



Department of Justice

DEPARTMENT OF JUSTICE STATEMENT FOR THE RECORD

HOUSE COMMITTEE ON FOREIGN AFFAIRS

**FIELD HEARING ENTITLED:
“REGIONAL PERSPECTIVES IN THE GLOBAL FIGHT AGAINST HUMAN
TRAFFICKING”**

**November 4, 2013
Fullerton, CA**

Department of Justice Statement for the Record

Thank you for the opportunity to present an overview of the work of the Department of Justice (the Department) and its Federal Bureau of Investigation (FBI) to combat the scourge of human trafficking. As evidenced by the broad spectrum of investigative, prosecutorial, training, outreach, victim services, and research efforts by a wide array of components, outlined below, the Department is fully committed to fighting human trafficking.

Human trafficking, also known as trafficking in persons or modern-day slavery, is a crime that strikes at the very heart of the American promise: freedom. Today, in this country, people are bought, sold, and exploited like slaves each and every day. They are trapped in lives of misery—often beaten, starved, and forced to engage in prostitution or to take grueling jobs as migrant, domestic, restaurant, or factory workers with little or no pay.

The most vulnerable among us, including our children, are being exploited both online and in person. Often targeted because of individual vulnerabilities, many have already experienced abusive or troubled families, have disabilities, or come from families with very limited resources. In the hands of their traffickers, these individuals will be subjected to numerous sexual assaults and continued abuse.

The Department and its partners are working hard to identify and support victims and bring their abusers to justice. We provide significant resources, training and technical assistance to our federal, state, local, and tribal partners.

Enforcement: Investigation

The FBI's efforts to investigate human trafficking are coordinated by the Civil Rights Unit (CRU) and the Violent Crimes Against Children Section (VCACS). The CRU investigates forced labor, sex trafficking by force, fraud or coercion and the sexual exploitation of foreign minors while the VCACS focuses on the commercial sexual exploitation of domestic children under the age of 18. Sex trafficking prosecutions involving children do not require proof of the use of force, fraud, or coercion.

Innocence Lost National Initiative

This year marks the tenth anniversary of the FBI's most prominent initiative to combat the growing problem of sex trafficking of children within the United States. In June of 2003, the FBI and the Department's Child Exploitation and Obscenity Section (CEOS) joined the National Center for Missing and Exploited Children (NCMEC) to launch the Innocence Lost National Initiative (ILNI). While it is difficult to imagine, the average age of a child targeted for prostitution in the United States is between 11 and 14 years old. Once under the control of a pimp, the proceeds of the commercial sexual exploitation of the child are controlled by the captor, and attempted escapes often result in brutal beatings or even death.

The FBI and its ILNI partners execute Operation Cross Country—a three-day nationwide enforcement action focusing on underage victims of prostitution. Our most recent operation in

July 2013 — our seventh and largest such operation – concluded with the recovery of 105 commercially sexually exploited children and the arrests of 150 pimps and other individuals.

This most recent sweep took place in 76 cities and was carried out by the FBI in partnership with local, state, and federal law enforcement agencies and NCMEC. Over 1,300 law enforcement officers across the country have been trained through the Protecting Victims of Child Prostitution Course at NCMEC, which supports the ILNI.

Task force operations can begin as local actions, targeting such places as truck stops, casinos, street “tracks,” and Internet websites, based on intelligence gathered by officers working in their respective jurisdictions. The FBI has developed special teams and protocols for prevention and enforcement actions surrounding large-scale sporting events and other events of national interest. By utilizing information obtained through these operations, and by building a strong rapport with victims, the FBI often uncovers organized efforts to prostitute women and children across many states. These investigations can lead to local, state, or federal charges.

To date, the ILNI task forces have rescued more than 2,800 children. Investigations have led to the conviction of more than 1,400 pimps, madams, and their associates who commercially exploit children through prostitution. These convictions have resulted in lengthy sentences, including multiple life sentences and the seizure of real property, vehicles, and monetary assets.

In addition to the ILNI, the FBI also coordinates the Violent Crimes Against Children International Task Force – a select cadre of international law enforcement experts working together to formulate and deliver a dynamic global response to crimes against children through the establishment and furtherance of strategic partnerships, the aggressive engagement of relevant law enforcement, and the extensive use of liaison, operational support, and coordination.

Through this task force we are working closely with our partners to: reduce the vulnerability of children to acts of sexual exploitation and abuse which are facilitated through the use of computers; identify and rescue child victims; investigate and prosecute sexual predators who use the Internet and other online services to sexually exploit children for personal or financial gain; and strengthen the capabilities of federal, state, local, and international law enforcement through training programs and investigative assistance.

Trafficking Exploiting Foreign Nationals

Our CRU investigates trafficking involving foreign nationals, which is often aimed at recent migrants and other economically disadvantaged individuals, particularly women and children. Preying on the vulnerabilities of people seeking a better life, traffickers force migrants without documentation or with precarious immigration status to work in poor, unsafe conditions where they are exploited for prostitution, domestic servitude, migrant farm labor, or toil in restaurants and service industry jobs. Compounding the problem, the number of migrants subjected to these types of crimes is underreported, as many fear deportation or are afraid of retaliation against themselves or their families.

Together with our law enforcement partners at the Department of Homeland Security (DHS), appearing here today with us, as well as the Department of Labor and the State Department’s Diplomatic Security Service, we are working hard to combat trafficking in any form—not only

because of the physical and psychological toll it takes on individual victims and their families, but also the profit generated by this exploitation fuels further unlawful migration and organized criminal activity.

Through our efforts, we work with other local, state, tribal and federal law enforcement agencies and national victim-based advocacy groups in joint task forces that combine resources and expertise on the issue. Today, the FBI participates in over 100 human trafficking task forces and working groups around the nation who work shoulder-to-shoulder in an effort to combat the exploitation of individuals who work in industries, such as agriculture and domestic service, and who are forced into prostitution and/or slave labor.

The FBI's many field offices produce threat assessments to determine the nature and extent of human trafficking in their areas of jurisdiction. They also aggressively pursue human trafficking investigations and develop actionable intelligence. This valuable information aids us with future potential cases, and helps us to better understand the nature and scope of the problem. And finally, these offices are charged with building relationships with civic and community groups and non-governmental organizations that can refer cases and provide valuable insights and information.

FBI CRU's pending human trafficking investigations have increased from 167 in 2009 to 459 by the end of fiscal year 2012. Since 2009, our investigations in this area have resulted in 480 arrests, 336 informations and indictments, and 258 convictions.

Enforcement: Prosecution

The Department's prosecution efforts are led by two specialized Units, the Civil Rights Division's Human Trafficking Prosecution Unit, and the Criminal Division's Child Exploitation and Obscenity Section, which provide subject matter expertise and partner with our 94 United States Attorneys' Offices (USAOs) on prosecutions nationwide.

The Civil Rights Division, through its Criminal Section Human Trafficking Prosecution Unit (HTPU), in collaboration with USAOs nationwide, has principal responsibility for prosecuting forced labor and sex trafficking of adults by force, fraud, and coercion, while CEOS provides expertise in child exploitation crimes, including child sex trafficking, and works in collaboration with USAOs to investigate and prosecute cases arising under federal statutes prohibiting the commercial sexual exploitation of children and the extraterritorial sexual abuse of children.

Taken together, USAOs, HTPU, and CEOS initiated a total of 128 federal human trafficking prosecutions in FY 2012, charging 200 defendants. Of these, 162 defendants engaged predominately in sex trafficking and 38 engaged predominantly in labor trafficking, although several defendants engaged in both. In FY 2012, the Civil Rights Division, in coordination with USAOs, initiated 55 prosecutions involving forced labor and sex trafficking of adults by force, fraud, or coercion. Of these, 34 were predominantly sex trafficking and 21 were predominantly labor trafficking; several cases involved both. In FY 2012, CEOS, in coordination with USAOs, initiated 18 prosecutions involving the sex trafficking of children and child sex tourism.

During FY 2012, DOJ convicted a total of 138 traffickers in cases involving forced labor, sex trafficking of adults, and sex trafficking of children. Of these, 105 predominantly involved sex

trafficking and 33 predominantly involved labor trafficking, although some cases involved both. The average prison sentence imposed for federal trafficking crimes during FY 2012 was nine years, and terms imposed ranged from probation to life imprisonment. During the reporting period, federal prosecutors secured life sentences against both sex and labor traffickers in four cases, including a sentence of life plus 20 years, the longest sentence ever imposed in a labor trafficking case.

Civil Rights Division

Since the Department created the HTPU within the Criminal Section of the Civil Rights Division in January 2007, HTPU has played a significant role in coordinating the Department's human trafficking prosecution programs. HTPU's mission is to focus the Civil Rights Division's human trafficking expertise and expand its anti-trafficking enforcement program to increase human trafficking investigations and prosecutions throughout the nation. HTPU works to enhance DOJ investigation and prosecution of significant human trafficking cases, particularly novel, complex, multi-jurisdictional, and multi-agency cases and those involving transnational organized crime and financial crimes.

Consistent with increases in trafficking caseloads across the Department, in the past four fiscal years, from 2009 through 2012, the Civil Rights Division and USAOs have brought 94 labor trafficking cases, compared to 43 such cases over the previous four years, an increase of over 118%. This is in addition to the substantial increase in the number of adult sex trafficking cases prosecuted by the Civil Rights Division and USAOs.

The HTPU, the Executive Office for U.S. Attorneys (EOUSA) and multiple USAOs have continued to lead the six anti-trafficking coordination teams (ACTeams) in collaboration with the FBI, DHS, and the Department of Labor. Following a competitive, nation-wide selection process, six pilot ACTeams were launched in July 2011 in Los Angeles, California; El Paso, Texas; Kansas City, Missouri; Atlanta, Georgia; Miami, Florida; and Memphis, Tennessee. Since that time, the ACTeams, through enhanced coordination among federal prosecutors and multiple federal investigative agencies, have developed significant human trafficking investigations and prosecutions, including the first multi-district, multi-defendant combined sex trafficking and forced labor case in the Western District of Texas, the first domestic servitude prosecution in the Western District of Missouri, and the first Eastern European forced labor case initiated in the Northern District of Georgia, in addition to numerous other significant investigations and prosecutions.

Of particular interest to this Committee, the Department and DHS have collaborated with Mexican law enforcement counterparts on the U.S./Mexico Human Trafficking Bilateral Enforcement Initiative, which has contributed significantly to restoring the rights and dignity of human trafficking victims through outreach, interagency coordination, international collaboration, and capacity-building. Through the Initiative, the United States and Mexico have worked as partners to bring high-impact prosecutions under both U.S. and Mexican law to more effectively dismantle human trafficking networks operating across the U.S.-Mexico border, prosecute human traffickers, rescue human trafficking victims, and reunite victims with their families. Significant bilateral cases have been prosecuted in Atlanta, Georgia; Miami, Florida; and New York, New York. To advance the interdisciplinary Initiative, the Department and DHS

have participated in meetings in both the United States and Mexico to ensure that simultaneous investigations and prosecutions enhance, rather than impede, each other. These efforts have already resulted in three cross-border collaborative prosecutions, involving defendants who have been sentenced in Mexico and the United States to terms of imprisonment of up to 37.5 years, and resulting in the vindication of the rights of dozens of sex trafficking victims.

Outreach and training continue to be a large part of the Department's efforts to combat human trafficking. HTPU attorneys presented numerous in-person trainings as part of the Federal Law Enforcement Training Center State and Local Law Enforcement Training Symposiums. CRT, FBI and other Department components joined with the Department of State to create an Advanced Human Trafficking Investigator course at the FBI Training Academy in Quantico, Virginia, for Central American law enforcement officers. The program has trained investigators from El Salvador, Guatemala, Nicaragua and Panama. DOJ, DHS, and DOL collaborated to develop and deliver the Advanced Human Trafficking Training Program to the ACTeams, bringing federal agents and federal prosecutors together for an intensive skill-building and strategic planning to enhance their anti-trafficking enforcement efforts.

Criminal Division

The CEOS' mission is to protect children from sexual exploitation by investigating and prosecuting not only child sex trafficking, but also child pornography, and extraterritorial exploitation of children. CEOS conducts and participates in training for federal, state, local and international prosecutors and investigators engaged in efforts to enforce federal child exploitation laws.

For example, in 2013, CEOS's section chief presented on best practices for investigating and prosecuting child sex trafficking cases at a human trafficking seminar in Riverside, California, and participated in crimes against children training conference hosted by the International Centre for Missing and Exploited Children in Vietnam. Also within the past year, CEOS attorneys presented at international conferences in Taiwan, Mexico, Belgium, and Washington, DC, providing training to law enforcement, prosecutors, state officials, judges, and subject matter experts from various disciplines in the areas of child sex tourism and trafficking in minors.

In March 2013, Weylin Rodriguez was sentenced to life plus five years in prison following his conviction for forcing multiple minor and adult victims to engage in prostitution and for various firearms offenses in the recruitment of three minor females and two young adults to work in prostitution. Rodriguez kidnapped some of his victims, and lured others through false pretenses followed by violence. After luring his victims, he and two co-conspirators (aka his "bottom girls"), advertised the victims for prostitution online, and forced the victims to solicit for prostitution on the streets. Rodriguez kept all the money received by the victims for the commercial sex acts. To prevent the victims from leaving his prostitution ring, Rodriguez inflicted severe physical beatings to create an atmosphere of fear. He also threatened the victims with guns on numerous occasions, and shot at a customer in front of a victim. Rodriguez has several prior convictions involving drugs, firearm, as well as a sexual offense against a minor. The case was prosecuted jointly by CEOS and the Middle District of Florida.

In May 2012, James Mozie was sentenced to life imprisonment following his conviction in a jury trial of eight counts of child sex trafficking, one count of conspiracy to commit the same, and one count of production of child pornography. At trial, several juvenile victims testified that they either worked or were recruited to work as prostitutes for Mozie and his girlfriend, Laschell Harris, from their residence in Oakland Park, Florida. When customers arrived at the home, they paid a cover charge to the security guard working the front door. The females, many of them minors, worked in the house dancing for tips and engaging in sexual activity with male customers for money. The seven victims, all minors when the offenses occurred, testified that Mozie required them to have sex with him as part of their “orientation,” which he explained was his way of “testing the merchandise.” They also testified that Mozie would take sexually explicit pictures of them, which he attached to text messages advertising the brothel. Also in 2012, Harris was sentenced to 156 months imprisonment after pleading guilty to one count of sex trafficking, and co-conspirator Willie Rice, who acted as a security guard for Mozie, was sentenced to 48 months imprisonment after pleading guilty to possessing a handgun while a felon. The case was prosecuted jointly by CEOS and the Southern District of Florida.

Executive Office for United States Attorneys

Consistent with the Consolidated and Further Continuing Appropriations Act, 2012, all USAOs established or participate in human trafficking task forces (HTTF), and collaborate with private partners in several ways. Eighty percent of the HTTFs in which USAOs are involved include members from NGOs. Participating private organizations include community groups, faith-based organizations, victim advocacy groups, academic organizations, medical professionals, and legal aid offices. These private organizations provide various forms of assistance to the HTTFs, including tips on women and girls who were being trafficked, social services for victims, and training in conjunction with USAOs.

Public Awareness, Victim Services and Research

Federal Bureau of Investigation

The Department does more than investigate and prosecute those who exploit victims of trafficking. For example, the FBI’s Office for Victim Assistance, along with victims specialists from the USAOs and/or other non-government victim assistance service providers, work with human trafficking victims to advise them of their rights and to ensure they get the help they need to address their short-term and long-term needs—such as legal and repatriation services, immigration relief, housing, employment, education, job training, and child care. Nearly 400 victims have been provided services as a result of Operation Cross Country. With the launch of the Innocence Lost National Initiative, the FBI task forces have encountered significant challenges in identifying and providing services for these victims. Often with histories of poverty, homelessness, and/or exposure to violence and abuse, victims may have difficulties reaching out for help or determining who they can trust. Juveniles who become involved in sexual trafficking face myriad obstacles and enormous needs – including very basic needs such as safe housing, subsistence, and schooling – if they are able to leave that life. In addition, they may need substance abuse treatment, medical treatment for conditions like HIV/AIDS, and mental health services. Many face impediments to reuniting with their family of origin, so they need help to prepare for independent living.

Executive Office for United States Attorneys

In order to prevent and increase the reporting of human trafficking, the Department's Executive Office for United States Attorneys developed a public awareness campaign with the cooperation of Polaris Project, a nongovernmental organization dedicated to combating human trafficking. The campaign's advertisements targeted ethnic groups from countries associated with human trafficking in the U.S. An advertisement was developed, translated, and placed in selected newspapers in 18 cities for a period of two to three months during the fall of 2012. The advertisements defined human trafficking, explained that trafficking violates state and federal laws, and encouraged readers who considered themselves to be victims of, or witnesses to, human trafficking to call the National Human Trafficking Hotline, which is operated by Polaris with a grant from the federal government. Polaris provided statistics that showed a significant increase in calls to the hotline from cities where the ads were placed during the periods of time that the ads were running in those cities.

Office of Justice Programs

In FY 2012, the Department's Bureau of Justice Assistance (BJA) and Office for Victims of Crime (OVC) jointly made awards to seven task force sites to execute a comprehensive approach to combating all forms of trafficking, including sex and labor trafficking of foreign nationals and U.S. citizens (male and female, adults and minors). BJA made seven awards of up to \$500,000 for 24 months to support law enforcement agencies (one in each task force site) to coordinate the goals, objectives, and activities of the entire task force in close collaboration with the local USAO and the task force partner victim service organization (one in each task force site) to coordinate the provision of a comprehensive array of culturally and linguistically appropriate services to all trafficking victims identified within the geographic area affected by the task force. OVC made seven awards to victim service provider partners who participate on the task forces. In total, \$6,609,586 was awarded by BJA and OVC.

In addition to providing direct services, OVC trafficking victim-service grantees across each grant program work to enhance the community's capacity to identify and respond appropriately to victims of trafficking. From July 1, 2011 to June 30, 2012, grantees trained 28,462 professionals, representing schools and educational institutions, faith-based organizations and religious institutions, victim service providers, civic and business community organizations, and state, tribal and local law enforcement. The top five topics covered by grantees were: the definition of human trafficking; identification of human trafficking victims; procedures for reporting human trafficking; services available to victims; and legal assistance for victims of human trafficking.

During FY 2012-2013, OVC represented DOJ by serving as a Co-Chair along with DHS and the Department of Health and Human Services in the development of the first-ever federal strategic action plan to strengthen services for trafficking victims. After extensive interagency collaboration, the co-chairs drafted the plan and released it for public comment. Over 300 comments were received and OVC is working to incorporate the public's input. The plan is scheduled for release in January 2014.

In order to ascertain the scope and primary methods of perpetration of human trafficking, identify effective means of prevention, and maximize the impact of available victim services, the National Institute of Justice (NIJ) has maintained the most active research portfolio on trafficking in the U.S., making dozens of research awards over the past decade. Recent NIJ awards are tackling the toughest questions asked about human trafficking, including measuring the prevalence of labor trafficking, exploring the perpetration of trafficking and evaluating best practices in service provision. For example, an ongoing NIJ-funded project focuses specifically on one of the most under-studied aspects of human trafficking: the relationship between gangs and human trafficking. This project will measure the nature and extent of gang involvement in human trafficking by gathering data from four sources: victims who are assisted by social service agencies in San Diego County, non-public law enforcement incidence and arrest records, persons identified as trafficking victims and perpetrators at San Diego middle and high schools, and the traffickers themselves.

For FY 2013, NIJ is funding a study focusing on the Somali-American diaspora and its involvement in two transnational crimes: radicalization to violent extremism and trafficking in persons. This study will build scientific knowledge on these crimes with an emphasis on how transnational issues converge in a context of profound community vulnerability and active criminal networks. The co-occurrence of radicalization and trafficking in disadvantaged refugee and immigrant communities warrants an examination to better understand the transnational and convergence issues involved, and how they can inform evidence-based community practices.

Efforts to Combat Trafficking Exploiting Tribal Members

The challenges the Federal Government faces in developing and sustaining effective child welfare and juvenile justice systems and providing effective services to juveniles have been studied and documented at the Department and in other federal agencies for decades. In April 2013, the Attorney General, acting on a recommendation from the Defending Childhood Task Force, called for the formation of the American Indian and Alaska Native Children Exposed to Violence Task Force (Task Force). In recognition of the unique role the Federal Government plays in Indian Country issues, a working group of federal agencies was established as part of the Task Force. The working group will complement the objectives of the advisory committee of the Task Force, which will consist of non-federal experts in children's exposure to violence. The initial focus of the working group will be actions to improve the federal response to the needs of American Indian and Alaska Native children exposed to violence. This vulnerable population has been identified as being particularly susceptible to being lured by traffickers.

From July 8, 2013 through July 12, 2013, the Department's Office on Violence Against Women (OVW) conducted a site visit to western North Dakota meeting with local law enforcement, tribal leaders, victim advocates, the U.S. Attorney for North Dakota, state and tribal coalition leaders, and service providers from both North Dakota and Montana. OVW is exploring providing funds to law enforcement and victim service providers in western North Dakota and eastern Montana to address domestic violence, sexual assault, stalking, and trafficking.

In FY 2012, BJA solicited proposals to address the issue of human trafficking on Tribal Lands by developing and providing training to build awareness of the existence of human trafficking in Indian Country, and providing law enforcement and community stakeholders with the tools

necessary to begin the process of victim identification, rescue and restoration, while providing appropriate consequences for perpetrators in a consistently applied manner. BJA received four applications through a competitive process and awarded \$305,000 to the Upper Midwest Community Policing Institute (UMCPI) to develop and pilot the training.

BJA will design and plan the delivery of Human Trafficking Training to Tribal Law Enforcement which will begin a pilot phase of training by the end of 2013. BJA is planning to seek additional funding to expand the number of sites which can be trained moving forward.

In response to law enforcement concerns about possible human trafficking on the Fort Berthold Reservation in western North Dakota, the U.S. Attorney's Office for the District of North Dakota (USAO-ND), the FBI, and multiple tribal organizations created a Human Trafficking Working Group to address the abuse of women and children through prostitution on the Fort Berthold Reservation. The work of this group resulted in the April 2012 conviction of a New Town, North Dakota man on 16 counts of sex trafficking, sexual abuse, drug trafficking, and witness tampering. The facts revealed at trial established that the defendant had conspired to distribute marijuana around the Fort Berthold Indian Reservation. As part of this conspiracy, the defendant recruited minors and young adults to be part of a gang. According to testimony at trial, the defendant also used physical force and coercion to cause an adult female he had recruited for the gang to engage in commercial sex acts on the Fort Berthold Indian Reservation and in Williston and Minot. USAO-ND believes that innovative, cooperative efforts, like the investigation that led to this conviction, are essential to battling organized criminal activity on the reservations.

Conclusion

The Department's efforts to combat human trafficking present a multifaceted approach to a multifaceted problem. As a result, our efforts span from investigation to prosecution, and are supplemented by an array of investigative, training, outreach, and victim services carried out by a wide range of components. Simply put, we are proud of the work we do in this area, and look forward to continuing to have a leading role in the government-wide fight against human trafficking.

We thank you again for the opportunity to submit this statement.