging in a sexual act with a minor (sex tourism). He traveled from the United States to Thailand and Mexico on several occasions for the purpose of engaging in sexual acts with minors and photographing the abuse. On March 4, 2005, Lovaas pled guilty to distributing child pornography in violation of 18 U.S.C. 2252(a)(2)(A). Sentencing is pending.

United States v. Russell (California). Bernard Lawrence Russell was indicted on December 3, 2003, on charges of traveling in foreign commerce with intent to engage in sex with a juvenile, production of child pornography, and possession with intent to import child pornography. Investigation by ICE revealed that Russell traveled to the Philippines on numerous occasions over a two-year period in order to engage in sexual acts with children and to produce child pornography for the purpose of importation into the United States. At least three Filipino children have been identified as Russell's victims. Russell pled guilty on April 22, 2005. Sentencing is pending.

United States v. Bohning (Florida). A 13-count indictment was returned on February 24, 2004, against Raymond George Bohning charging him with use of a computer to entice a minor to engage in criminal sexual activity; travel in foreign commerce to engage in such activity (sex tourism); attempt to produce child pornography; and receipt, possession, distribution, and transportation of child pornography. The investigation revealed that Bohning traveled to the United Kingdom on November 7, 2003, to engage in sexual activity with a 13-year-old girl there. A preliminary forensic examination of the hard drive taken from Bohning's laptop computer revealed in excess of 10,000 images of child pornography including many images of infant children being sexually abused. The examination also revealed that Bohning had a list of 374 computer user names and e-mail addresses, both from within and outside of the United States. On August 31, 2004, a superseding indictment was returned charging Bohning with two additional counts of receipt of child pornography as well as production of child pornography. Bohning is currently serving a sentence in the United Kingdom, and extradition from the UK to the United States is being pursued.

United States v. Boehm, et. al. (Alaska). On March 19, 2004, an 18-count federal indictment was returned against Josef F. Boehm charging him with conspiracy to commit sex trafficking of children, possession of a controlled substance with intent to distribute, being a felon in possession of a firearm, and being an unlawful user in possession of a firearm and ammunition. A superseding indictment also charged three others with conspiracy to commit sex trafficking, sex trafficking of children, and conspiracy to distribute cocaine and crack to persons under the age of 21. All four defendants are in federal custody. Boehm pleaded guilty on November 22, 2004 to child sex trafficking and to drug charges. As part of the plea agreement, he agreed to forfeit his residence and also to provide $1.2 million in a trust fund for the future benefit of the victims. Three defendants previously pleaded guilty. Sentencing for the defendants is pending.

United States v. Obert (California). On June 23, 2004, Timothy Obert, a former Peace Corps volunteer in Costa Rica, was charged with engaging in illicit sexual conduct with a minor boy. The sexual conduct occurred approximately 20 times over a two-year period during which the boy was between the ages of 12 and 14 years old. Obert was charged pursuant to the PROTECT Act.

United States v. Flores, et al. (North Carolina). The charges in this case stem from the conspiratorial activities of four co-defendants who traveled interstate with the 13-year-old niece of one of the defendants and had the minor child and the female defendant engage in prostitution for money. Charges include conspiracy to transport a minor for the purpose of illegal sexual activity and conspiracy to transport an adult for the purpose of illegal sexual activity. Three of the four original defendants pleaded guilty on April 11, 2003, and the fourth pleaded guilty on September 25, 2003. Two of the defendants were sentenced on February 10, 2004, and the other two on April 21, 2004, with the sentences of 46 months, 121 months, 180 months, and 235 months.

United States v. Clark (Washington). Michael Clark was arrested in June 2003 in Cambodia for sexually abusing two Cambodian boys, ages 10 and 13. Clark was subsequently indicted in the United States on September 24, 2003, and charged with attempting to and engaging in illicit sexual conduct after travel in foreign commerce. The case is believed to be the first such prosecution under the new provisions of the PROTECT Act. Clark pleaded guilty on March 17, 2004 and was sentenced on June 25, 2004 to 97 months's imprisonment.

United States v. Curtis (District of Columbia). On December 3, 2004, a seven-count indictment was returned charging Carlos Curtis with sex trafficking, transporting a minor in interstate commerce for prostitution, and production of child pornography. The FBI began investigating this case as part of the Innocence Lost initiative. Curtis and other associates recruited a 12-year-old girl in Times Square in New York and brought her to a hotel room in Brooklyn, where he photographed the girl engaged in sexually explicit conduct with an adult prostitute. A superseding indictment was returned March 31, 2004, charging obstruction of justice as a result of the defendant's efforts to get the victim to change her testimony at trial. Following a two-week jury trial, Curtis was convicted on July 2, 2004. Sentencing is pending. He faces up to life imprisonment.

United States v. Schmidt (Maryland). Richard Schmidt, a United States citizen, was charged by criminal complaint on January 13, 2004, as a result of his travel to Cambodia to engage in criminal sexual activity with underage boys. During the search of Schmidt's apartment, court documents from the Philippines were also found which made reference to accusations against Schmidt for lascivious acts with two minor boys in the Philippines. Schmidt was indicted on February 5, 2004. OIA secured the expulsion of Schmidt from Cambodia to the United States, where he was arrested upon arrival on February 19, 2004. He pleaded guilty on July 8, 2004. Sentencing is pending.

United States v. Branigan (Indiana). On November 19, 2003, a federal grand jury in the Southern District of Indiana returned a six-count indictment against Edward Patrick Branigan, charging him with two counts of traveling in interstate commerce to engage in illegal sex with a minor, three counts of production of child pornography, and one count of possession of child pornography. The indictment stems from a lengthy investigation by the FBI and ICE which began when the FBI learned that a minor female in Indiana had been the subject of child pornography produced by Branigan and that he may have been prostituting her in Las Vegas. Further investigation revealed that he had traveled to Indiana on at least two occasions to have sex with a 14-year-old child and to film the child engaged in sexually explicit conduct. Branigan also filmed a second 14-year-old child in Indiana engaged in sexually explicit conduct and placed some of the sexually explicit images he produced on the Internet. Branigan entered a guilty plea on July 12, 2004, and was sentenced on October 14, 2004 to 14 years imprisonment. Branigan was also ordered to pay $24,000 in restitution.

United States v. Sims (Georgia). Maurice Sims transported a 16-year-old girl from El Dorado, Arkansas, to Atlanta, Georgia, for purposes of prostitution. Along the route he beat and raped the girl. On February 4, 2004, a federal grand jury indicted Sims on six counts including kidnapping, violations of the TVPA, and transporting a minor in interstate commerce for criminal sexual activity. A superseding indictment was returned March 2, 2004, adding three counts of obstruction of justice. Following a jury trial, Sims was convicted on September 20, 2004, and sentenced to life imprisonment on December 15, 2004. His co-defendant, who testified against Sims at trial, was sentenced to five years's imprisonment.

United States v. Seljan (California). John W. Seljan was charged in a nine-count indictment with attempted travel for the purpose of illicit sexual conduct, use of an interstate or foreign facility for the purpose of enticing a minor, production of child pornography, and possession of child pornography. ICE agents arrested Seljan at Los Angeles International Airport, on October 3, 2003, as he was about to board an international flight to the Philippines. At the time of his arrest, Seljan had a large sum of currency and Polaroid pictures of explicit sexual conduct involving him and minor Filipino girls. Following a bench trial, Seljan was convicted on November 19, 2004. He was sentenced on March 28, 2005, to 20 years imprisonment followed by lifetime supervised release.

United States v. Jackson (Washington). On June 23, 2004, Gary Evans Jackson pleaded guilty to three counts of travel in foreign commerce to engaging in, and engaging in, illicit sexual conduct in violation of 18 U.S.C. § 2423(c), for engaging in sexual conduct with three minor boys aged approximately from 10 to 15 years old. The plea agreement was conditional, giving the defendant the right to pursue a motion to dismiss the indictment on a Constitutional ex post facto claim, and included a stipulated sentence of 15 years' imprisonment. On July 28, 2004, the court heard oral argument on Jackson's motion to dismiss the indictment, and granted the motion on February 10, 2005, on ex post facto grounds. The government filed a notice of appeal on February 11, 2005. Further proceedings are pending.

F. The Human Smuggling and Trafficking Center

Investigations and prosecutions have benefitted from the creation of the interagency Human Smuggling and Trafficking Center (HSTC, or the Center) in July 2004 through a charter signed by representatives of the Secretary of State, the Secretary of Homeland Security, and the Attorney General. The Center was subsequently established by statute under Section 7202 of the Intelligence Reform and Terrorism Prevention Act of 2004. The Center will provide greater integration and overall effectiveness of the United States government's enforcement and intelligence efforts and will work with other governments to address the separate but related issues of alien smuggling, trafficking in persons, and smuggler support of clandestine terrorist travel.

The Center provides a mechanism to bring together federal agency representatives from the policy, law enforcement, intelligence and diplomatic areas to work together on a full-time basis to achieve increased effectiveness and to convert intelligence into effective law enforcement and other action. It serves as an information fusion center and clearinghouse to ensure that all community members receive all useful information and foster a collaborative environment through sharing tactical, operational and strategic intelligence. The Center identifies issues related to migrant smuggling or trafficking in persons for referral to relevant agencies or interagency organizations for consideration and appropriate action.

In addition to the charter agencies, the Central Intelligence Agency and National Security Agency participate in the Center. Desk officers and analysts detailed from the participating departments and agencies constitute the Center's staff. The current Center director is an ICE supervisory special agent, and the current deputy director, on detail from DOS's Bureau of International Narcotics and Law Enforcement (INL), has extensive experience as a consular anti-fraud officer. The director reports to the Secretaries of State and Homeland Security and the Attorney General through a senior steering group. The director and deputy director positions rotate among participating agencies on the basis of three-year terms of office. INL provides secure office space for the Center and other required logistics support.

The Human Smuggling and Trafficking Center

- facilitates broad dissemination of all source information;
- prepares strategic assessments;
- identifies issues for interagency coordination or attention;
- coordinates select initiatives and provides support;
- serves as a focal point for interagency efforts to address terrorist travel.

The Center has made initial strides in its anti-trafficking efforts, providing support for a number of U.S. government agencies, including the Departments of Homeland Security, Justice, and State, and members of the national intelligence community.

The following are some of its other activities:

- The Center hosts a DHS-wide anti-trafficking working group. The purpose of the working group is to coordinate internal DHS anti-trafficking policy and initiatives and to facilitate coordination between DHS and other U.S. government agencies that conduct anti-trafficking work;
- The Center has prepared assessments designed to identify trafficking trends and issues and to assist in the formulation of anti-trafficking initiatives and policy.
- The Center is a participant in the Senior Policy Operating Group (SPOG)which coordinates U.S. anti-trafficking initiative laid out in the National Security Presidential Directive on Combating Trafficking in Persons (NSPD-22), and its subcommittees.
- Subject matter experts from the Center have lectured at a number of major anti-trafficking training and outreach events in an effort to educate state, local, federal and international agencies and non-governmental organizations regarding anti-trafficking efforts.

V. International Grants

Because the United States is a destination country for trafficked people, U.S. government activities abroad are of particular importance in the prevention of human trafficking. Through the DOS, DOL, and the U.S. Agency for International Development (USAID), the U.S. government gives a substantial amount of international assistance aimed at preventing trafficking in persons, protecting victims, and prosecuting traffickers abroad. In Fiscal Year 2004, the U.S. government supported 251 international anti-trafficking programs totaling approximately $82 million and benefitting approximately 86 countries.

The DOS has focused considerable diplomatic and political attention on the issue of trafficking in persons, particularly through bilateral and multilateral engagement by the Office to

Monitor and Combat Trafficking in Persons with other countries. That office's annual *Trafficking in Persons Report* assesses the anti-trafficking activities of governments of source, transit, and destination countries and is a valuable source of information for U.S. and foreign policy-makers and the public (as is the information on human trafficking contained in the annual *Country Reports on Human Rights Practices*). The annual report ranks countries as Tier 1, Tier 2, Tier 2 Watch List, or Tier 3 based on their efforts to combat trafficking. In making grant awards, DOS, DOL, and USAID therefore focus their program funding primarily on countries ranked as Tier 2, Tier 2 Watch List, or Tier 3 in order to assist those countries in improving their efforts.

The U.S. government's international anti-trafficking efforts range from small projects such as purchasing equipment, to large-scale, multi-year programs to develop comprehensive regional and national strategies to combat the worst forms of child labor. The following types of assistance have a favorable impact on ending this multi-dimensional abuse of human rights, risk to public health and agent of organized criminal networks: assistance in the development of anti-trafficking laws; equipping and training of law enforcement officials and medical personnel; education programs; training of government officials and medical personnel; establishment or renovation of shelters, crisis centers, or safe houses for victims; and support for psychological, legal, medical, and counseling services for victims provided by NGOs, international organizations, and governments.

Grants Awarded in FY 04

- 251 programs
- 86 countries
- $82 million

For example:

The DOS's Bureau for Population, Refugees and Migration provided $300,000 to the International Organization for Migration (IOM) to supply return and reintegration assistance to Afghan victims, principally for those trafficked internally, through a reintegration fund and referral mechanism. This program will build the capacity of governmental entities, non-governmental institutions, and law enforcement agencies to assist victims, and raise awareness on the dangers of irregular migration and trafficking

The Office to Monitor and Combat Trafficking in Persons awarded a grant of almost $600,000 to the Fund for Justice and the American Bar Association to train criminal justice officials in Uganda, Kenya, and Tanzania to improve enforcement of anti-trafficking laws in each country and foster regional cooperation on trafficking. This office also awarded a grant of $570,000 to the Bilateral Safety Corridor Coalition to establish a bi-national network in Tijuana, Nogales, Ciudad Juarez and Laredo with regular, established communication and coordination. The coalition members will also renovate shelters for trafficking victims, conduct public awareness campaigns, train coalition members, and set up a databank for advocacy purposes. This grant complements a DOJ grant to the coalition to set up a similar infrastructure on the U.S. side of the border.

The DOS's Europe and Eurasia Bureau awarded a $30,000 grant to the Tartu Child Support Center in Latvia for a project entitled "Prevention of Human Trafficking" that provided training seminars and lectures on human trafficking issues for 12th grade students in 22 schools in the city of Tartu and its vicinity.

In India, USAID supports the Victim-Witness Protection Program, implemented by a consortium of NGOs and local experts, that provides protection, support, rehabilitation, and reintegration services to rescued victims who are willing to testify against their traffickers. The program also fortifies the Indian legal system's determination and ability to obtain convictions of both traffickers and sex tourists. In addition to safe haven and effective after-care, rescued victims may also need long-term assistance such as vocational training and outplacement because legal proceedings are lengthy in India. Continuing contact with rehabilitated victims will help to ensure a high rate of court appearances by these witnesses.

DOL's Bureau of International Labor Affairs/International Child Labor Program awarded $2 million to the International Labor Organization's International Program for the Elimination of Child Labor for a multi-year project entitled Combating Trafficking in Children for Labor Exploitation in West and Central Africa (Benin, Burkina Faso, Côte d'Ivoire, Gabon, Mali, and Togo). The project's objectives are threefold: to reduce the demand for trafficked children; to withdraw trafficked children from exploitive situations and to provide them with a range of services leading to their sustainable reintegration; and to provide boys, girls, and adult family-members in trafficking-prone high-risk areas with viable educational and socio-economic alternatives to reduce their vulnerability to child trafficking.

A full list of international grant programs appears in Appendix 1.

VI. Outreach and Training

A. Domestic Law Enforcement Outreach and Training Activities

In addition to investigating and prosecuting trafficking crimes, DOJ and DHS have spent extensive energy on outreach and training. Typically, these efforts are conducted by the same headquarters-level agents and prosecutors who have primary enforcement responsibility in this area. Such training has resulted in specific prosecutions as prosecutors and agents who attend these conferences put their knowledge to work in their districts.

In 2004, DOJ undertook a comprehensive Trafficking Task Force Initiative to form 21 multidisciplinary task forces, led by U.S. Attorneys, to address trafficking in areas of known concentration. This initiative sought to form, train, equip, and fund teams of state, local and federal law enforcement officials, prosecutors, and victim services providers in a coordinated and proactive effort to investigate criminal organizations, rescue victims and hold perpetrators accountable.

The initial step was to convene a national training conference on human trafficking, called *Human Trafficking into the United States: Rescuing Women and Children from Slavery*, July 14-16, 2004 in Tampa, Florida. Hosted by the DOJ and with a keynote speech by President George W. Bush, the conference brought together more than 500 attendees, consisting of 21 teams of about 20 state, local and federal officials who could work together to combat human trafficking in their respective communities across America. President Bush was joined by Attorney General John Ashcroft and other senior Administration officials at the ground-breaking conference. The communities that teams came from included Atlanta, Charlotte, Chicago, El Paso, Houston, Las Vegas, Long Island, Los Angeles, Miami, Newark, New Orleans, New York City, Washington, D.C., Philadelphia, Phoenix, Richmond, San Diego, San Francisco, St. Louis, Seattle, and Tampa. Civil Rights Division attorneys were featured speakers and appeared in the training videos prepared for the conference and for future trainings.

DOJ produced two videos for the Tampa conference and subsequent training efforts. The first, "Liberty and Justice for Victims of Modern-Day Slavery," featured the President's 2003 speech to the United Nations and a press conference by Attorney General John Ashcroft, as well as interviews with the prosecutors, agents, and NGO service providers who worked on the sex slavery case *United States v. Soto*. The second video, "Digging Deeper: The Reach of Human Trafficking," focused on the "bargirl" case of *United States v. Molina*, the child prostitution case of *United States v. Curtis*, and the migrant worker case *United States v. Ramos*, and featured interviews with investigative and prosecution teams, as well as teaching segments.

At the Tampa conference, the teams learned how to uncover and investigate cases, as well as how to provide services to trafficking victims. The conference emphasized the importance of combating trafficking using a victim-centered approach. The teams learned that rescuing victims requires proactive law enforcement strategies and an understanding of the collaborative approach to human trafficking that includes community members, first responders, restorative care service providers, victim advocates, as well as state, local, and federal law enforcement.

The next step of the initiative was to follow up with the attendees and conduct initial task force meetings and additional training. The final step, initially announced at the national conference by Attorney General Ashcroft, was the award of $7,674,614 to 18 local communities by OJP and BJA to allow the communities to participate in the newly formed multidisciplinary task forces to address the problem of human trafficking and rescue its victims. These 18 communities were among those identified by the Civil Rights Division as having a high number of trafficking operations and victims. These local law enforcement task forces will join forces with victim service providers, as well as with local U.S. Attorneys, and other federal agencies such as ICE, to identify and rescue trafficking victims, including women and children.

Applicants were specifically encouraged to partner with service providers supported by existing grants from the OVC or ORR. In early 2005, BJA plans to add three jurisdictions to this list, bringing to 21 the number of funded task forces. In turn, OVC, working in partnership with BJA, will make awards to develop victim services at task force sites with insufficient capacity.

Recipients of Task Force Grants

American Samoa, Atlanta, Austin, Boston, Cobb County (Georgia), Collier County (Florida), State of Connecticut, District of Columbia, El Paso, Harris County (Texas), State of Hawaii, Los Angeles, Miami, Nassau County (New York), State of New Jersey, Oakland, Phoenix, San Diego County, San Francisco, San Jose, Suffolk County (New York), Seattle

So that the task forces and other law enforcement entities would have the ability to conduct training and engage in capacity-building on their own, the BJA funded the development of a standard curriculum to be disseminated both to the task forces and through the established training mechanisms set up through the Community Oriented Policing Services (COPS) program. This curriculum, developed by a contractor, the Institute of Intergovernmental Research (IIR), with the assistance of the Civil Rights Division, FBI, ICE, and NGO trafficking experts, includes Power Point presentations and supporting material, film clips of the speakers at the Tampa conference, and case studies drawn from real prosecutions. With the IIR, the BJA hosted a meeting of the task forces in March 2005 to begin the training.

In addition, Civil Rights Division staff conducted more than fifty trainings around the United States at conferences and meetings in Houston, Seattle, Newark, San Antonio, Los Angeles, Chicago, Salt Lake City, New Orleans, San Francisco, Baltimore, New York City, Miami, El Paso, Austin, Orlando, Las Vegas, Connecticut, Albuquerque, Philadelphia, Northern Virginia, Phoenix, and elsewhere. In addition to these regional trainings, the Executive Office for U.S. Attorneys' Office of Legal Education, and the Civil Rights Division hosted a comprehensive training session for federal agents and prosecutors, including FBI and ICE agents at DOJ's National Advocacy Center in January 2004. Furthermore, the Civil Rights Division actively participates in human trafficking training at U.S. Attorneys' Offices as part of the regular curriculum of the FBI, ICE, and DOS's Diplomatic Security Service.

Another important DOJ initiative in 2004 was the drafting of a Model State Anti-Trafficking Statute. The Civil Rights Division and the Office of Legal Policy wrote the statute, based on the TVPA and federal experience prosecuting trafficking cases, in order to provide a model for state governments to follow the lead of the federal government in combating trafficking. The model statute seeks to expand anti-trafficking authority to the states in order to harness the almost one million state and local law enforcement officers who might come into contact with trafficking victims. The U.S. Senate subsequently passed a resolution endorsing the statute and encouraging states to adopt it, and DOJ officials used the statute to urge states to join the fight against trafficking. For instance, the Assistant Attorney General for Civil Rights promoted the statute in an address to the annual conference of the National Foundation of Women

Legislators.

The Civil Rights Division also initiated publication of its Anti-Trafficking News Bulletin, a bi-monthly update on DOJ's anti-trafficking efforts. Each issue of the bulletin provides updates of recent case activity and describes outreach and policy activities of the Division and DOJ as a whole. The bulletin also tries to put a face on the government's anti-trafficking efforts, by featuring individual prosecutors, agents, and even victims who have succeeded in the wake of their liberation.

U.S. Department of Justice
Civil Rights Division

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ANTI-TRAFFICKING NEWS BULLETIN

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Attorney General Gonzales Affirms Justice Department's Commitment to Battling Human Trafficking

In a February 28 speech at the Hoover Institution's Board of Overseers Conference, Attorney General Alberto R. Gonzales pledged to "move aggressively" in the battle against human trafficking. Characterizing trafficking in persons as "one of the most pernicious moral evils in the world today," he underscored that eradicating this form of modern-day slavery remains a top priority of the Bush Administration.

The Attorney General also highlighted the twenty anti-trafficking task forces and working groups, which are comprised of investigators and prosecutors from the federal, state, and local levels, as well as non-governmental organizations, that the Department of Justice has helped establish over the last year. He also encouraged the nation's governors and state legislatures to criminalize human trafficking as part of their own penal codes. In this vein, he referenced the model state anti-trafficking law that the Justice Department introduced last summer and promised to send a copy "to every governor and legislative leader in those 40-plus states that do not yet have their own anti-trafficking laws."

Attorney General Alberto Gonzales

To see a copy of the model state trafficking law, go to the following Department of Justice link:

http://www.usdoj.gov/crt/crt/model_state_law.pdf

Civil Rights Division Leaders Assess Trafficking Situation in Cambodia

In January 2005, in furtherance of President Bush's ongoing initiative to combat international human trafficking, Deputy Assistant Attorney General Bradley J. Schlozman and Senior Counsel T. Marsh Bell traveled to Cambodia to assess the nation's current anti-trafficking efforts. Cambodia, along with Mexico, Brazil, Sierra Leone, Tanzania, Moldova, India, and Indonesia, is at the center of the Administration's focus to tackle this alarming epidemic.

Deputy Assistant Attorney General Schlozman put the matter in perspective when he noted, "It is nothing short of shocking to walk through the neighborhoods of Phnom Penh and see children, some of whom look like they are no older than nine or ten years old, being forced to prostitute themselves. You simply cannot forget those images, especially when you see American children of that same age safely attending fourth or fifth grade. We must do whatever we can to address this problem."

During their assessment, Schlozman and Bell joined with representatives of the Departments of State and Homeland Security to identify both the nation's trafficking needs and the resources available to meet those needs. They analyzed the following: (1) governmental personnel devoted to the issue, (2) applicable criminal law, (3) the structures in place to prosecute those in violation of such laws, and (4) the overall process of victim identification, rescue, and restorative care.

Ultimately, the American delegation met with senior Cambodian government leaders, members of the country's "trafficking po-

Continued on Page 2, Cambodia

NEW GRANT SOLICITATION

The Office of Justice Programs announced a grant program that will award funds to state and local anti-trafficking task forces to enhance human trafficking efforts and supplement victim services.

For more information on this high priority initiative, see Page 11.

For its part, CEOS conducted its annual Advanced Child Exploitation course for federal prosecutors and agents at the National Advocacy Center in March 2004. The course addressed the investigation and prosecution of cases involving the commercial exploitation of children, child prostitution, trafficking, and sex tourism. This course is offered in addition to an annual Basic Child Exploitation course, which also focuses on crimes involving the sexual exploitation of children. Further, in conjunction with the Innocence Lost initiative, CEOS partnered with both the FBI and NCMEC to develop an intensive week-long training seminar, held at and sponsored by NCMEC, solely dedicated to the investigation and prosecution of cases involving child prostitution. The ongoing program brings state and federal law enforcement agencies, prosecutors, and social service providers to NCMEC, where the group is trained together. Although the pilot training program occurred during 2003, there were four additional training programs in Fiscal Year 2004 specifically addressing child prostitution and covering various regions of the country. Approximately 200 key personnel have been trained as part of the initiative. Three additional child prostitution training programs will be offered in Fiscal Year 2005.

CEOS also provide numerous publications to prosecutors across the country, including issuing to all federal prosecutors an article in the March 2004 USA Bulletin entitled *Sex Trafficking of Minors: International Crisis, Federal Response*. In addition, CEOS prepares and distributes to each U.S. Attorney's Office a quarterly newsletter which provides practical tips as well as the most current legal issues and cases. The last several issues have featured numerous articles focusing on the international aspects of prosecuting cases involving the commercial exploitation of children. The January and July 2004 editions of the CEOS quarterly newsletter highlighted the effective use of the sex tourism provisions of the PROTECT Act around the country. Additionally, the April 2004 edition included a discussion of extradition considerations in sex tourism and trafficking cases, as well as a comprehensive legal memorandum put together by CEOS attorneys addressing the legal issues which may be raised in such cases, including venue, jurisdiction, extradition, ex post facto issues, Commerce Clause challenges to federal jurisdiction, use of foreign evidence, and sentencing.

CEOS has also focused on increased public awareness of the human trafficking epidemic, with particular attention to the issue of child sex trafficking. CEOS participated in a joint project with ICE, NCMEC, DOS's Office to Monitor and Combat Trafficking in Persons, and the NGOs End Child Prostitution, Child Pornography and the Sexual Exploitation of Children, World Vision, and the Rape, Abuse, & Incest National Network to develop a brochure and posters designed to curb child sex tourism. The proposed brochure and poster are intended to be widely distributed, both within the United States and abroad, in an effort to combat the problem.

Individual agencies also host training sessions for their officers. For example, in San Francisco and Salt Lake City, ICE's HSTU, in conjunction with prosecutors from DOJ's Civil Rights Division, provided in-service training on human trafficking to all special agents in those cities. Similarly, in the fall of 2004, ICE's Division of Training posted the course "Stop Trafficking" to the on-line ICE Virtual University, for internal intranet training. The course is available to all ICE employees and consists of separate training modules, including modules on statutes, investigations, identifying victims, interviewing, and victim assistance and protections.

For its part, the FBI provided training on trafficking in persons to its new Special Agent classes, to two sessions of classes for experienced Special Agents, to a class for Supervisory Special Agents, and to several classes for high-ranking and executive management personnel from state and local law enforcement agencies at its National Academy. In addition, the FBI participated in training sessions organized by DOJ in Connecticut, Pennsylvania, New Mexico, Florida, Missouri, Texas, Oregon, and California, as well as the July 2004 national conference.

B. International Law Enforcement Outreach and Training

Recognizing that trafficking in persons is an international problem, U.S. government personnel have conducted international outreach and have helped train foreign visitors and officials visiting the United States on U.S. trafficking laws, investigations, and prosecutions.

The following are examples of this outreach and training:

DOJ Civil Rights Division attorneys and CEOS attorneys have traveled throughout the world to meet with government officials and non-governmental organizations on strategies to combat trafficking in persons, and have also met with an array of foreign officials during those representatives' visits to the United States. Furthermore, DOJ attorneys and victim coordinators have conducted trainings and have assisted in drafting trafficking legislation in Asia, Africa, Europe, the Caribbean, North America, and South America. One Civil Rights Division attorney has been detailed to Moldova for two years to work on human trafficking issues in the former Soviet republics. In addition, Division trafficking specialists have led assessment teams to the countries identified by the President's Trafficking Initiative and, in turn, have made programmatic improvements in collaboration with other participating agencies.

In September 2004, a United States assessment team composed of the Deputy Chief of Mission and the head of the Political Section of the U.S. Embassy in Mexico City, attorneys from DOJ's Civil Rights Division and CEOS, and ICE officials met with Mexican authorities and agencies to gather information about the trafficking problems in Mexico, Mexican investigations and prosecutions, victim assistance, the government response to trafficking, and obstacles to and opportunities for successfully combating trafficking. This assessment was part of the President's Initiative on Trafficking in Persons. The Mexican organizations that participated in the site visit interviews included the Ministry of Foreign Affairs, the federal prosecutor's office, the National Institute on Migration, the National Center for Combating Delinquency, the Smuggling Working Group of the Senior Law Enforcement Task Force, and the NGO Casa Alianza. The International Organization for Migration also participated.

The FBI also provided multiple sessions of alien smuggling/human trafficking training to various international law enforcement partners/governments, including Suriname, Italy, Thailand, Albania, Nigeria, Germany, Nicaragua, Costa Rica, Australia, and China, and a contingent consisting of representatives from more than 31 different countries, including South Africa, Senegal, Sweden, the Dominican Republic, and Israel.

The U.S. government also organizes and participates in international conferences on trafficking. For example, the United States Ambassador to Japan hosted a conference on trafficking from June 22-24, 2004, focusing on enhancing communication regionally and developing human trafficking legislation in Japan. The 200 participants included law enforcement, diplomatic and legal entities, as well as NGOs from the United States, Japan, and several countries in Asia. At the Forced Child Labor and Human Trafficking Conference on August 3-9, 2004 in Johannesburg, South Africa, ICE provided representatives from foreign governments, foreign law enforcement agencies, and five non-governmental African-based organizations with training on the TVPA, a global perspective on human trafficking, and a detailed overview of the human trafficking situation on the African continent. They were also provided with a "tool kit" containing those items needed for their law enforcement agencies to establish anti-trafficking units, as well as the most recent United States and African trafficking reports. After the conference, HSTU staff and the Johannesburg ICE Attaché met with the Divisional Commissioner, Detective Services of the South African Police Service (SAPS), who has been tasked with spearheading South Africa's anti-trafficking efforts, and the Director of the SAPS Organized Crime Unit. SAPS pledged its support in assisting ICE in future smuggling and trafficking cases. And on February 10, 2004, staff from ICE's HSTU participated in a U.S./Montenegro Policy Forum to discuss anti-trafficking efforts undertaken by the government of Montenegro.

ICE attachés conduct extensive training and engage in other cooperative programs with their counterparts in local law enforcement. The ICE attaché in Brazil met with members of Brazil's federal prosecutors' office and the director of a new Brazilian federal police unit created to increase law enforcement efforts in the area of child pornography, forced child labor, sex tourism and trafficking in persons in an effort to jointly investigate these crimes. HSTU personnel

provided 14 training sessions for foreign teams of visitors representing the People's Republic of China, Albania, Bosnia, Croatia, Macedonia, Serbia, Japan, Kazakhstan, Bulgaria, Turkey, Greece, Italy, Cyprus, Romania, the Ukraine, El Salvador, Honduras, Panama, Columbia, Peru, Argentina, Mexico, Dominican Republic, Venezuela, Costa Rica, Bolivia, Paraguay and Uruguay. HSTU discussed such topics as the TVPA, smuggling and trafficking investigations, victim assistance and options for immigration relief. In addition, Customs and Border Protection agents meet frequently with their foreign counterparts, including, in the Del Rio sector, monthly meetings with the Mexican Consul and in the Havre Sector, with ICE and Canadian officials.

The FBI and ICE also participate in the Southeast European Cooperative Initiative (SECI), whose Regional Center for Combating Trans-Border Crime in Bucharest, Romania, coordinates Southeastern European police and customs regional actions for preventing and combating transborder crime, including trafficking in persons and migrant smuggling. The following twelve countries are actively involved with the Center: Albania, the Federation of Bosnia and Herzegovina, Bulgaria, Croatia, Greece, Hungary, Macedonia, Moldova, Romania, Serbia and Montenegro, Slovenia and Turkey. The U.S. government acts as observer to the Center and provides funding, training, and equipment in the area of human trafficking and alien smuggling for the SECI representatives and law enforcement officers from the participating countries in the area of human trafficking and alien smuggling. (Other observing countries include Austria, Azerbaijan, Belgium, Canada, France, Georgia, Germany, Italy, the Netherlands, Portugal, Spain, Ukraine, and the United Kingdom.) During a portion of Fiscal Year 2004, ICE detailed a special agent to the SECI Center.

DOJ's Criminal Division's International Criminal Investigative Training and Assistance Program (ICITAP) and Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) are similarly involved in outreach to and training of foreign law enforcement officials. The mission of ICITAP is to support U.S. criminal justice and foreign policy goals by assisting foreign governments in developing the capacity to provide professional law enforcement services that are based on democratic principles and respect for human rights. ICITAP activities focus on the development of police forces and the improvement of capabilities of existing police forces in emerging democracies. Among the many responsibilities of ICITAP is assistance designed to enhance professional capabilities to carry out investigative and related law enforcement functions in addition to assistance that creates or strengthens their capability to respond to emerging crime problems such as human trafficking.

OPDAT draws on the Department's resources and expertise to strengthen foreign criminal justice sector institutions and enhance the administration of justice abroad. With funding provided by DOS and USAID, OPDAT supports the law enforcement objectives and priorities of the United States by preparing foreign counterparts to cooperate more fully and effectively with the United States in combatting terrorism and transnational crime such as human trafficking. It does so by encouraging legislative and justice sector reform in countries with inadequate laws; by improving the skills of foreign prosecutors and judges; and by promoting the rule of law and regard for human rights. OPDAT is involved in numerous technical assistance and training

programs in South and Central America, the Caribbean, Russia, the former Soviet Republics, South Asia, and Central and Eastern Europe.

Highlights of OPDAT and ICITAP training, development, and criminal justice reform efforts around the world include:

Albania. ICITAP works closely with the Anti-Trafficking Section of the Albanian National Police, which reported that in 2004 ATS regional offices detected 579 cases of trafficking in human beings implicating 978 perpetrators. Of this group, 428 were arrested, 162 were detained, and 109 matched those on the wanted list. Thirty criminal organizations, involving 101 persons, were identified and dismantled.

ICITAP's integrated border management program, called the Three-Port Strategy, implemented at the Mother Teresa International Airport in Tirana and the seaports of Vlora and Durres, has assisted the government of Albania in moving closer to compliance with international standards of security and enforcement. ICITAP's Total Information Management System (TIMS) supports border control efforts, and, with the installation of TIMS throughout the country, all individuals and vehicles passing through points of entry (POEs) are registered into the system and checked against criminal databases as well as against Albania's Ministry of Public Order watch lists. The system will also flag possible trafficking scenarios (e.g., the same adults or group of adults accompanied by different minors using different POE's).

The OPDAT Resident Legal Advisor (RLA) in Albania, along with representatives from ICITAP and other DOJ components, provided assistance to the Albanian Ministry of Justice in the development of new anti-organized crime legislation which includes new witness protection measures that should prove significantly helpful in human trafficking cases. These measures include holding hearings in protected courtrooms; use of testimony from remote or foreign locations through audiovisual connection; use of anonymous testimony where the witness is in a witness protection program; closing of courtrooms during testimony of protected witnesses; and a controversial press provision penalizing the unauthorized publication of the identity of a protected witness. This legislation was approved by the parliament in September 2004 and took effect on October 23, 2004.

Working closely with the Albanian government, OPDAT and ICITAP were instrumental in the formation of five organized crime task forces in Fier, Vlora, Durres, Shkodra, and Tirana. Formally established in March 2004, the task forces are composed of judicial police investigators and prosecutors, who, as of September 2004, have opened 155 formal investigations, including three cases of trafficking in children, 11 cases of trafficking in women for use in prostitution, and 21 cases of exploiting women in for use in prostitution. In addition, ICITAP has provided regional training at the Vlora Anti-Trafficking Center and has conducted such courses as "Interviewing Victims of Trafficking," "Maritime Interdiction," and "Trafficking in Persons for Investigators."

Azerbaijan. In April 2004, OPDAT hosted a conference on "International Cooperation on Combatting Trafficking in Persons," bringing together nearly one hundred Azeri government officials, local non-governmental organization representatives, and members of the international community to discuss effective anti-TIP strategies. Prior to the conference, the government of Azerbaijan had been reluctant to discuss the existence of a trafficking problem in the country. The forward momentum on TIP work generated at the April conference resulted in the government of Azerbaijan adopting a National Action Plan in early May.

ICITAP assisted the government in designing and implementing policies and procedures for the operation of the established anti-trafficking unit within the Ministry of Interior. The OPDAT RLA and ICITAP Resident Law Enforcement Advisor helped coordinate the translation, dissemination, and review of the proposed anti-TIP legislation with DOS's Office to Monitor and Combat Trafficking in Persons, the DOJ's Civil Rights Division, the Organization for Security and Cooperation in Europe, and IOM and later submitted proposed recommendations to the Azeri parliament for implementation.

Bosnia-Herzegovina (BiH). OPDAT and ICITAP technical assistance and training were largely responsible for the creation of the BiH anti-trafficking strike force in Fiscal Year 2004. Since its inception, the BiH strike force has opened 209 cases. In those cases, 16 defendants have been indicted, two acquitted, and three cases were dismissed for lack of evidence. Cases are regularly forwarded to the BiH strike force for action by the Federation, District of Brcko, Republika Srpska, and the State Border Service. Forty-two of the cases investigated by the strike force are currently under review by prosecutors. Four cases are under police administrative review before presentation to the prosecutor, and seventy-three are in initial stages of investigation. Of the cases investigated over the course of 2004, four are considered major cases that involve significant criminal organizations.

Bulgaria. OPDAT assumed a leadership role in an inter-agency working group charged with developing the regulations implementing the landmark Combating Trafficking in Human Beings Act. In March 2004, the group helped implement the enactment of two-part regulations which address the activities of the National Anti-Trafficking Commission and establish a network of shelters for trafficking victims.

Costa Rica. OPDAT, ICITAP, and CEOS have provided Basic Child Sexual Exploitation training for the courts, police, prosecutors, and victim-witness assistance units in Costa Rica.

Georgia. OPDAT's RLA provides regular guidance to the TIP unit at the national prosecutor's office that investigates and prosecutes human trafficking cases. In Fiscal Year 2004, the unit initiated a major case involving 15 women being trafficked through Georgia from Uzbekistan for further transfer to Dubai for use in prostitution. This OPDAT-supported unit at the prosecutor's office also commenced a case involving two women who tricked other Georgian women for use in prostitution in Turkey. OPDAT also provided assistance in drafting an anti-human trafficking law, which, at the close of FY04, was at the Ministry of Justice for final review

prior to its presentation to Parliament. The RLA has worked closely with the Ministry of Justice to ensure that the draft complies with the mandates of the U.N. Convention against Transnational Organized Crime and its Palermo Protocol.

Indonesia. ICITAP organized an international anti-trafficking conference in Batam that brought together national police elements from Indonesia, Malaysia, and Singapore, as well as both local and national NGOs, to help coordinate efforts against human trafficking. In addition, using real scenarios from TIP cases in Jakarta and other key trafficking points in Indonesia, ICITAP training efforts in Fiscal Year 2004 provided Indonesian TIP detectives and investigators with practical skills and techniques to conduct proper investigations and to work effectively with TIP victims. In total, ICITAP has provided specialized TIP training to 81 police detectives and investigators, six immigration investigators, six Ministry of Manpower and Transmigration investigators, and general TIP training to 60 police officers and 112 immigration officer cadets. ICITAP has also played a key role in developing anti-TIP resources through the creation of the TIP Enforcement Manual, which has been an instrumental guide in arrest and rescue operations.

The ICITAP-trained Anti-Trafficking Unit of the Indonesian National Police rescued, in one operation, 12 girls who were to be trafficked out of the West Jakarta area. ICITAP-trained detectives also discovered 33 trafficking victims in Malaysia and arranged for their safe return to Indonesia. With the assistance of a number of these victims, the Indonesian police arrested five traffickers, as well as the traffickers' leader, who was arrested on July 20, 2004 in Jakarta after eluding capture in the mountainous province of West Kalimantan.

Kosovo. OPDAT's technical assistance in the area of human trafficking was influential in encouraging the United Nations Mission in Kosovo to adopt "Kosovo's Strategy to Combat Trafficking in Humans" in May 2004.

Laos. Following review and commentary by OPDAT's representative to Laos of a draft bill on trafficking in women and children in August 2004, the Laotian government enacted the law in October 2004.

Macedonia. OPDAT and ICITAP are members of the secretariat of the Macedonian National Anti-Trafficking Commission, which acts as an advisory body on TIP-related programs and has taken the lead in TIP prevention and suppression in that country. In line with the overall anti-TIP activities, OPDAT supported changes to the Criminal Code and the Criminal Procedure Code, which have been amended to provide stiffer sentences for child traffickers, criminal liability for legal entities used for TIP-related activities, stronger witness protection measures for TIP victims, and forfeiture of proceeds derived from TIP crimes. On September 28, 2004, the Macedonian government ratified the U.N. Convention on Combatting Transnational Organized Crime and its Protocols.

The OPDAT RLA to Macedonia has also promoted the creation of country-wide Anti-

TIP/Organized Crime Task Forces. OPDAT, in conjunction with the Chief Public Prosecutor's Office, the Minister of Interior, the Customs Director and the Directors of the Financial Police, the Anti-Money Laundering Directorate and the Public Revenue Office, organized and hosted three meetings in three different cities in Macedonia to this end.

In Fiscal Year 2004, 11 criminal charges and a number of special criminal reports were brought against 50 perpetrators for a total number of 17 criminal offenses. In addition, 38 victims were rescued and sheltered in the Ministry of Interior's Transit Center. Among the victims rescued and sheltered was a mother with three children, all accommodated in the Center. To help support Macedonia's efforts to combat TIP, ICITAP coordinated the creation of a human trafficking case management database for the Ministry of Interior's Anti-Human Trafficking Unit, and of an NGO Internet network on TIP-related issues. In addition, ICITAP facilitated a major DOJ donation for the Unit and organized the donation ceremony. ICITAP provided technical advice to the European Union Police Mission in the development of a handbook for police officers to assist in recognition of TIP victims.

In 2004 ICITAP and OPDAT organized three TIP workshops, which brought together police officers and legal assistants for judges and prosecutors with no more than five years' field experience. ICITAP designed case studies and facilitated the practical exercises, alongside their Macedonian counterparts, many of whom had attended the ICITAP/OPDAT training workshops in 2003. The role-play exercises also demonstrated the appropriate and inappropriate methods of conducting police interviews with victims of human trafficking. Thirty-four police inspectors received training in human trafficking interview skills in 2004.

OPDAT is also involved in consultations with the national chief prosecutor to provide basic technology and equipment to support the new integrated team approach of the new Special Prosecutor's Unit to fight trafficking in persons and works with other U.S. government assistance programs to provide appropriate funding. As a result of joint OPDAT/ICITAP/U.S. Embassy efforts, an interim witness facilitation program was established through a special grant to the Macedonian Association of Public Prosecutors. The witness facilitation program is implemented by the association, and it provides funds for safe travel, temporary residence in Macedonia, and return to the country of origin for the foreign TIP victims who are willing to return and testify.

Moldova. Moldova has one of the most severe trafficking problems in Eastern Europe, yet only a handful of trafficking prosecutions have resulted in prison sentences. In an effort to remedy this, the OPDAT RLA to Moldova, on detail from the Criminal Section of the Civil Rights Division, devised a TIP prosecution monitoring plan to track TIP cases from inception to final resolution, matching U.S. law enforcement agency representatives with their Moldovan counterparts, providing technical assistance to those Moldovan agencies where appropriate, and identifying existing obstacles to prosecution.

In addition, OPDAT has worked closely with the National Prosecutor's Office and the

Ministry of Interior to improve cooperation in reporting TIP cases. These efforts were rewarded by prompt reports from both agencies showing an increase in TIP prosecutions. For the nine-month period ending September 30, 2004, 328 trafficking-related investigations were opened and 46 convictions obtained. Four of those convictions were specifically obtained under the trafficking statute (as opposed to other provisions in the criminal code) and all four of those convicted received significant jail sentences. Two received ten years in prison and two received seven years in prison. In contrast, only 34 convictions under criminal code provisions and only two convictions under the trafficking statutes were recorded for the previous year.

In early Fiscal Year 2004, OPDAT organized an international anti-trafficking conference that highlighted the need for legislative reform. As a result, the Moldovan Government's National Committee Against Trafficking in Humans has drafted a comprehensive anti-TIP law, which will provide important new rights and protections for victims. The draft law was revised in light of detailed comments and recommendations from the RLA, and has now been sent to the Ministry of Justice, which will forward it to the Council of Europe for final review before it is submitted to the parliament.

Qatar. In March 2004 ICITAP completed an assessment of the Qatar's Ministry of Interior's awareness and preparation for TIP investigations in this small peninsular Gulf state. With a population of 650,000, 80 percent of whom are imported labor from Asia, Africa, and Eastern Europe, Qatar is a likely destination for sex and labor trafficking. ICITAP reviewed the country's skills, infrastructure, and training to combat trafficking and proposed a number of training and assistance programs to help the Qatari government prepare for this growing trend throughout the Gulf region. A complete assessment report and proposal was submitted to the U.S. Embassy in Doha in June 2004 and is currently under consideration by the Government of Qatar.

Romania. During Fiscal Year 2004, the OPDAT RLA to Romania helped establish a victim/witness coordination working group comprised of Romanian justice officials. Based on the insights this working group gained after travelling to the United States in September 2004, they returned to Romania and developed a proposal to create the first victim/witness coordination program there. Currently, the RLA's office and the members of the working group are attending press events to help raise public awareness about this problem. Romanian TIP investigations have increased as well. In the first nine months of 2004, there were 1,200 TIP investigations compared with fewer than 700 in all of 2003**.**

Russia. In early FY04, an OPDAT RLA to Russia was instrumental in working with the Parliament and the Presidential Administration to organize Russia's First National Assembly of Anti-Trafficking NGOs. Designed to promote coordination among Russia's anti-trafficking NGOs and appropriate agencies of the Russian government, the Assembly was notable for the high level of participation on both the Russian and American sides, including a live address by Secretary of State Colin Powell and a written address from President Vladimir Putin. The Assembly adopted a strongly worded resolution calling on the government to pass legislation to protect trafficking victims, to create specialized anti-trafficking units in law enforcement agencies,

and to establish a national anti-trafficking coordinating body, and requiring school curricula to warn of the dangers of trafficking. As a result of the Assembly, many NGOs have, for the first time in Russian history, received the official endorsement of the Russian government for their activity.

In August 2004, the Russian parliament enacted landmark witness protection legislation, which creates and funds a program to relocate witnesses and family members who are threatened by their participation in a criminal case. A witness-protection program is critical to any comprehensive scheme to protect TIP victims and prosecute trafficking cases. Efforts to develop the witness protection law finally coalesced after two OPDAT-sponsored visits to the United States for Russian lawmakers and presidential aides. These visits emphasized the significance of witness protection for an effective anti-organized crime program. This legislation will be particularly critical in the TIP area as TIP survivors often fear retribution for themselves and family members if they testify.

Serbia and Montenegro. Due in part to the April 2003 enactment of an anti-smuggling and TIP statute and to the OPDAT RLA's technical assistance and training of prosecutors and investigators to implement this new statute, TIP prosecutions increased from six in Fiscal Year 2003 to 15 in Fiscal Year 2004. Also critical to this was the formation of investigative inter-agency TIP task forces, which the RLA to Serbia and Montenegro helped facilitate. In addition, during the last quarter of Fiscal Year 2004, OPDAT helped finalize a draft witness protection law, which was submitted to the parliament in early 2005 and will be adopted later in the year.

Sri Lanka. In late Fiscal Year 2004, OPDAT conducted for 60 Sri Lankan prosecutors, judges, and investigators a program on ways to streamline investigative and prosecutorial processes to improve access to justice by child witnesses and victims in TIP cases. As part of the program, OPDAT used a video recording of four case studies, performed by actors, on how to interview child victims of sexual assault or abuse without asking leading questions. The video demonstrates best practices for eliciting child-victim testimony admissible in court and was very well received by the Sri Lankan participants. The various techniques demonstrated may be used by customs agents to determine or verify the parentage of children leaving the country.

Suriname. In April 2004, OPDAT, in conjunction with CEOS, conducted a three-day workshop in partnership with the U.S. Embassy in Suriname and the Surinamese Ministry of Justice. This workshop was instrumental in the eventual development of a law enforcement manual on TIP and is part of a comprehensive assessment and training program being conducted in Suriname by OPDAT and CEOS.

C. Department of Heath and Human Services' Public Information Campaign

In April 2004, HHS launched its *Rescue and Restore Victims of Human Trafficking* public awareness campaign for the purpose of increasing awareness of the phenomenon of human trafficking, particularly among intermediaries. These intermediaries include local law

enforcement officials; social service providers; health care workers; faith-based organizations; migrant and labor outreach organizations; child and homeless youth advocates and caregivers; and ethnic organizations.

The goal of the *Rescue & Restore* campaign is to increase the number of trafficking victims identified by enhancing awareness of the crime of human trafficking. Campaign efforts focus on outreach to intermediaries who are most likely to encounter trafficking victims on a daily basis, but who may not otherwise recognize them. The campaign educates these groups about human trafficking, enabling them to identify trafficking victims and equipping them with tools to assist victims in accessing benefits and services.

Local anti-trafficking coalitions were convened in ten cities to help disseminate the campaign materials to appropriate intermediaries, and to sustain local activism on the trafficking issue. And as part of the *Rescue and Restore* campaign, a web-based resource was established. Through the end of Fiscal Year 2004, roughly 40,000 persons had visited the web-based resource at www.acf.hhs.gov/trafficking. The theme of the campaign is "Look Beneath the Surface" in order to communicate that intermediaries may be encountering victims in their daily lives and that they need to look beyond the obvious, asking specific questions or noting certain behaviors of those who may be potential victims.

Because U.S. media had approached human trafficking largely as an international problem, the campaign developed materials to demonstrate the crime's domestic dimensions. It developed a series of fact sheets addressing human trafficking generally, sex and labor trafficking, the TVPA, victim certification and assistance, and child exploitation. It uses these fact sheets to educate the media, intermediaries and others who might encounter potential victims. It has distributed them to many media outlets and intermediary groups and at conferences and other speaking opportunities. HHS has posted the fact sheets – and all other campaign products – on its web site. Through Fiscal Year 2004, approximately 50,000 fact sheets were distributed.

HHS collaborated with experts from the health care, social service, and law enforcement communities to develop posters, brochures and other promotional materials to educate and raise awareness among these key groups. For example, through a partnership with NCMEC, HHS developed materials focused specifically on the impact of this crime on children. All promotional materials were also made available to the media and often became the visual centerpiece of both broadcast and print stories. Through Fiscal Year 2004, 550,000 posters, brochures and other campaign materials were distributed.

HHS has also developed comprehensive resource tools that could be used to educate and train intermediaries on how to interact with potential victims. Resource materials were created for health care professionals, law enforcement officers, and social service providers. The resource materials include:

- Tips for identifying and helping victims of human trafficking

- Screening questions to assess whether a person is a trafficking victim
- Understanding the mindset of a trafficking victim
- Communicating with victims of human trafficking
- Health problems seen in victims of human trafficking
- A customizable Power Point presentation
- A pocket assessment card

In Fiscal Year 2004, through a contract with Covenant House, HHS established a toll-free, national, 24-hours a day, seven-days-per-week Human Trafficking Information and Referral Hotline (1-888-3737-888), which serves callers in multiple languages and includes conference call access to a translation service with capability in more than 150 languages. To promote the hotline, the campaign produced various outreach materials, including stickers and Rolodex cards with the number and the types of services callers can receive. The hotline is prominent on all campaign materials and is promoted heavily in all media outreach.

From April 2004 through the end of Fiscal Year 2004, the hotline received more than 1,600 calls–many resulting in referrals to law enforcement and to NGOs. Numerous print and broadcast news stories have referenced the number, and President Bush promoted it at DOJ's national training conference in Tampa, Florida, in July 2004.

The campaign's media effort focused on city-by-city launch events, with some additional efforts focused on national media and other local story angles. Through Fiscal Year 2004, more than 68.7 million media impressions were garnered as a result of media outreach efforts.

Media outreach was primarily driven by the campaign launch events that occurred between April and October 2004 in the following cities: Atlanta, Milwaukee, Newark, Orlando, Phoenix, Philadelphia, Portland (OR), San Francisco, Seattle, and Tampa. Once a market was selected, key media outlets and reporters were identified in each market and outreach was conducted in conjunction with the rollout press event in that market. The campaign secured media coverage promoting *Rescue & Restore* and raising public awareness in the many outlets, including, for example, the Associated Press, *Philadelphia Inquirer, Arizona Republic, Atlanta-Journal Constitution, Tampa Tribune, Newsday, Seattle Post-Intelligencer, Newark Star-Ledger, Miami Herald,* and local broadcast network affiliate coverage in every market.

In each city, the campaign also concentrated on the appropriate ethnic media. This was particularly useful with the Hispanic media, where the campaign leveraged the availability of a Spanish-speaking HHS spokesperson to garner coverage on affiliates of the Univision and Telemundo networks. Research and interviews with former victims revealed that it is difficult to reach victims directly; however, there are some victims that may have access to ethnic media. Leveraging this potential touch point, HHS developed a targeted, paid-media outreach component that would touch victims directly and, potentially, ethnic intermediaries. In each rollout market, classified advertising space was purchased in select Hispanic, Russian, Chinese and Polish newspapers. The advertisements were strategically placed adjacent to massage parlor ads in the

classified sections and called upon victims or anyone who may encounter victims (such as "Johns" who have, in the past, reported suspected cases of human trafficking) to call the Trafficking Information and Referral Hotline. HHS also developed and produced radio spots for Hispanic radio stations in the rollout markets. These radio spots also offered the hotline as a resource for victims. While it is unclear if the advertising is reaching victims directly, calls to the hotline have increased in conjunction with dates on which the print advertisements have run in certain markets. Because a link cannot be directly made between hotline calls and radio advertising, HHS decided to discontinue radio advertising after it occurred in the initial round of cities.

Campaign outreach included national media such as CNN, ABC's "Primetime Live," *Parade, Forbes, Latina, The Los Angeles Times, People* and *Marie Claire*. Several of the features included interviews with HHS Assistant Secretary for Children and Families, Dr. Wade Horn, such as those in *Forbes* and *The Los Angeles Times*. While significant interest was generated, the lack of a victim willing to be interviewed stopped further development of the stories. While many grantees and other organizations have been contacted in an effort to find victims willing to tell their story, the efforts have only resulted in two victims being willing to do so. This problem is further complicated by the fact that a majority of reporters are looking specifically for victims of sex trafficking.

The campaign also modified the content of two public service announcements (PSAs) addressing human trafficking, developed by the UN Office of Drugs and Crime in 2003, to address both sex and labor exploitation and added the Trafficking Information and Referral Hotline, *Rescue & Restore* logo, and HHS seal to the end of the spots. In addition, the campaign translated the spots into Spanish. The PSAs have been distributed in mass quantity in the rollout markets and, through Fiscal Year 2004, have aired in 23 markets on 35 television stations with more than 4.8 million viewers for a total of 246 airings. In addition to distributing them to the local TV network affiliates in each market, materials on how to pitch PSAs to local affiliates for use were provided to *Rescue & Restore* coalition partners. Congressman Dan Burton of Indiana also distributed the PSAs to national and cable networks with a letter signed by himself and six other Members of Congress.

A key component to building awareness about human trafficking among intermediary groups involved forming or enhancing coalition partnerships with intermediaries in target markets and outreach to high-profile national organizations to aid in the campaign. These groups play an integral part in the campaign by disseminating materials to their local contacts and raising awareness through trainings and speaking events. In 2004, the campaign welcomed more than 325 NGOs as coalition partners, including faith-based organizations, health care providers, social service organizations, and law enforcement agencies. A list of partners is attached as Appendix 2.

HHS targeted for partnerships national organizations representing a variety of sectors including faith-based, law enforcement, child advocacy, health care, and social service organizations. Through Fiscal Year 2004, more that 45 national partnerships were secured. (See chart)

National Partners of the Rescue and Restore Campaign include:

American Immigration Lawyers Association
Boys and Girls Town USA
Break the Chain Coalition
Catholic Charities USA
Family Research Council
Focus on the Family
National Center for Missing & Exploited Children
National Consumer LeagueNational Council of La Raza
National Immigration Forum
United Methodist Church
United States Conference of Catholic Bishops, Migration & Refugee Services
YMCA International

Street Outreach Grants

In Fiscal Year 2004, HHS's Human Trafficking Program announced a new grant program for projects to expand existing outreach activities to identify trafficking victims. The purpose of the program is to increase the identification of trafficking victims, as defined by the TVPA, and to encourage victims to leave their trafficked condition by counseling them on the programs available to assist victims, by alerting local law enforcement where appropriate, and by connecting the victims with a qualified service provider prepared to assist victims of trafficking.

The program strategy is to enlist groups that are already providing outreach to vulnerable populations in specific geographic areas. Such groups have expertise on their targeted populations, have built trust within those populations, and are therefore in the best position to identify victims and convince them to avail themselves of the federal anti-trafficking resources.

Applicants can qualify for the street outreach grant whether or not their current activities pertain to trafficking. The grants will support direct, person-to-person contact, information sharing, counseling, and other communication between agents of the grant recipient and members of a specified target population.

Populations among whom victims of trafficking may be found include, but are not limited to, prostitutes, persons engaged in sex entertainment, migrant farmer workers, domestic or household employees, low wage industrial or factory workers, janitors, homeless youth, restaurant and hotel employees, and immigrant populations generally. Public, private for-profit, and private nonprofit organizations, including faith-based organizations, are eligible to apply for any of these grants. For-profit entities are eligible to apply, although HHS funds may not be paid as profit to any recipient even if the recipient is a commercial organization.

D. Training of Non-governmental Organizations

The U.S. government collaborates routinely with NGOs that provide victims with direct services, who have been instrumental in helping to identify trafficking cases and victims. Outreach activities include presentations to corporate associations, academic groups and local agencies. Outreach addresses multi-jurisdictional issues, collaborative activities and problems of distinguishing between trafficking in persons and migrant smuggling.

HHS presented at several conferences and other events to promote the *Rescue & Restore* campaign and raise awareness about human trafficking. For the National Center for Community Health Centers' Annual Migrant Farm Worker Conference, HHS presented a workshop on trafficking and the campaign. As a result of participating at this conference, HHS has learned that a conference attendee called the Trafficking Information and Referral Hotline to report suspicious behavior, resulting in a large investigation. In addition, HHS also presented a workshop at the prestigious annual Dallas Crimes Against Children Conference in August 2004. The presentation focused on identifying and assisting child victims of human trafficking. Campaign materials were distributed at the conference, which was attended by more than 2,300 law enforcement officers and social service providers. HHS also sponsored a *Rescue & Restore* exhibit at the American College of Emergency Physicians' Scientific Assembly in San Francisco, an annual October conference attracting some 5,000 emergency room providers.

Through its *Rescue and Restore* campaign and its grantee network, HHS also funded several significant fora that fostered inter-agency collaboration. For example, HHS, ICE's HSTU, and DOJ participated in the *Second Annual Freedom Network Conference*, held November 30-December 3, 2003, in New York City. The Freedom Network, funded by an HHS grant, is a consortium of 16 NGOs that provide direct services to victims of trafficking. Similarly, HHS, HSTU, and DOJ also participated in the *Forum on Trafficking in Children*, held March 29-31, 2004, in Houston, Texas. This invitation-only round-table discussion is sponsored jointly by the United States Conference of Catholic Bishops and the Institute for Study of International Migration of Georgetown University.

VII. Senior Policy Operating Group

At the first meeting of the President's Interagency Task Force on Trafficking in 2002, a Senior Policy Advisory Group was created to address inter-agency policy, program, and planning issues that arose in the implementation of the TVPA. In 2003, the President and Congress formalized the establishment of this group as the Senior Policy Operating Group (SPOG) to coordinate anti-trafficking policies, especially grant-making.

The SPOG meets quarterly and includes representatives of the DOS, DOJ, DHS, HHS, DOL, USAID, the Office of Management and Budget, and the Central Intelligence Agency. The Department of Defense and the National Security Council also participate in SPOG meetings. Among other major projects, it has coordinated the President's Initiative on Trafficking in Persons. In Fiscal Year 2004, the SPOG took action to implement several other key priorities. For example, in response to the National Security Presidential Directive on Trafficking in Persons (NSPD-22), which President Bush signed in December 2003, the SPOG created a mechanism for the exchange of information on agency strategic plans and programs and adopted a Grants Policy Statement to guide domestic and international grant-making agencies on the Administration's new policies. In particular the guidelines require all anti-trafficking grants to be reviewed by the SPOG, give priority to organizations that support the policies outlined in NSPD-22; reach out to new organizations (faith-based, feminist, and community-based), and prohibit grants to organizations engaged in trafficking or favoring legalization or regulation of prostitution as a legitimate form of work.

In Fiscal Year 2004, the SPOG created several subcommittees to further its work. The Subcommittee on Regulations was charged with drafting a regulation to implement the TVPRA's limitation on awarding funds to programs and organizations that promote, support, or advocate the legalization of prostitution; the Subcommittee on Research was tasked to coordinate research projects on trafficking conducted by all SPOG member agencies; and the Subcommittee on Public Affairs was charged with coordinating the federal government's outreach programs.

VIII. Conclusion

As this report has detailed, U.S. government departments and agencies provide victims with a range of social services, both directly and through grantees; vigorously investigate and prosecute trafficking cases; and provide training, outreach, and assistance to domestic and international law enforcement and non-government organizations. The United States is aided by the modern tools created by the TVPA to address this ancient evil with a renewed and intensified vigor.

In his first policy address as Attorney General, Alberto Gonzales called trafficking "one of the most pernicious moral evils in the world today." As Attorney General Gonzales stated, "This abomination does not exist only in other lands; it exists right here, on our shores. Today its

victims are usually aliens, many of them women and children, smuggled into our country and held in bondage, treated as commodities, stripped of their humanity."

The U.S. government is committed to combating this moral evil with all the resources available to it and will continue to guarantee the promise of the Thirteenth Amendment to the Constitution. The fight against trafficking and modern-day slavery is one of our highest priorities for ensuring justice in the United States and around the world.