

**Nebraska Human Trafficking Task Force**  
A subcommittee of the Nebraska Crime Commission  
301 Centennial Mall South  
P.O. Box 94946  
Lincoln, Nebraska 68509-4946  
Phone (402) 471-2194  
Fax (402) 471-2837

**Stan Clouse, Chair**  
Kearney Mayor

**John Bruning**  
Attorney General

**Mike Behm**  
Crime Commission

**David Sankey**  
Nebraska State Patrol

**Robert Houston**  
Department of Corrections

**Roger Breed**  
Commissioner of  
Education

**Lazaro Spindola**  
Latino-American  
Commission

**Jim Peschong**  
Chief of Police, Lincoln

**Robert Lausten**  
Chief of Police, La Vista

**Tim Dunning**  
Douglas County Sheriff

**Pat Condon**  
Lancaster County  
Attorney

**Lee Klein**  
County Commissioner  
Madison County

**Lynn Ayers**  
Child Advocacy Center

**Linda Burkle**  
Salvation Army

**Al Riskowski**  
Nebraska Family Council

**Carol Russel**  
UNMC

**Chris Webster**  
Lincoln Public Schools

**Prof. Anna Williams  
Shavers**  
UNL – Law School

**Terri Nutzman**  
Attorney

**Nicole Goaley**  
Douglas County Attorney

July 9, 2013

TO: Nebraska State Senators and Clerk of the Legislature

FROM: Governor Task Force on Human Trafficking, Subcommittee on Research

Co-chair: Anna Shavers; Cline Williams Professor of Citizenship Law,  
University of Nebraska  
Al Riskowski; Executive Director, Nebraska Family Council

Committee: Lee Kline; County Commissioner, Madison County  
Jim Peschong; Chief of Police, Lincoln  
Rachel Davis; Movement Liaison, Free The People Movement  
Dan Wiles; Legislative Assistant, Senator Mark Christensen  
Amy Williams; Legislative Assistant, Senator Amanda McGill  
Sarah Williams  
Rochelle Dalla

**On July 19<sup>th</sup>, 2012 a task force was appointed. A report is to be submitted not later than one year after July 19, 2012, and every July 1 and December 1 thereafter, the task force shall report to the Clerk of the Legislature the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the report with the clerk.**

The task force shall examine the extent to which human trafficking is prevalent in this state, the scope of efforts being taken to prevent human trafficking from occurring, and the services available to victims of human trafficking in this state. The task force shall also investigate the limitations upon victims who wish to come forward and seek medical attention; investigate the potential to stop human trafficking; and investigate the potential to promote recovery, to protect families and children who may be profoundly impacted by such abuse, and to save lives.

Attached is a copy of the subcommittee July 1, 2013 human trafficking research report.

# **REPORT OF THE GOVERNOR’S TASK FORCE ON HUMAN TRAFFICKING**

**July 9, 2013**

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# Definition of Human Trafficking

## Relevant Nebraska Statutes

Sex trafficking occurs when people are forced or coerced into the commercial sex trade against their will. Child sex trafficking includes any child involved in commercial sex. **Sex traffickers frequently target vulnerable people** with histories of abuse and then use violence, threats, lies, false promises, debt bondage, or other forms of control and manipulation to keep victims involved in the sex industry. Sex trafficking exists within the broader commercial sex trade, often at much larger rates than most people realize or understand. **Sex trafficking has been found in a wide variety of venues of the overall sex industry, including residential brothels, hostess clubs, online escort services, fake massage businesses, strip clubs, and street prostitution.**

When LB1145, 2012 went into effect, there were six primary statutes that addressed human trafficking. The law was passed and approved by the Governor in April 2012 and did not have an express effective date, therefore it went into effect in July 19, 2012, three months after the Legislature adjourned on April 18, 2012. These statutes are currently in affect but will be amended effective October 1, 2013 by changes in LB255, 2013.<sup>1</sup>

1. Section 2 of LB1145 was codified as Nebraska Revised Statute §§ 81-1430 and 81-1431. Section 81-1430 establishes the Nebraska Human Trafficking Task Force and section 81-1431 sets out the requirements for posting information regarding human trafficking and establishing mandatory training regarding human trafficking. Although “human trafficking” is mentioned several times in both of these sections, neither contains a definition of “human trafficking.”
2. The Nebraska Criminal Code, Chapter 28 of the Revised Statutes, contained four sections, §§28-830, 28-831, 28-832 and 28-1354, which specifically referred to “human trafficking.” Section 28-830 contained definitions which applied to the conduct proscribed in section 28-831 and the reporting duties imposed on the Attorney General and the Department of Health and Human Services regarding human trafficking victims. With the addition of sections 28-830 and 28-831 in 2006, human trafficking specifically became a crime in Nebraska.

When the Nebraska State Human Trafficking Task Force convened in August 2012, one of the first questions that were raised was what definition of “human trafficking” should be used for the work required of the task force. Many members of the task force have experience and expertise with the issues involved in human trafficking, and is aware that there is some disagreement regarding which definitions are most appropriate to define “human trafficking.” International documents contain definitions of human trafficking, the United States federal government uses different definitions and states use various definitions. The members of the task force agreed that the definitions in 28-830 and 28-831 should guide the work of the task force.

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<sup>1</sup> Introduced by Senators McGill and Christensen.

A careful reading of section 28-830 in conjunction with section 28-831 was required to determine the definition of human trafficking. For example 28-830(11) defines a “trafficking victim” as “a person subjected to any act or acts prohibited by section 28-831.” Subsection (1) of 28-831 lists the conduct generally that is a human trafficking crime and subsection (2) lists the conduct that is a crime if a minor is involved. Each subsection lists the penalties that attach to the proscribed conduct.

**Nebraska Revised Statute 28-830**

28-830. Human trafficking; forced labor or services; terms, defined.

For purposes of sections 28-830 to 28-832, the following definitions apply:

- (1) Actor means a person who solicits, procures, or supervises the services or labor of another person;
- (2) Commercial sexual activity means any sex act on account of which anything of value is given, promised to, or received by any person;
- (3) Financial harm means theft by extortion as described by section 28-513;
- (4) Forced labor or services means labor or services that are performed or provided by another person and are obtained or maintained through:
  - (a) Inflicting or threatening to inflict serious personal injury as defined by section 28-318;
  - (b) Physically restraining or threatening to physically restrain another person;
  - (c) Knowingly destroying, concealing, removing, confiscating, or possessing any actual or purported passport or other immigration document or any other actual or purported government identification document of another person; or
  - (d) Causing or threatening to cause financial harm to another person;
- (5) Labor means work of economic or financial value;
- (6) Maintain means, in relation to labor or services, to secure continued performance thereof, regardless of any initial agreement by the victim to perform such type of service;
- (7) Minor means a person younger than eighteen years of age;
- (8) Obtain means, in relation to labor or services, to secure performance thereof;
- (9) Services mean an ongoing relationship between a person and the actor in which the person performs activities under the supervision of or for the benefit of the actor. Commercial sexual activity and sexually-explicit performances are forms of services under this section. Nothing in this subdivision shall be construed to legalize prostitution;
- (10) Sexually-explicit performance means a live or public play, dance, show, or other exhibition intended to arouse or gratify sexual desire or to appeal to prurient interests; and
- (11) Trafficking victim means a person subjected to any act or acts prohibited by section 28-831.

**Nebraska Revised Statute 28-831**

28-831. Human trafficking; forced labor or services; prohibited acts; penalties.

- (1) No person shall knowingly subject or attempt to subject another person to forced labor or services. If an actor knowingly subjects another person to forced labor or services by:
  - (a) Inflicting or threatening to inflict serious personal injury as defined by section 28-318, the actor is guilty of a Class III felony;
  - (b) Physically restraining or threatening to physically restrain another person, the actor is guilty of a Class III felony;
  - (c) Knowingly destroying, concealing, removing, confiscating, or possessing any actual or purported passport or other immigration document, or any other actual or purported government identification document, of such other person, the actor is guilty of a Class IV felony; or

(d) Causing or threatening to cause financial harm to another person, the actor is guilty of a Class I misdemeanor.

(2) No person shall knowingly recruit, entice, harbor, transport, provide, or obtain by any means or attempt to recruit, entice, harbor, provide, or obtain by any means a minor for the purpose of having such minor engage in commercial sexual activity, sexually-explicit performance, or the production of pornography, or to cause or attempt to cause a minor to engage in commercial sexual activity, sexually-explicit performance, or the production of pornography. A person who violates this subsection shall be punished as follows:

(a) In cases in which the actor uses overt force or the threat of force, the actor is guilty of a Class II felony;

(b) In cases in which the victim has not attained the age of fifteen years and the actor does not use overt force or the threat of force, the actor is guilty of a Class II felony; or

(c) In cases involving a victim between the ages of fifteen and eighteen years, and the actor does not use overt force or threat of force, the actor is guilty of a Class III felony.

(3) Any person who knowingly (a) recruits, entices, harbors, transports, provides, or obtains by any means, or attempts to recruit, entice, harbor, transport, provide, or obtain by any means, a person eighteen years of age or older, intending or knowing that the person will be subjected to forced labor or services or (b) benefits, financially or by receiving anything of value, from participation in a venture which has, as part of the venture, an act that is in violation of subsection (1) of this section, is guilty of a Class IV felony.

## **Amended Nebraska Statutes – Effective October 1, 2013**

LB255, 2013 as enacted contains amendments to scattered sections of Nebraska Revised Statutes. These amendments address many of the issues presented by federal and state definitions of human trafficking.

Section 6 of LB255 amends the statutory definition in section 28-830 to follow the design of the federal statute and maintain a distinction between labor and sex trafficking, but also to strengthen the statutory definitions by including more detailed definitions of “labor trafficking,” and “sex trafficking,” as well as specifically defining labor and sex trafficking of minors. In addition, in scattered sections of the Nebraska Revised Statutes safe harbor provisions are included for child sex trafficking victims. Section 7 of LB255 amends 28-831 to make it consistent with the definitions in 28-830 as well as the recognition of child victims.

## **Amended Nebraska Revised Statute 28-830 – Effective October 1, 2013**

28-830 For purposes of sections 28-830 to 28-832, the following definitions apply:

(1) Actor means a person who solicits, procures, or supervises the services or labor of another person;

(2) Commercial sexual activity means any sex act on account of which anything of value is given, promised to, or received by any person;

(3) Financial harm means theft by extortion as described by section 28-513;

(4) Forced labor or services means labor or services that are performed or provided by another person and are obtained or maintained through:

(a) Inflicting or threatening to inflict serious personal injury to the other person as defined by section 28-318;

(b) Physically restraining or threatening to physically restrain ~~another~~ the other person;

(c) Knowingly destroying, concealing, removing, confiscating, or possessing any actual or purported passport or other immigration document or any other actual or purported government identification document of ~~another~~ the other person; or

(d) Causing or threatening to cause financial harm to ~~another~~ the other person;

(5) Labor means work of economic or financial value;

(6) Labor trafficking means knowingly recruiting, enticing, harboring, transporting, providing, or obtaining by any means or attempting to recruit, entice, harbor, transport, provide, or obtain by any means a person eighteen years of age or older intending or knowing that the person will be subjected to forced labor or services;

(7) Labor trafficking of a minor means knowingly recruiting, enticing, harboring, transporting, providing, or obtaining by any means or attempting to recruit, entice, harbor, transport, provide, or obtain by any means a minor intending or knowing that the minor will be subjected to forced labor or services;

~~(6)~~ (8) Maintain means, in relation to labor or services, to secure continued performance thereof, regardless of any initial agreement by the ~~victim~~ other person to perform such type of service;

~~(7)~~ (9) Minor means a person younger than eighteen years of age;

~~(8)~~ (10) Obtain means, in relation to labor or services, to secure performance thereof;

~~(9)~~ (11) Services means an ongoing relationship between ~~a person and~~ the actor and another person in which the person performs activities under the supervision of or for the benefit of the actor.

Commercial sexual activity and sexually-explicit performances are forms of services under this section. Nothing in this subdivision shall be construed to legalize prostitution;

(12) Sex trafficking means knowingly recruiting, enticing, harboring, transporting, providing, or obtaining by any means or knowingly attempting to recruit, entice, harbor, transport, provide, or obtain by any means a person eighteen years of age or older for the purpose of having such person engage in commercial sexual activity, sexually explicit performance, or the production of pornography or to cause or attempt to cause a person eighteen years of age or older to engage in commercial sexual activity, sexually explicit performance, or the production of pornography;

(13) Sex trafficking of a minor means knowingly recruiting, enticing, harboring, transporting, providing, or obtaining by any means or knowingly attempting to recruit, entice, harbor, transport, provide, or obtain by any means a minor for the purpose of having such minor engage in commercial sexual activity, sexually explicit performance, or the production of pornography or to cause or attempt to cause a minor to engage in commercial sexual activity, sexually explicit performance, or the production of pornography;

~~(10)~~ (14) Sexually-explicit performance means a live or public play, dance, show, or other exhibition intended to arouse or gratify sexual desire or to appeal to prurient interests; and

~~(11)~~ (15) Trafficking victim means a person subjected to any act or acts prohibited by section 28-831.

## **Amended Nebraska Revised Statute 28-831 – Effective October 1, 2013**

28-831 (1) No person shall knowingly ~~subject or attempt to subject another person to forced labor or services.~~ engage in labor trafficking or sex trafficking. If an actor knowingly ~~subjects another person to forced labor or services by:~~ engages in labor trafficking or sex trafficking by:

- (a) Inflicting or threatening to inflict serious personal injury to the other person as defined by section 28-318, the actor is guilty of a Class III felony;
- (b) Physically restraining or threatening to physically restrain ~~another~~ the other person, the actor is guilty of a Class III felony;
- (c) Knowingly destroying, concealing, removing, confiscating, or possessing any actual or purported passport or other immigration document, or any other actual or purported government identification document, of ~~such~~ the other person, the actor is guilty of a Class IV felony; or
- (d) Causing or threatening to cause financial harm to ~~another~~ the other person, the actor is guilty of a Class I misdemeanor.

(2) No person shall ~~knowingly recruit, entice, harbor, transport, provide, or obtain by any means or attempt to recruit, entice, harbor, provide, or obtain by any means a minor for the purpose of having such minor engage in commercial sexual activity, sexually explicit performance, or the production of pornography, or to cause or attempt to cause a minor to engage in commercial sexual activity, sexually explicit performance, or the production of pornography. A person engage in labor trafficking of a minor or sex trafficking of a minor. An actor who violates this subsection engages in labor trafficking of a minor or sex trafficking of a minor~~ shall be punished as follows:

- (a) In cases in which the actor uses overt force or the threat of force against the trafficking victim, the actor is guilty of a Class II felony;
- (b) In cases in which the trafficking victim has not attained the age of fifteen years, ~~and the actor does not use overt force or the threat of force~~, the actor is guilty of a Class II felony; or
- (c) In cases involving a trafficking victim between the ages of fifteen and eighteen years, and the actor does not use overt force or threat of force against the trafficking victim, the actor is guilty of a Class III felony.

(3) Any person who ~~knowingly (a) recruits, entices, harbors, transports, provides, or obtains by any means, or attempts to recruit, entice, harbor, transport, provide, or obtain by any means, a person eighteen years of age or older, intending or knowing that the person will be subjected to forced labor or services or (b) benefits, financially or by receiving anything of value, from participation in a venture which has, as part of the venture, an act that is in violation of subsection (1) of this section,~~ is guilty of a Class IV felony.

## Task Force Established

### **81-1430. Task force; established; members; terms; duties; quorum; report; Department of Labor; posters.**

(1) A task force is hereby established within the Nebraska Commission on Law Enforcement and Criminal Justice for the purposes of investigating and studying human trafficking, the methods for advertising human trafficking services, and the victimization of individuals coerced to participate in human trafficking.

(2) The task force shall examine the extent to which human trafficking is prevalent in this state, the scope of efforts being taken to prevent human trafficking from occurring, and the services available to victims of human trafficking in this state. The task force shall also investigate the limitations upon victims who wish to come forward and seek medical attention; investigate the potential to stop human trafficking; and investigate the potential to promote recovery, to protect families and children who may be profoundly impacted by such abuse, and to save lives.

(3)(a) The Department of Labor shall work with the task force to develop or select informational posters for placement around the state. The posters shall be in English, Spanish, and any other language deemed appropriate by the task force. The posters shall include a toll-free telephone number a person may call for assistance, preferably the National Human Trafficking Resource Center Hotline (888) 373-7888.

(b) Posters shall be placed in rest stops and strip clubs. The task force shall work with local businesses and nonprofit entities associated with the prevention of human trafficking to voluntarily place additional signs in high schools, postsecondary educational institutions, gas stations, hotels, hospitals, health care clinics, urgent care centers, airports, train stations, bus stations, and other locations around the state deemed appropriate by the task force.

(4) The task force shall consist of the following members:

(a) The Attorney General or his or her designee;

(b) The executive director of the Nebraska Commission on Law Enforcement and Criminal Justice;

(c) The Superintendent of Law Enforcement and Public Safety or his or her designee;

(d) The Director of Correctional Services or his or her designee;

(e) The chief of police or director of public safety of a city of two hundred thousand inhabitants or more;

(f) The chief of police or director of public safety of a city of less than two hundred thousand inhabitants;

(g) A county sheriff;

(h) A county attorney;

(i) A county commissioner;

(j) A mayor or city manager;

(k) A person involved with the control or prevention of juvenile delinquency;

(l) A person involved with the control or prevention of child abuse;

(m) The Commissioner of Education or his or her designee;

(n) The director of the Commission on Latino-Americans or his or her designee; and

(o) Six members, at least three of whom shall be women, from the public at large.

(5) The Governor shall appoint the members of the task force listed in subdivisions (4)(e) through (l) and (o) of this section for terms as provided in subsection (6) of this section. The membership of the task force shall represent varying geographic areas and large and small political subdivisions. One member from the public at large shall be professional representing child welfare, and one member of the public at large shall represent juvenile pretrial diversion programs.

(6) The members of the task force appointed by the Governor shall serve six-year terms, except that of the members first appointed, four shall serve initial two-year terms, four shall serve initial four-year terms, and six shall serve initial six-year terms from January 1 next succeeding their appointments. Thereafter, all members shall serve six-year terms. A member may be reappointed at the expiration of his or her term. Any vacancy occurring otherwise than by expiration of a term shall be filled for the balance of the unexpired term in the same manner as the original appointment.

(7) No member shall serve beyond the time when he or she holds the office, employment, or status by reason of which he or she was initially eligible for appointment. Any member of the task force appointed by the Governor may be removed from the task force for cause upon notice and an opportunity to be heard at a public hearing. One of the causes for removal shall be absence from three regularly scheduled meetings of the task force during any six-month period when the member has failed to advise the task force in advance of such meeting that he or she will be absent and stating a reason therefor.

(8) The chairperson of the task force shall be designated by the Governor to serve at the pleasure of the Governor. The chairperson shall be the chief executive officer of the task force but may delegate such of his or her duties to other members of the task force as may be authorized by the task force.

(9) Notwithstanding any provision of law, ordinance, or charter provision to the contrary, membership on the task force shall not disqualify any member from holding any other public office or employment or cause the forfeiture thereof.

(10) The members of the task force shall serve on the task force without compensation, but they shall be entitled to receive reimbursement for any actual expenses incurred as necessary incident to such service as provided in sections [81-1174](#) to [81-1177](#).

(11) Eleven members of the task force shall constitute a quorum for the transaction of any business or the exercise of any power of the task force. The task force shall have the power to act by a majority of the members present at any meeting at which a quorum is in attendance.

(12) All appointments shall be made not later than thirty days after July 19, 2012. The chairperson shall meet with the task force not later than sixty days after July 19, 2012.

(13) Not later than one year after July 19, 2012, and every July 1 and December 1 thereafter, the task force shall report to the Clerk of the Legislature the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the report with the clerk.

## **Source**

Laws 2012, LB1145, § 2.

# **OVERVIEW OF HUMAN TRAFFICKING IN THE U.S.**

## **Polaris Project**

### **Human Trafficking FAQ's**

#### **What is human trafficking?**

Human trafficking, also known as trafficking in persons (TIP), is a modern-day form of slavery. It is a crime under federal and international law. It is also a crime in the majority of U.S. states.

#### **Is human trafficking another word for smuggling?**

No. There are many fundamental differences between the crimes of human trafficking and human smuggling. Both are entirely separate federal crimes in the U.S. Most notably, smuggling is a crime against a country's borders, whereas human trafficking is a crime against a person. Also, while smuggling requires illegal border crossing, human trafficking involves commercial sex acts or labor or services that are induced through force, fraud, or coercion. Unlike smuggling, human trafficking does not require transportation.

#### **Is human trafficking a crime that must involve some form of travel, transportation, or movement across state or national borders?**

No. Although the word 'trafficking' sounds like movement, the federal definition of human trafficking in the U.S. does not require transportation. In other words, transportation may or may not be involved in the crime of human trafficking, and it is not a required component.

#### **Does physical violence have to be involved in human trafficking cases?**

No. Under federal law, an individual who uses physical or psychological violence to force someone into labor or services or into commercial sex acts is considered a human trafficker. Therefore, while some victims experience beatings, rape, and other forms of physical violence, many victims are controlled by traffickers through psychological means, such as threats of violence, manipulation, and lies. In many cases, traffickers use a combination of direct violence and mental abuse. The federal definition of the crime, as defined in the Trafficking Victims Protection Act (TVPA) of 2000, was created to address the wider spectrum of methods of control used by traffickers beyond "bodily harm."

#### **Who are the victims?**

While anyone can become a victim of trafficking, certain populations are especially vulnerable. These may include: undocumented migrants; runaway and homeless youth; and oppressed, marginalized, and/or impoverished groups and individuals. Traffickers

specifically target individuals in these populations because they are vulnerable to recruitment tactics and methods of control.

**Do victims always come from a low-income or poor background?**

No. Human trafficking victims can come from a range of backgrounds and some may come from middle and upper class families. Poverty is one of many factors that make individuals vulnerable to exploitation and trafficking.

**How many human trafficking victims are there in the United States?**

Due to the covert nature of the crime and high levels of under-reporting, the total number of victims of human trafficking within the United States is still being researched by the government and academic researchers. However, a range of estimates have been released by some government agencies and non-governmental organizations.

**Do victims of human trafficking self-identify as a victim of a crime and ask for help immediately?**

Often no. Victims of human trafficking often do not seek help immediately, due to lack of trust, self-blame, or being directly trained by traffickers to distrust authorities.

**Does human trafficking only occur in illegal underground industries?**

While human trafficking does occur in illegal and underground markets, it can also occur in legal and legitimate settings. For example, common locations of human trafficking include private homes, hotels, nail salons, restaurants, bars, strip clubs, and fake massage businesses.

**How is pimping a form of sex trafficking?**

If certain behaviors and elements of control are present, yes, it can be. In the [Trafficking Victims Protection Act of 2000](#), a severe form of sex trafficking is a crime in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age. Pimps, who are motivated by the opportunity to make money, sell women and girls in the commercial sex industry by using numerous methods to gain control over their bodies and minds. Many of these behaviors directly meet the definitions of force, fraud, or coercion that are the central elements of the crime of human trafficking. It is often difficult to identify a pimp who is not using some form of deceit, lies, manipulation, threats, or violence towards the women or girls they are attempting to control.

## **Child Sex Trafficking At-A-Glance | Polaris Project**

### **CHILD SEX TRAFFICKING IN THE UNITED STATES**

*The following document provides a brief overview of child sex trafficking in the United States. The definition, relevant Federal law, statistics, and sample of prosecutions are included below. The document is intended to provide a basic understanding of this issue and should not be viewed as exhaustive.*

### **AN OVERVIEW OF CHILD SEX TRAFFICKING**

Trafficking of minors for the purpose of commercial sex acts is a form of modern-day slavery. Child sex trafficking occurs when a person under the age of 18 is induced to engage in commercial sex. Unlike other forms of trafficking, there is no need to show that a minor has been forced, coerced or defrauded into engaging in commercial sex. If a minor has been induced to perform commercial sex in any way, that minor is a victim of human trafficking.

### **SELECT FEDERAL LAWS RELEVANT TO CHILD SEX TRAFFICKING**

□ □ **Trafficking Victims Protection Act ( TVPA) of 2000** was the first comprehensive federal act to combat human trafficking through measures of prevention, protection, and prosecution. It was reauthorized in 2003, 2005, and 2008. Under this statute, the crime of sex trafficking of children occurs when a person under 18 years of age is induced to engage in commercial sex. Penalties for this crime are as high as life imprisonment for the most severe cases.

□ □ **Mann Act of 1910** makes it a felony to knowingly transport a person in interstate or foreign commerce for prostitution or any sexual activity for which a person can be charged with a criminal offense, or to persuade, induce, entice or coerce any person to travel across state lines to engage in prostitution or other immoral purposes, or attempt to do so.

□ □ **The Racketeer Influenced and Corrupt Organizations Act (RICO Act)** <sup>3</sup>, passed in 1970, created new rules for admitting evidence of organized crime by creating a way to make a claim based on a “pattern,” defined as two occurrences of “racketeering activity,” which is defined as behavior that violates other specified laws, federal statutes or state laws.<sup>4</sup> The Trafficking Victim Protection Reauthorization Act (TVPRA) allows “trafficking in persons” to be included in the definition of a “racketeering activity.”

### **RELEVANT STATISTICS**

The following are existing statistics on the sex trafficking of U.S. citizen minors. The availability of statistics on human trafficking is limited due to the crime’s hidden nature, limited awareness by law enforcement and social service providers, and lack of research.

□ □ According to the National Center for Missing and Exploited Children, approximately 100,000 children are at risk of being exploited in commercial sex trade annually.

□ □ The average age of entry into the commercial sex industry is between 12 to 14 years old.

## **Summary Review Of Human Trafficking in Nebraska**

Determining the incidents of human trafficking and estimating the numbers of victims is challenging work.

Trafficking by its very nature is a hidden crime and those trafficked are already marginalized, vulnerable and isolated. Even those victims who are able to escape and receive assistance are often not properly identified as trafficking victims. Additionally, there is no systematic method for tracking or identifying victimization in Nebraska, so counting victims is very difficult.

Statewide information on arrests related to trafficking is currently unavailable.

This first report on trafficking in Nebraska was focused on sex trafficking with an emphasis on minors being sex trafficked. We have yet to research labor trafficking.

We firmly established that sex trafficking occurs in Nebraska, but the extent of trafficking is difficult to assess.

In an attempt to determine the extent to which human trafficking is prevalent in Nebraska, the members of the Research Subcommittee first identified organizations that might have come in contact with persons who were possibly human trafficking victims or who had engaged in trafficking. After this list was compiled, the members of the subcommittee interviewed representatives of these organizations to determine if they kept records regarding reports of human trafficking or had knowledge about encounters with human trafficking victims or allegations that an incident of human trafficking had occurred.

It needs to be noted that every agency we interviewed has experienced cases of human trafficking victims.

The law enforcement agencies we contacted agreed that in many, if not most cases of arrests for prostitution, force of some type was present to keep the individual in this trade. Thus, by definition they would be human trafficking victims.

Law enforcement agencies also agreed that the existence of Interstate 80 coupled with internet sex advertising makes Nebraska vulnerable to trafficking. With ease of travel and internet sex advertising available 24 hours a day trafficking does occur on a regular basis in Nebraska.

Runaway minor girls were noted as being very vulnerable to sexual exploitation.

The nonprofit, "I Have A Name" of Lincoln started listing contacts from young girls that are either desperate or needing assistance; leaving them extremely vulnerable to sexual exploitation. From September of 2012 to the present they list 192 unduplicated contacts.

Our interviews support the conclusion that Nebraska needs to more fully address human trafficking in the state. U.S. Attorney for Nebraska, the Honorable Deborah R. Gilg, for example has stated: “There is no question that human trafficking is present in Nebraska. We have actively investigated cases involving adults, minors and immigrants.” The Nebraska U.S. Attorney office noted that a person who views child pornography will likely prey on minors if provided the opportunity.

Two escort agency owners were willing to give us their estimate of how many females were involved in the sex trade. They estimated 50 to 100 minors were involved in the sex trade in Nebraska. They also estimated 1200 adult women in Omaha and Lincoln combined, over a three year period. There was no estimate by the owners on what percentage of adult women involved in the sex trade is being victimized. However, they did agree that the percentage would be greater than 50%.

A study was made by two UNL graduate researchers of only one web site, backpage.com, over a 5 month period. The study identified approximately 310 different women advertised in Lincoln as escorts during that period and 17 were identified as possible minors.

The escort owners estimated 2000 new clients for solicitation per year in Lincoln among all of the known sex agencies. This number does not take into account permanent address or duplications between escort and other agencies. At any major event, such as a Nebraska football game, the number of new contacts rises dramatically.

What was discovered by the task force was a flourishing sex trade in Nebraska. There is an apparent large demand which creates opportunity for large amounts of money to be made.

Currently law enforcement has limited abilities to fight this large industry. The hidden nature of this industry makes criminal investigation difficult.

It should be noted that every law enforcement agency we contacted has increased its efforts to investigate and prosecute the sex trade and help curb human trafficking in Nebraska. We thank law enforcement for their increased efforts.

The information provided in this first report serves as a starting point as Nebraska begins addressing the issue of trafficking. It is recommended that this report serve as a baseline for future measurements of human trafficking in Nebraska.

While the information in this report provides a foundation for Nebraska policy-makers, it is in no way a complete picture of the trafficking victimization occurring in our state. In order to build on this first report and increase the information gathered, we are making some suggestions to the legislature.

## **SUBCOMMITTEE RECOMMENDATIONS**

Law enforcement, service agencies and various studies indicate that the single most effective way to lessen the demand for the sex trade and to thus lessen sexual exploitation is to make public the names and information on individuals convicted of solicitation and pandering.

- We recommend that a study be made on the best way to implement the public posting of offenders.
- We also recommend that additional strategies be developed to expose the secretive nature of this industry.

Currently there is no incentive for law enforcement or service agencies to gather information.

- A coordinated central information center needs to be created on human trafficking and incentives created to encourage authorities to gather information.
- We recommend that a formal research study on human trafficking in Nebraska be approved before the end of the year to quantify numbers.

The internet has become the primary means for advertising the sex trade.

- We recommend a study be implemented on how Nebraska can take effective action to limit this type of advertising.

Human Trafficking victims experience many of the same difficulties as domestic violence victims.

- A comprehensive intervention and treatment model should be developed using the experience of domestic violence treatment.

To lessen the sexual exploitation of children and adults we recommend:

- A curriculum be developed for public school administrators and teachers. This curriculum should educate administrators and teachers on this issue as well as how to warn students on the present dangers of sexual exploitation.
- An additional curriculum for health care workers and clergy should also be developed.
- The creation of additional awareness programs to heighten public involvement and awareness of human trafficking.

## **Appendix A: Report From U.S. Attorney, District Of Nebraska**

Based upon conversations with the U.S. Attorney for Nebraska, Deborah R. Gilg, and Kim Roewert, Victim Witness Specialist in the U.S. Attorney's Office, as well as a review of the Annual Reports of the U.S. Attorney for 2010, 2011, and 2012, we learned that there have been cases on human trafficking that have been investigated and prosecuted in Nebraska. We were informed that there was no statistical report prepared by the U.S. Attorney's office on trafficking cases investigated or prosecuted. However, the office does seem willing to develop and provide some statistical reports that can be provided to the Task Force in the future.

U.S. Attorney Gilg reported: "There is no question that human trafficking is present in Nebraska. We have actively investigated cases involving adults, minors and immigrants. We currently have at least three cases pending involving a metro prostitution ring with multiple locations." She further stated: "Investigation and prosecution of child pornographers and child enticement in Nebraska is only limited by the investigative/prosecutorial resources available. In short, an endless supply of cases."

The Office of the U.S. Attorney is actively involved in Project Safe Childhood (PSC), a Department of Justice initiative launched in 2006 that aims to combat the proliferation of technology-facilitated sexual exploitation crimes against children.

We also reviewed the press releases provided by the U.S. Immigration and Customs Enforcement (ICE) division of the Department of Homeland Security at <http://ice.gov> to determine if any cases from Nebraska were reported.

## **Statement of the Honorable Deborah R. Gilg:**

I am the Chair of Attorney General Holder's Working Group on Child Exploitation and Obscenity. Comparing Nebraska to California or Texas is not a fair comparison in part due to the disparity in population but also that fact that both of these states are border states which changes the demographics significantly. There is no question that human trafficking is present in Nebraska. We have actively investigated cases involving adults, minors and immigrants. We currently have at least three cases pending involving a metro prostitution ring with multiple locations. Last year, we prosecuted and successfully convicted an individual who was preying upon young women in an escort service. His conviction resulted in not only his incarceration but forfeiture of the fruits of his illegal enterprise, i.e. a house valued at more than \$300,000; expensive sports vehicles and cash in excess of \$250,000. The individuals that had started as escorts that subsequently got pressured to commit sexual acts were referred to various social services agencies for assistance.

Project Safe Childhood is a national DOJ program that focuses on child pornographers and child sexual predators. In the federal system, the mandatory minimum sentences for child pornographers and those who manufacture and distribute child pornography are quite substantial and far more than in the state system. The other advantage of the federal system is that unlike the state criminal justice system, in the federal system we do not have day for day credit for good time. Accordingly, a 10 year sentence means pretty much a 10 year sentence not 50% like in the state system. Investigation and prosecution of child pornographers and child enticement in Nebraska is only limited by the investigative/prosecutorial resources available. In short, an endless supply of cases. Last year a 27 year old man was given a 28 year federal sentence for child pornography. In this particular case, state authorities had prosecuted him and he was given a relatively inconsequential sentence. While the case was pending in state court, further forensic examination of his computer determined that he had sexually assaulted a child. At that point, we indicted him and he was given the long sentence.

Any girl, woman, boy or man in the prostitution system does not want to be a prostitute. Commonly, he/she may start out voluntarily as a method of making money to live and/or for drugs but invariably, the socioeconomic circumstances force he/she to continue, not to mention the involvement of pimps that threaten, physically and emotionally abuse these victims.

Again, I would urge you to talk with Gene Klein at Project Harmony or Tom Metz, Special Agent in Charge at the FBI herein Omaha. The Innocence Lost Task Force is headed up by FBI Agent Anna Brewer and SAC Metz can provide further information.

## **Project Safe Childhood Reported Cases:**

### ***2010 Annual Report:***

“In calendar year 2010, thirty individuals were indicted in the District of Nebraska for crimes involving the exploitation of children via the Internet. Those indictments included charges for the receipt and distribution of child pornography, the enticement and manufacture of child pornography and interstate travel to engage in a sexual act with a juvenile. During this same time period 27 defendants appeared before the United States District Court for sentencing on crimes involving the exploitation of children via the Internet.”

“A number of the Project Safe Childhood cases resolved in 2010 include:

#### **Child Pornography**

**Shawn Sinner** was sentenced to 27 years in prison following his conviction for manufacturing child pornography. Sinner recorded a video of himself sexually assaulting a 3 year old child.

**Roy Lee Hickmon**, was sentenced to prison for 20 years for manufacturing child pornography. Roy Hickmon came to the attention of the FBI during the course of an investigation into the distribution of child pornography through Limewire, an online file sharing service. Agents of the FBI’s Innocent Images Task Force were able to download numerous images of child pornography from a computer of Hickmon’s by accessing Hickmon’s Limewire account through the internet. That information was then provided to the FBI field office in Omaha, Nebraska, for the execution of a search warrant leading to the seizure of Hickmon’s computer. An analysis of his computer revealed images of child pornography which were taken by Hickmon of a minor female.

**Channon Crites** was sentenced to a prison term of 96 months for receiving child pornography. The Nebraska State Patrol accessed child pornography stored on Crites’ home computer by using a Peer to Peer network program. A later search warrant at Crites’ residence revealed 11 videos and 64 images of child pornography stored on his computer.

**Michael A. Norton** was sentenced to 12 years in prison following his conviction for receiving child pornography. A search warrant executed at Norton’s residence revealed 58 videos of child pornography. After his indictment, Norton fled Nebraska and became a fugitive. When arrested in Arizona, Norton was found in possession of yet another computer which was found to have 40 videos of child pornography.

**Theodore Manos** was sentenced to 10 years in prison following his conviction for possessing child pornography. Manos had a prior conviction in Cook County, Illinois, for Solicitation of a Child. A search warrant executed at his residence revealed the presence of numerous videos and images of child pornography stored on his computer.

**Sean Porter** was sentenced to 72 months in prison following his conviction for receipt of child pornography. Porter came to the attention of the FBI and Lincoln Police Department during the course of a nationwide investigation into the distribution of child pornography through e-mail accounts. Porter was found to have been involved in the distribution and receipt of child pornography between October 9, 2008 and February 23, 2009. In all, Porter had over 4,000 images of child pornography on various computers.

**Derrick Gartner** was sentenced to 168 months in prison following his conviction for receipt of child pornography. Gartner came to the attention of the Lincoln Police Department after child pornography

was viewed by a third party on a computer owned by Gartner. Forensic analysis determined that hundreds of images and videos of child pornography were stored on his computers.

**Donald Leemhuis** was sentenced to 63 months in prison following his conviction for receipt of child pornography. Mr. Leemhuis was identified as a purchaser of child pornography following the raid of a Los Angeles company involved in the distribution of child pornography. The United States Postal Inspection Service set up a sting and Leemhuis, once again, ordered child pornography. Items seized during a search of his residence included the recovered controlled delivery package, the original undercover catalogs mailed to Leemhuis to order child pornography and numerous DVDs and CDs containing pornography. In addition, investigators found collages Leemhuis made which included cut out pictures of little boy's body parts surrounding a picture of Leemhuis.

### ***2011 Annual Report:***

“In calendar year 2011, thirty individuals were indicted in the District of Nebraska for crimes involving the exploitation of children via the Internet. Those indictments included charges for the receipt and distribution of child pornography, the enticement and manufacture of child pornography and interstate travel to engage in a sexual act with a juvenile. During this same time period 27 defendants appeared before the United States District Court for sentencing on crimes involving the exploitation of children via the Internet.”

### **Child Pornography**

**Shawn Sinner** received a 27 year sentence to be followed by a lifetime of supervised release for producing child pornography. Sinner filmed himself sexually assaulting a three year old child. The video was discovered after Sinner had received a sentence of probation in state court for possessing child pornography. The state court ruled that Sinner could not be prosecuted for sexually assaulting the child as his plea agreement precluded any other charges resulting from the search of his computer.

**Michael Tramp** of Crofton, Nebraska was sentenced for the receipt and transportation of child pornography. Tramp was sentenced to a 12 year term of imprisonment and a five year term of supervised release. Over an 18 month period ending in May 2010, Tramp exchanged a number of text messages with a 13 year old girl in Southwestern Minnesota. Tramp requested and received a series of visual depictions sent by the teen to Tramp by cell phone. The depictions involved the teen posed in sexually explicit conduct.

**Robert Olney** was sentenced to 10 years in prison following his conviction for transporting a minor with intent to engage in criminal sexual activity. Olney met a 15 year old girl online and convinced her to leave her Nebraska home and travel with him to Alabama where he intended to engage in a sexual relationship with her.

**Noah Brouillette** was sentenced to a 10 year term of imprisonment for possession of eighteen videos of child pornography. Brouillette had previously been convicted in Utah for Sexual Exploitation of a Minor - Second Degree. This conviction required him to register as a sex offender. When he moved to Nebraska, he registered his Omaha address with the Sex Offender Registry as required. On September 30, 2010, the Nebraska State Patrol conducted a sex offender compliance check. During the compliance check, Brouillette consented to the search of his computer. The videos of

child pornography were found during this search. Because of his prior conviction, Brouillette faced a mandatory minimum sentence of ten years for possessing child pornography.

**Daniel A. Nieto** received a ten year sentence for possessing child pornography. Members of the FBI Cyber Crimes Task Force served a search warrant at Nieto's residence. Agents seized a computer and two compact discs from a stand near Nieto's bed. Although the computer was clean, the discs contained ten videos of child pornography. At the time of the search, Nieto was on probation as a result of an Iowa conviction for Lascivious Act with a Child. Because of his prior conviction involving sexual abuse, he faced a mandatory minimum ten year sentence for the possession of child pornography.

**Robert M. Fast** was sentenced to 6 years in prison for receipt and distribution of child pornography. After his release from prison, Fast will be required to serve a 5 year term of supervised release and be registered as a sex offender. Additionally, Fast was ordered to pay \$19,863.84 in restitution to one of the child pornography victims in this case. Investigators with the Lincoln Police Department were able to access child pornography images from computers that were using file sharing software that utilized the Gnutella Network. The investigator was able to identify the Internet Protocol address for the computer that was sharing the images of child pornography on that network. Upon checking with the internet service provider, investigators were able to identify that the residence utilizing that IP address belonged to Fast. A search warrant was executed at the residence in November of 2010. When investigators examined Fast's computers, they found 26 digital images and 23 videos of child pornography.

**Daniel Kuca** was sentenced to a 96 month term of imprisonment for receipt of child pornography. Kuca was also ordered to serve a five year term of supervised release following the prison term. Kuca came to the attention of investigators of the Nebraska Attorney General's Office and the Lincoln Police Department during the course of an investigation into the distribution of child pornography through peer-to-peer networks, such as Limewire. Investigators were able to access files containing child pornography on a computer of Kuca's which were available to the public through the peer-to-peer network. Investigators then conducted a search of Kuca's residence in Lincoln, Nebraska and seized two computers and related equipment. In all, Kuca had approximately 50 videos of child pornography on the seized computers.

**Joshua Louderback** was sentenced to 15 years in prison following his conviction for receiving child pornography. This was Louderback's second offense for receiving and possessing child pornography. In addition to the prison term, Louderback was also ordered to be under supervised release for the rest of his life. In a separate proceeding, Louderback also admitted to a violation of the earlier terms of supervised release imposed by the Court as a result of Louderback's conviction in 2006 for possessing child pornography. As a result of these violations, the Court sentenced Louderback to an additional 24 month prison term to be served consecutively to the 15 year prison term. Louderback was under the supervision of the United States Probation Office and during the period of supervision, he was found to have images of minors engaged in sexually explicit conduct on his computers.

**Kristopher Rowell** of Falls City, Nebraska, was sentenced to 72 months in prison for receiving child pornography. In addition to his prison term, Regan will serve five years

of supervised release following his release from prison. An investigator with the Nebraska State Patrol, using peer-to-peer software in an undercover capacity, located images of child pornography from a computer using a file sharing program from an internet protocol address traced to a residence in Falls City, Nebraska. Officers of the Nebraska State Patrol executed a search warrant at the residence of Rowell in Falls City, Nebraska. During the execution of the search warrant, computer equipment belonging to Rowell was found in the basement of the house. These items were seized and forensically examined by the Nebraska State Patrol. During the course of that forensic examination, 69 video and graphic image files containing child pornography were found on the computer and hard drive.

### ***2012 Annual Report:***

“In calendar year 2012, 22 individuals were indicted in the District of Nebraska for crimes involving the exploitation of children via the Internet. Those indictments included charges for the receipt and distribution of child pornography, the enticement and manufacture of child pornography and interstate travel to engage in a sexual act with a juvenile. During this same time period 29 defendants appeared before the United States District Court for sentencing on crimes involving the exploitation of children via the Internet.”

#### **Child Pornography**

**Abraham Richardson** – Richardson was convicted of receipt and distribution of child pornography. A search warrant executed at Richardson’s residence established his possession of computer equipment which contained over 10,000 images of child pornography. Richardson was sentenced to 20 years in prison and placed on supervised release for the rest of his life.

**Kyle Soderholm** – Soderholm was convicted of receipt and distribution of child pornography. Computer equipment at Soderholm’s residence was found to contain 207 videos and approximately 1,000 digital images of child pornography. Soderholm was sentenced to 84 months in prison and placed on 5 years of supervised release.

**Allen Hudson** - Hudson was sentenced to over 25 years in prison to be followed by a lifetime of supervised release for producing child pornography. Hudson was convicted in Cass County, Nebraska, of attempting to receive child pornography and sentenced to two years in prison. After his guilty plea the Nebraska State Patrol computer forensic laboratory discovered additional images indicating that he had produced images of child pornography with three young boys.

**Robert Sheldon** - Sheldon was sentenced to 10 years in prison for receipt of child pornography to be followed by a lifetime of supervised release. The sentencing stemmed from an undercover investigation by the Nebraska Attorney General’s Office Rural Cybercrime Unit (RCU). The RCU discovered child pornography being shared online from an IP address assigned to Sheldon’s residence. During the execution of a search warrant in February of 2012, more than 200,000 sexually explicit images of young children were found on Sheldon’s computer hard-drives.

**Mark Roble** - Roble was sentenced to 15 years in prison to be followed by 15 years of supervised release for producing child pornography. Members of the FBI Cyber Crimes Task Force including officers of the Bellevue Police Department and the Nebraska State Patrol served a search warrant looking for evidence of child pornography in Roble's residence in Bellevue. A forensic preview of a computer identified 2,000 videos of child pornography. Small cameras were concealed in Roble's bathroom and explicit photos of children were determined to have been taken by Robles.

**Douglas Suing** - Suing was sentenced to 17 years in prison to be followed by a lifetime of supervised release for producing child pornography. Suing was arrested in Navajo County, Arizona on January 12, 2011, as he was driving back to Nebraska. A search of a hard drive found in his vehicle revealed over 9,000 videos of child pornography. The FBI Omaha Cyber Crimes Task Force obtained a search warrant for Suing's apartment in Omaha. When reviewing the child pornography recovered from the computer in his apartment, Investigators with the Nebraska State Patrol observed a series of short videos and images produced by Suing's camera. They identified the child engaged in sexually explicit conduct as a 12 year old living in Omaha.

**James Weiss** - Weiss was sentenced to 15 years in prison to be followed by 30 years of supervised release for producing child pornography. Weiss collected child pornography over a ten year period. Included in his collection were videos he made of himself engaging in sexually explicit conduct with a juvenile beginning when the child was 13 and continuing to when the child was 16.

## **Appendix B: Report From the Center For Legal Immigration**

June 9, 2013

To: Al Riskowski and Anna Shavers

From our work providing legal immigration assistance to immigrants, we have encountered three potential human trafficking cases. Each woman was from Mexico, and we believe that they all had certain factors which may have made them eligible to apply for a “T” visa as victims of human trafficking. None of these potential victims of trafficking, maintained communication with us, so we were not able to complete any of them.

The first case involved a woman living in Lincoln. She explained to us that she was forced to work at a restaurant in Lincoln without pay. The owner also expected and demanded sexual favors from her against her will. We met once and scheduled another appointment, but she never returned and we were unable to have any further communication with her.

In the second case, a woman living temporarily in Crete contacted our office. She told us that she had been kidnapped and forced to live with a man who travelled throughout Colorado and Nebraska. We attempted to follow up with her, but lost contact.

In the third case, we suspect that the woman who was from Mexico, was forced to engage in sexual relations as part of the “coyote” payment to enter the U.S. Her boyfriend, who at the time of her entry in the U.S., lived in New Jersey, appears to have made the arrangements with the “coyote” for her to enter. Once she arrived in Arizona, near Phoenix, she, along with several other women, were separated from the group of about 20 people who had just arrived in the U.S. They were locked in a room for several days and raped numerous times. Later she was taken by car to New Jersey where her boyfriend lived. It was quickly obvious to her that he knew of the rapes and did not want to continue the relationship and began to physically abuse her.

Our office contacted the police in Phoenix, but they did not have enough evidence to investigate.

Respectfully,

Max Graves

Executive Director of Center for Legal Immigration Assistance

## Appendix C: Summary of F.B.I. Cases

Associated Press Article  
October 29, 2008

As part of a multi-city dragnet that involved over 93 agencies, the FBI announced yesterday that it rescued 47 children trapped in a dangerous U.S. prostitution ring. So far, "Operation Cross Country II" is responsible for the arrest of over 600 people, and police hope to have several other leads before the sweep is over. Of the dozens of girls (and a handful of boys) taken to safety, most were between the ages of 13 and 17. According to child advocate Ernie Allen, "[This] is the latest evidence that [sex trafficking] is a problem taking place on Main Street USA. The latest estimates put more than 300,000 *American* children at risk of "forced prostitution." That number is bound to skyrocket if Speaker Nancy Pelosi's hometown has its way. Next week, San Francisco voters will decide the fate of Proposition K, a measure that would legalize prostitution in the Bay Area and ban local authorities from prosecuting it. If it passes, San Francisco would become the first major U.S. city to decriminalize the sale of sex. The initiative, which even radical Mayor Gavin Newsome opposes, would turn San Francisco into a hub for the very sex trafficking the FBI is actively fighting! You may wonder where the Speaker of the House stands on the issue. Believe it or not, one of the few groups to endorse Proposition K (apart from the Erotic Service Providers Union) is the San Francisco Democratic Party -- of which Nancy Pelosi is a member. While it is unclear whether she has taken an official position on Proposition K, one thing is certain. Pelosi will continue to use her power to import these radical San Francisco values to Washington, D.C.



# Department of Justice

## United States Attorney Nicholas A. Klinefeldt Southern District of Iowa

FOR IMMEDIATE RELEASE

Tuesday, November 20, 2012  
<http://www.justice.gov/usao/ias/>

CONTACT: Kevin VanderSchel  
(515) 473-9300  
kevin.vanderschel@usdoj.gov

### **NEW JERSEY MAN CONVICTED ON SEX TRAFFICKING CHARGES**

COUNCIL BLUFFS, IA—On November 20, 2012, following a four-day trial, a federal jury in Council Bluffs found Johnelle Lewis Bell, age 28, of Hammonton, New Jersey, guilty on **12 counts of sex trafficking and interstate prostitution**, announced United States Attorney Nicholas A. Klinefeldt. Chief United States District Court Judge James E. Gritzner set sentencing for March 8, 2013. Defendant is detained in the custody of the United States Marshals Service pending sentencing.

The defendant faces the following statutory sentences:

Count one, conspiracy to commit sex trafficking: any term of years to life imprisonment, a fine of not more than \$250,000 or both such imprisonment and fine, and a term of supervised release of not more than five years.

Counts two and three, sex trafficking: on each count, 15 years to life imprisonment, a fine of not more than \$250,000 or both such imprisonment and fine, and a term of supervised release of at least five years to life.

Counts four through seven, inclusive, coercion or enticement to travel in interstate commerce for prostitution: on each count, not more than 20 years' imprisonment, a fine of not more than \$250,000 or both such imprisonment and fine, and a term of supervised release of not more than five years.

Count eight, conspiracy to transport in interstate commerce for prostitution: not more than five years' imprisonment, a fine of not more than \$250,000.00 or both such imprisonment and fine, and a term of supervised release of not more than three years.

Counts nine through 12, inclusive, transportation in interstate commerce for prostitution: on each count, not more than 10 years' imprisonment, a fine of not more than \$250,000 or both such imprisonment and fine, and a term of supervised release of not more than three years.

The defendant was originally indicted in the 12-count indictment on April 26, 2012. A 12-count superseding indictment was returned by the federal grand jury on November 6, 2012.

The charges arose from a prostitution sting operation on June 18, 2011, by the Great Plains Innocence Lost Task Force. The task force is led by the Omaha Office of the Federal Bureau of Investigation and includes officers from the Council Bluffs Police Department, the Southwest Iowa Narcotics Enforcement Task Force, and the Omaha Police Department.

On June 18, 2011, answering ads for prostitution on Backpage.com, for Omaha, Nebraska and Council Bluffs, Iowa, an undercover FBI agent posing as a customer arranged a "date" for prostitution. At the ensuing raid, agents and officers encountered Johnelle Lewis Bell and three adult females engaged in prostitution. The resulting federal investigation uncovered a prostitution venture centering around Little Rock, Arkansas. Evidence produced at trial showed the traveling prostitution venture operated in at least Arkansas, Iowa, Nebraska, Kansas, Colorado, Pennsylvania, Maryland, South Carolina, Louisiana, Georgia, Alabama, Texas, and Tennessee. Two of the sex trafficking counts related to incidents in May and June of 2011 in Des Moines, Iowa. Prostitution ads by the defendant were also posted in the Quad Cities area of Iowa and Illinois.

Persons formerly working as prostitutes for the defendant testified at trial regarding their histories of very troubled childhoods, mental and emotional problems, and substance abuse. These persons testified that the defendant lured them to work for defendant on promises of long-lasting personal relationships and help with problems in their lives. However, once they engaged in prostitution for the defendant, the promises evaporated, and all the money from the sex acts they performed at defendant's direction went to the defendant. One of the victims testified she was then physically assaulted by the defendant, including being whipped with a belt and severely beaten on at least two other occasions, in part for "disrespecting" her pimp, the defendant, for threatening to go to the police, for falling asleep while she was supposed to be engaged in prostitution for the defendant, and to force her to commit sex acts she did not want to commit. Another victim testified about having been at a "party-weekend" with the defendant and others and then being held by the defendant against her will for approximately a week and forced to engage in prostitution, by threats of serious harm against the victim, her family, and particularly the victim's 2-3 year old daughter. According to testimony at trial, her ordeal ended when she was rescued by the Innocence Lost Task Force operation on June 18, 2011.

Brittany Lawson, a Co-defendant of Bell's, pled guilty to count one of the indictment, conspiracy to commit sex trafficking, on October 12, 2012. Ms. Lawson is released on supervision of the United States Probation Office pending sentencing on January 18, 2012.

This case is being investigated by the Federal Bureau of Investigation, the Council Bluffs Police Department, the SouthWest Iowa Narcotics Enforcement Task Force, and the Omaha Police Department. This case is being prosecuted by the United States Attorney's Office for the Southern District of Iowa.



# Department of Justice

## United States Attorney Nicholas A. Klinefeldt Southern District of Iowa

FOR IMMEDIATE RELEASE

Wednesday, February 22, 2012  
<http://www.justice.gov/usao/ias/>

CONTACT: Kevin VanderSchel  
(515) 473-9300  
kevin.vanderschel@usdoj.gov

### **THREE PEOPLE SENTENCED ON SEX TRAFFICKING AND PROSTITUTION CHARGES**

COUNCIL BLUFFS, IA—On February 21 and 22, 2012, Parrish Jason Casebier, age 39, Cheryl Elaine Tucker, age 41, and Kentrell Vertner, age 26, all of Omaha, Nebraska, were sentenced in United States District Court in Council Bluffs and Des Moines, upon their convictions for participation in crimes relating to sex trafficking and interstate transportation for prostitution, announced United States Attorney Nicholas A. Klinefeldt. United States District Court Judge John A. Jarvey sentenced Parrish Jason Casebier to 300 months' imprisonment and Cheryl Elaine Tucker to 120 months' imprisonment for their participation in a conspiracy to commit sex trafficking. Kentrell Vertner was sentenced to 18 months' imprisonment for his role in conspiracy to transport individuals in interstate commerce for prostitution.

Judge Jarvey also sentenced Casebier and Tucker to five years of supervised release following their respective terms of imprisonment, and sentenced Vertner to three years of supervised release following his imprisonment. Each defendant was also ordered to pay a \$100.00 special assessment for the Crime Victims Fund, and ordered to remain in the custody of the United States Marshal pending designation to a Federal Bureau of Prison facility at which he or she will serve that defendant's federal sentence.

Casebier was found to be the leader of the prostitution operation, and to have committed the acts of physical and sexual abuse against the victims. Tucker was Casebier's girlfriend and served as his manager of the prostitution operation. Vertner played a much lesser role in the prostitution operation, primarily associated with at times posting Internet solicitations for prostitution and assisting with transporting various of the other individuals for prostitution. Tucker and Vertner themselves suffered some much lesser intimidation by Casebier, but knowingly and voluntarily participated in the prostitution operation.

"These individuals' victimized young women in a way that may forever affect them—all for their own personal financial gain," stated United States Attorney Nicholas A. Klinefeldt.

“Let these sentences serve as a message of just how seriously we take this type of conduct.”

“The protection of the innocent and the most vulnerable among us is one of the most important obligations of law enforcement,” said Weysan Dun, FBI Special Agent in Charge. “Sex trafficking, especially the trafficking of children, is unconscionable and the FBI is working closely with state and local authorities through the Innocence Lost Task Force to fight this most reprehensible sort of exploitation.”

The investigation arose out of a Council Bluffs, Iowa, Police Department (PD) response to a June 8, 2010 request for help regarding an alleged kidnapping at a motel in Council Bluffs, Iowa. As a result of Council Bluffs PD’s quick response to the call for help, a 19-year-old woman was rescued and another woman taken into protective custody. At that time, Casebier was arrested and charged by the Pottawattamie County Attorney’s Office with kidnaping. These State of Iowa charges were later dismissed, and a federal investigation was begun by the FBI and the Council Bluffs PD. In February of 2011, as part of the continuing federal investigation, the Federal Bureau of Investigation and Council Bluffs PD conducted a prostitution sting in Council Bluffs. As a result of the sting, a third woman was taken into custody and removed from Casebier’s control.

Ultimately, four women were identified as victims of the defendants. The record shows that three of the four victims were originally induced by false promises to join the prostitution operation, and then coerced to participate in prostitution by Casebier’s acts of physical and sexual abuse and threats of abuse. The fourth victim, a woman who had just turned 19 years of age, was enticed away from a homeless shelter by Casebier with promises of assistance, deceived or forced into being taken by Tucker from Omaha, Nebraska, to Council Bluffs, Iowa, and then coerced by Casebier to engage in acts of prostitution for just over one day until the victim was able to make a call for help without Casebier knowing. The conspiracy lasted from early in 2009, to June 1, 2011, ending with the arrest, on a federal warrant, of Casebier and Tucker by the Iowa State Patrol in eastern Iowa.

This case was investigated by the Federal Bureau of Investigation, the SouthWest Iowa Narcotics Enforcement Task Force, the Council Bluffs, Iowa, Police Department and the Pottawattamie County Sheriff’s Department, with later assistance by the Pottawattamie County Attorney’s Office. This case was prosecuted by the United States Attorney’s Office for the Southern District of Iowa.

## **Appendix D: Report From Omaha Police**

Interview with Lieutenant James Sklenar and Jason Christensen

Omaha Police Department

May 31, 2013

Is human trafficking a problem in Omaha?

- It is unknown how much human trafficking takes place in Omaha
- A case could be made that many, if not most, of the girls involved with prostitution could be defined as human trafficking victims
- At this time no information is available on the percentage of prostitutes that could be defined as human trafficking victims
- Minors are being used in the sex trade but it is unknown what the numbers are
- Minors on the street are at high risk of being pulled into the sex trade
- There is a need for quality programs to quickly place girls taken out of the sex trade

Has the solicitation of prostitution dramatically changed over the last few years?

- In years past prostitution was concentrated in identified areas in and around Omaha
- Currently the internet is the prime source for the solicitation of prostitution
- Street level prostitution is primarily fueled by drug addiction and abuse
- Internet prostitution is primarily fueled by money
- Escort services could be legitimate, however most are not
- Internet prostitution is very mobile, can be in Omaha for a few days and gone
- Internet web sites can be created in a very short time
- Internet provides access to this activity 24 hours every day
- The sex trade follows I80 across Nebraska and provides for easy movement of girls
- Strip Clubs can be gateways for the solicitation of prostitution, varies from club to club

How important is the hidden aspect of this activity for it to flourish?

- The embarrassment of being caught soliciting prostitution is bigger than any fine
- Identifying and exposing prostitutes and Johns would be a strong deterrent
- Stiffer penalties does have some effect on demand
- There would not be as many ads if it wasn't for the demand

## **Appendix E: Report From Lincoln Police**

Interview with Jim Peschong, Chief of Police, Lincoln

June 11, 2013

Is Lincoln police reporting or monitoring human trafficking?

- Not yet.
- Currently two officers are beginning to focus on the human trafficking problem.
- In the near future the Lincoln police will be training all officers and staff on human trafficking. They will use the task force recommended program and possibly add to the course.
- There needs to be a central location where all human trafficking reporting and monitoring is recorded.

Are minor girls on the streets of Lincoln at high risk to be pulled into the sex trade?

- If a young girl is a runaway then definitely yes. Such a girl is very vulnerable.

Has the solicitation of prostitution changed over the last few years?

- Somewhat, there is still a presence of prostitution in parts of Lincoln. The girls on the street are typically earning drug money.
- The younger and more attractive girls tend to be advertised on the internet where money is the primary motivation.
- The difficulty presented with the internet advertising is the 24 hour a day availability and they will come to your location.

- The privacy of the sex trade, coming to a location of your choice, creates a number of difficulties for law enforcement and their ability to arrest someone for the solicitation of prostitution.
- The Escort bill, introduced by Senator Christensen, would be helpful legislation to address the sex trade problems.

Do you have any additional thoughts?

- Education is a key to combat this problem. To not only educate judges and law enforcement but it is very important to educate the public.
- Human trafficking is similar to the domestic violence problem in many ways.

# Appendix F: Questionnaire of Lincoln Escort Services

## INTERVIEW OF TWO DIFFERENT ESCORT AGENCY OWNERS

February 2013

**(The interview is recorded with their exact comments. Also, we interviewed with the understanding we were researchers not criminal investigators.)**

1. *How did you get involved with the sex trade?*

Grew up around it.... Not from family members but from friends and peers doing it.

2. *What is your best estimate of how many women are involved in the sex trade in Lincoln, also Omaha?*

A lot more than you would think... In Lincoln 200 to 300 ladies in a 3year time span, probably closer to 300. You have females from age 15 to 40. College students and girls from low-income neighborhoods. A few women from Omaha but we tried to stay away from Omaha because it is much more dangerous. We would TRIPLE the number of women that are involved in Omaha, but it could be more than that.

3. *What is your best estimate of how many minors are involved in the sex trade in Lincoln? In Omaha?*

The one escort owner was 15 when she was first approached to go have sex for money by a pimp. In Lincoln, the escorting agencies are pretty good about not hiring minors.... It is the "street" pimps that don't care how old you are... in Lincoln we do have these.... I would guess in a given year at least 50 to 100 minors are trafficked in Nebraska and have sex for money. In Omaha, once again, the demand is greater.

4. *What is the average age of entry into the sex trade?*

12 to 14.... it comes to that point of desperation and not seeing another option. It varies but the seed is planted to explore the sex trade from the time you start being sexually active and not understanding what sex is intended for... many young girls are having sex already with multiple partners trying to fill the voids in their life so when they see they can get paid for the same thing they are already doing... it just makes sense to do it.

5. *What are the most common reasons people get involved with the sex trade business?*

Many minors are coerced and encouraged with promises of clothing, money, an easier life. Many minors and even some women are on the streets and have no stability, no way of providing for themselves... this money is fast and comes the same day, you're not waiting 2

weeks to get a check. We see a lot of grown women willing to go into prostitution out of desperation but then it comes to a point of not being able to leave because their boyfriend (that turns into a pimp figure) is beating them up and demanding them to go get that money!

6. *Once a woman gets involved in the sex trade business how easy is it for them to get out?*  
Not easy, people don't understand this part... If a woman is already willingly to take off her clothes for money, to go to multiple strangers' houses and hotel rooms where anything could happen – rape, murder, held captive, robbed, beat up – they don't think highly of themselves and their low self-esteem didn't happen overnight.... Add on a boyfriend beating you or an addiction or knowing you have no education or skills.... It's nearly impossible.
7. *Are you aware of women involved in the sex trade that mysteriously disappear?*  
Yes
8. *Overall, is the sex trade a violent business?*  
Yes, almost all ladies in this business have been robbed at a call or an attempted robbery. As a business owner you get threatened by some of the “ladies” boyfriends for not giving them enough calls and you get threatened for not hiring or working a young lady. We have been personally robbed a number of times.
9. *Do you have stories of violence toward women in the sex trade business?*  
Many, from girls having to have facial reconstruction and false teeth from being beat up, being held hostage, and men threatening children or one even sexually abusing the child while the mom is locked out of the room.
10. *What percentages of owners in the sex industry are violent and controlling to the women employees?*  
50%
11. *How does the sex trade change between Lincoln and Omaha?*  
For whatever reason, Omaha is very dangerous because of territories. Certain owners or pimps do not let other women besides their own work in those areas and see those areas as being theirs. In Omaha, the chances of you being robbed, beat up, or raped are much greater than Lincoln. In Lincoln we have more women owned escorting businesses and Omaha has more male owned. All the women that we know that own their business now are former workers themselves and understand and care more for the dangers.... While the men never having been in the situation only see the money and care less for the risk that the women take.
12. *What about Grand Island and cities in western Nebraska?*  
Grand Island, Lexington, and Kearney do not have formal agencies. We do service all of Nebraska including these areas.

13. *What is the typical business model of a sex business?*  
One owner, hires, fires, collects the money. There are some men owned that let women operate them because most other dudes don't want to deal with another man. The only time you really bring in help is for photography and drivers.
14. *Does the use of the sex trade business increase significantly at NE football games and other large events?*  
Yes, the phones ring all day and all night when there is almost any event in town.
15. *Are truck stops an activity focus for escorting companies and prostitution?*  
Yes, truckers call in and want ladies to come out to their trucks... some ladies are willing but a lot of ladies are not.
16. *Are there other places that escort services focus?*  
You can go into any strip bar and walk out with a client; we have done it many times. In Lincoln there are certain streets you might find clients 11th street and 13<sup>th</sup> street. In Omaha it is the same way but more places.
17. *Are there boys or men employees? Is their experience different?*  
Yes, a few men. They are in demand, both straight and gay men, for bachelorette parties. This is common and in most cases that is pretty legit. They dance for money. Transgender workers can make a lot of money. More than just a man or woman.... They can double their prices... Men call often for transgender.
18. *How often does the individual paying for services of an escort enter into illegal activity?*  
About 85 or 90% of the time.
19. *Are drugs and alcohol often used by escorts?*  
Yes, there may be 5% that don't. Meth, coke, pot, and alcohol are the most common. About half are severe alcoholics.
20. *What can be done to identify and help women that are involved in the sex trade?*  
Passing laws to help identify would be good. But there needs to be a place where they can come talk to a counselor or sort through their thoughts... Sometimes just like in domestic violence or a rehab situation they need that support to tell them.... They are victims and they deserve better and they have a real concern. They are not hearing this...
21. *Are many of the women lacking in family support and education?*  
Yes, we would guess 80% of these ladies do not have family support.
22. *Are escorts typically unwilling to tell law enforcement that they are experiencing violence and control over their lives?*  
They don't tell much to the police. Especially when it comes to the sex trade.

# **Appendix G: Data Collection on Backpage.com**

## **Data Summary: June 21, 2011 to November 24, 2011**

### **Executive Summary**

In other states, individuals have been trafficked through escort agencies and advertised as escorts on websites such as Backpage.com. The movement of escorts across the country, the nature of their work, and the correlation with drug use and drug distribution provide conditions ripe for human trafficking. A survey of local escort agencies and online advertisements for escorts was conducted June 21<sup>st</sup> to November 24<sup>th</sup> 2011 in an attempt to gain insight into the possibility of human trafficking in Lincoln and surrounding areas. This study found 17 possible minors advertised as escorts on Backpage.com, 3 of which were associated with local escort agencies. At least 310 individuals were advertised on backpage.com during the study duration and ads with local area codes comprised 62% of the listings. Of those 62%, about half were associated with local escort agencies. The data collection methods used in this survey were modeled on successful studies in other states by Operation Broken Silence and The Polaris Project that have identified trafficked individuals. This report contains a summary of findings and a concise set of data is presented in the appendix.

### **Backpage Data Collection**

The content of escort advertisements on backpage.com was recorded from June 21<sup>st</sup> to November 24<sup>th</sup> 2011. The names, phone numbers, post IDs, and other relevant information was recorded in a spreadsheet and a note was made if the individual appeared to be a minor. Of the 1517 advertisements recorded for the Lincoln area, 62% advertised with local numbers, 29% were out-of-state area codes, and the remainder did not provide a phone number. A total of 61 area codes from 29 states were recorded with the highest number of out-of-state ads coming from Sacramento California, and Houston Texas. Advertisements of local escorts were also found outside of Nebraska in cities such as St. Louis, Chicago, and Kansas City. The average advertised age of a girl on Backpage was 24 years old. However, it is likely that the actual average age is much lower since this has been the case in other states and, although it is difficult to judge the age of the girls pictured, most appeared to be younger than the advertised age. Throughout the course of the study, 17 individuals were identified as possible minors. Of the advertisements with local numbers, 48% of ads were associated with known escort agencies and at least 3 of the suspected minors were associated with local escort agencies. Indicators of potential trafficking were found in many of the photographs of girls advertised on Backpage. For example, the photographs were often taken in hotel rooms with the face obscured and multiple girls were sometimes advertised as one girl.

### **Local Escort Agencies**

Data was collected to understand the nature of local escort agencies. A basic search of escort agencies advertising in the Lincoln area yields approximately 30 names (Omaha has 40+). Since many escort agencies operate under multiple names it is difficult to discern how many entities advertise locally. Escorts advertise legal activities however, reviews in online forums and coded advertising language tell a different story. Reviews of escorts on websites where escorts and clients

interact almost without exception contain sexual content and many reviews contain lists of sexual services offered. The most concerning escort agencies are Diamonds Midwest and Body Heat Entertainment.

Diamonds Midwest has the most developed advertising presence online. Registered as D M West Enterprises Llc. to Amerilla Wagoner, the escort agency claims to operate in Lincoln, Omaha, Council Bluffs, and will travel for the right price. The agency is concerning due to the criminal record of the owners, the sophisticated advertising, and possible business connections. Clifton Wagoner, husband of Amerilla Wagoner has multiple felony charges; the most recent being possession of methamphetamine with intent to distribute. Clifton was also involved in gold coin scams before he passed away in a Denver jail in July. Diamonds Midwest has an advertised location under the name of Gems and Diamonds in Lincoln of 2124 W Millstone Rd but the location does not see the use one would expect of such a location. It is thought that the location serves as a strategic rendezvous point with easy access to major highways. Cars have been seen waiting on the dead-end portion of South Codrington and in the vicinity of the advertised location at night with their lights off. Once a car drives into the neighborhood, the waiting car signals the car by flashing its lights and the cars leave the neighborhood together. Although Diamonds Midwest do not explicitly sell sex, sexual keywords are embedded in the webpages to drive search engine traffic to their website. Also concerning is the possible business relationship with D.NEA Diamonds, formerly Adia Diamonds, a synthetic diamond manufacturer registered to Eric E Franklin as AOTC Holdings Corp. in Las Vegas, NV. Given the criminal records of the owners of Diamonds Midwest and the instances of human trafficking through escort services in other states, a relationship to a company that claims to import diamonds from Belgium through Canada is extremely questionable. It is plausible this business relationship could be used to facilitate human trafficking.

Body Heat Entertainment is also a concern due to a Backpage ad posted with the name “A Night to Remember” that features an image of a young girl. The ad has been posted in Lincoln, Omaha, and St. Louis and the phone number is that of Body Heat Entertainment. A link has been found to Angels At Your Door/Heavenly Bodies which features a website with 10 phone numbers for various locations such as Fayetteville, Daytona Beach, St. Louis, Minneapolis, etc. Most of the photos on the website seem to be stock photos from the internet however the image of the suspected minor has not been found through such reverse image searches.

# Appendix

## Backpage Data Summary

Sample size=**1517** Backpage Advertisements

- Average Advertised Age: **24**
- Instances of possible minors: **17**
- Posts with local numbers: 954 (**62.8%**)
- Local posts associated with known escort agencies: 455 (**48%**)
- Estimated number of local advertised individuals: **180**
- Posts with other area codes: 563 (**29%**)
- Estimated number of traveling individuals: **130**

61 Area codes from 29 states:

AR, AZ, CA, CO, FL, GA, HI, IA, IL, KS, LA, MA, MI, MN, MO, MS, ND, NE, NJ, NM, NV, NY, OR, PA, TN, TX, UT, WI, WY

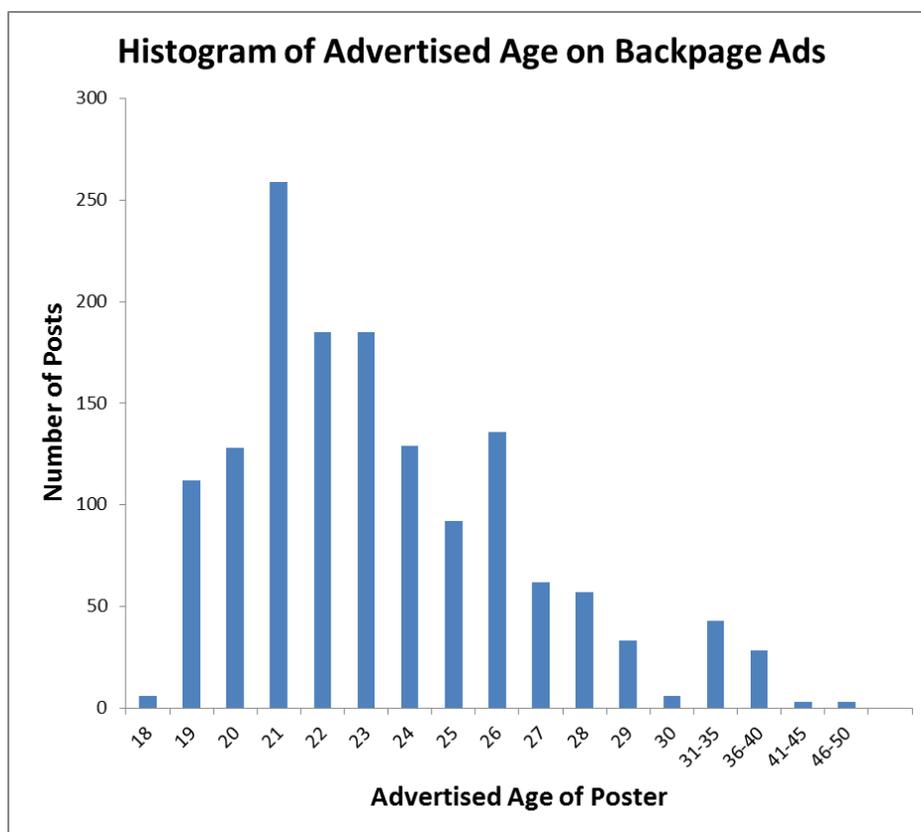


Figure 1: Histogram of Advertised Age on Backpage Ads

## Frequency Organized Area Codes

<i>Area Code</i>	<i>Location</i>	<i>Number of Posts</i>
402	Eastern Nebraska	954
619	Sacramento, CA	54
832	Houston, TX	30
318	Western Nebraska	28
818	Los Angeles, San Fernando, CA	22
720	Denver, CO	19
316	Wichita, KS	19
702	Las Vegas, NV	16
786	Miami, Key West, FL	15
701	North Dakota	15
612	Minneapolis, MN	15
805	Oxnard, Thousand Oaks, CA	13
678	Atlanta, GA	12
515	Des Moines, Ames, IA	12
305	Miami, FL	12
602	Phoenix, AZ	11
719	Colorado Springs, CO	10
303	Denver, CO	9
813	Tampa, FL	8
763	Minneapolis, MN	7
973	Newark, NJ	6
808	Honolulu, Pearl City, HI	6
858	San Diego, CA	5
617	Boston, MA	5

323	Los Angeles, CA	5
916	Sacramento, CA	4
870	Jonesboro, Pine Bluff, AR	4
717	Harrisburg, PA	4
575	Las Cruces, Taos, NM	4
415	San Francisco, CA	4
414	Milwaukee, Madison WI	4
310	Los Angeles, Long Beach, CA	4
281	Houston, TX	4
214	Dallas, TX	4
213	Los Angeles, CA	4
970	Fort Collins, Grand Junction, CO	3
816	Kansas City, St. Joseph, MO	3
801	Salt Lake City, Provo, Ogden, UT	3
507	Rochester, MN	3
469	Dallas, TX	3
407	Orlando, FL	3
913	Kansas City, Leavenworth, KS	2
713	Houston, TX	2
630	Chicago, Hinsdale, IL	2
618	Belleville, East St. Louis, IL	2
615	Nashville, TN	2
563	Davenport, Dubuque, IA	2
210	San Antonio, TX	2
971	Portland, OR	1

940	Wichita Falls, Denton, TX	1
773	Chicago, IL	1
714	Anaheim, Northern Orange Co., CA	1
651	St. Paul, Twin Cities area, MN	1
646	New York City, NY	1
601	Jackson, Hattiesburg, MS	1
573	Columbia, Jefferson City, MO	1
559	Fresno, CA	1
319	Des Moines, Cedar Rapids, IA	1
312	Chicago, IL	1
307	Wyoming	1
248	Detroit, Lansing, MI	1
225	Baton Rouge, LA	1

## Appendix H: Gathered Data By Free The People Movement

### Description of Research Completed

Approximately 2,500 agencies and organizations were contacted by *Free the People* volunteers between March 2012 and January 2013. Although all the agencies responded, only approximately 1,500 agencies responded with usable information. The information gathered by the volunteers included information regarding organizational knowledge of Human Trafficking, programs that were directly related to serving victims or perpetrators of Human Trafficking, training provided to staff regarding Human Trafficking, and to define Human Trafficking as each representative understood it.

### Organizational Knowledge

Organization representatives were asked if their agencies/organizations had a public statement, promoted knowledge of risk factors, common signs, or programs regarding human trafficking (sex or labor). Based upon their responses, we gauged their organizational knowledge of human trafficking on a scale of 'none', 'minimal' and 'working knowledge.' None indicating the organization has any public statement or demonstrated awareness of human trafficking. Minimal indicating the organization has a public statement regarding human trafficking, but does not promote this within the organization. And Working Knowledge indicating the organization has a public statement and has demonstrated awareness of human trafficking by promoting the public statement and risk factors or common signs of human trafficking.

- Approximately 1,362 of 1,500 organizations indicated no organizational knowledge of human trafficking.
- Approximately 111 of 1,500 organizations indicated minimal organizational knowledge of human trafficking.
- Approximately 27 of 1,500 organizations indicated working knowledge of human trafficking.

### Directly related programs

Regardless of their organizational knowledge, organization representatives were asked if their agencies/organizations provided or promoted programs directly related to serving victims or perpetrators of human trafficking. Additionally, they were asked to whom they would refer a victim or perpetrator with whom they may come into contact.

- Approximately 8 of 1,500 organizations indicated access to directly related programs within their own organization.
- Approximately 1,342 of 1,500 organizations indicated no access to directly related programs or a referral system.
- Approximately 150 of 1,500 organizations indicated referral system, each referred to NHTRC versus local organization.

### Staff training

Each organization representative was asked if their organization/agency had a current program or were developing a program to train their staff to recognize report, refer or otherwise serve victims or perpetrators of human trafficking. Additionally, they were asked how frequently they engaged in training their staff if they had a program that was currently being utilized. None indicates no current program and no program being developed. In Place indicates a current program that includes at least annual informing of staff. Developing indicates a program that is being developed but has not been implemented.

- Approximately 1,300 of 1,500 organizations indicated no current or developing program.
- Approximately 143 of 1,500 organizations indicated staff training programs were in developmental stages.
- Approximately 57 of 1,500 organizations indicated staff training currently in place.

### **General awareness**

Each representative was asked if any of their staff had heard of human trafficking, then were asked to define human trafficking. None indicates no knowledge. Unable to Differentiate indicates awareness but inability to differentiate between smuggling and trafficking or other kinds of abuse. Able to Differentiate indicates ability to explain the difference between trafficking, other kinds of abuse, and smuggling. Generally Aware indicates ability to differentiate between trafficking, other kinds of abuse, smuggling, and ability to generally define trafficking.

- Approximately 20 of 1,500 organizations indicated no knowledge of human trafficking.
- Approximately 1,403 of 1,500 organizations indicated knowledge of human trafficking but were unable to differentiate between trafficking, smuggling, and other kinds of abuse.
- Approximately 68 of 1,500 organizations indicated ability to differentiate between trafficking, other kinds of abuse and smuggling but were unable to generally define trafficking.
- Approximately 9 of 1,500 organizations indicated general awareness and ability to differentiate between trafficking, smuggling, and other kinds of abuse.

### **Recommendations from Completed Research**

There are many recommendations that could be made based upon the results of the research completed by the *Free the People* volunteers. However, it is clear that further research will need to be completed in order to gain a comprehensive understanding of the scope of Human Trafficking in Nebraska as well as the gaps in services across the state. It is our suggestion that further, and more comprehensive, research begin with the agencies and organizations which are willing to be engaged.

## Appendix I: STORIES OF HUMAN TRAFFICKING VICTIMS

Legislative Resolution 243,  
The human trafficking interim study

Testimony presented by Dr. Linda Burkle  
The Salvation Army

December 5, 2011

*You have heard testimonies of experts from various disciplines regarding the horrific crime of human trafficking and the need to develop meaningful legislation to effectively combat this crime.*

*Today I am here not as a social justice advocate, service provider or expert; but to share a firsthand testimony of a trafficking victim whom I interviewed recently. I will present this in her own words, without revealing her identity; but will verbally present only highlights due to the time constraints. However, the entire testimony is written herein for your official record.*

I grew up in a dysfunctional home, there was always drinking and some drugging but my mother always sent us kids to church on Sundays. When I was eleven, my mother went to the hospital to deliver a baby and never came home, dying in childbirth. I never got to say goodbye. This was a very hard thing. We did not get along with our step dad and our dad used to beat our mother when they were together. I had no love for him. So after my mother died, my sister and I went to live with our grandmother. Like my mother, she always made us go to church on Sundays.

Besides my sister and me, my grandma also was raising three cousins; I was the oldest of the four. There were aunts and uncles around who drank and drugged. To deal with mother's death, it was not long before I was drinking and at age eleven, started using weed. At twelve, I began using pills and seeking love in the wrong places, looking to older men to love and comfort me. At fourteen I got pregnant and delivered my daughter before my fifteenth birthday. Shortly after I met a man through another girl and became infatuated, head over heels in love with him. He gave my attention, treated me like I was special, bought me gifts and took me places. He started picking me up and taking me to school. Before long, I just stopped going to school. He would drive me downtown to see the girls on the street and tell me about how easy it was to make a lot of money. I said that I would never ever do that!

When I was seventeen he taught me how to suck his penis and said "how good I did him" and how good it felt. He said "Girl, you could make a lot of money; it would be real easy and quick." He had me at seventeen and when I turned eighteen he sat me down on the corner of 33rd and Farnam (one of those streets) right in front of Mutual of Omaha. So one month after I turned eighteen I caught my first trick. It only took five minutes to do a blow job and I made \$50. I was excited with how easy it was and how much money I

could make. I gave every dime to him because I really loved him and wanted to please him. I was with him all of the time except for when I was in a car working. If a trick wanted more, we went to the Travel Lodge on 40<sup>th</sup> and Dodge.

When I turned nineteen he took me to Michigan, California and a couple other states to perform sex. We drank and smoked all the time. When I was twenty-one, I tried to leave him, but he beat me. I was in love with him, I thought, but afraid of him and making him mad. I went home and he came after me and got into it with one of my cousins. Eventually he left me alone but before long I met and fell in love with another guy. He expected me to turn tricks and turned me onto crack when I was twenty-two. He beat me a lot and I often fought back to protect myself. If I tried to go home, he would come and harass my family. He conned my grandma too and tried to buy her off. I stayed with him for five years, "on the streets" because I thought I was in love. He took all the money but would buy my things too. I finally was able to get away but ended up with another man who was much worse than the others.

The next guy kept me high on drugs and took me all over the country to perform sex. We went from one coast to another, mostly I worked truck stops. He was more abusive than the others; he would beat me with a gun, a hammer and an electrical cord. He also dealt drugs. I was frantic to get away. One time I ran and was hiding in an eighteen wheeler. He went from semi to semi banging on the doors with his gun. The trucker hiding me was afraid because he threatened to kill him. He found me and dragged me out of the semi by my hair. He beat me and kept beating me, I tried to fight back and protect myself. I was so exhausted also still high. I didn't know he that was prepared. When we got back to the hotel I fell on the bed on my stomach exhausted from the beating. He already had the iron warming up. I was really out of it and then heard a sizzle; he burned both of my legs bad with the hot iron and then dragged me to the shower and threw me under ice cold water. I was so scared; I started praying to God for protection and a chance to escape. This went on for almost one year.

We were in Oklahoma doing truck stops and I kept praying and watching for a chance to get away from him. He never slept, always had his gun with him and kept one eye opened. Sometimes he would call back to Omaha and make comments to his buddies about my little daughter, about kidnapping her if I tried anything. I become more depressed and desperate, crying out to God. I called my grandma, she had been praying for me and I know that God gave my strength. I begged her to keep my little girl safe. After I tried to escape, he became meaner than ever, he abused me and raped me in the butt. I wanted to get a gun and shoot him, but I was concerned for my daughter.

One day the Lord answered my prayer. He put the man in a deep sleep after I got dressed and told him that I was going to make some money. I waited to be sure he was sound asleep and then I took off as fast as I could run. I never ran so fast in my life. I remember running from the motel across a field to a gas station, it was a long way but I never stopped running. Some nice people could see that I was scared and offered me a ride to Tulsa. They did not want anything from me; they gave me food and clothes and let me rest. They protected me while I slept so no one could touch me. There was no request for sex. God had answered my prayer! I believe this was a man of God sent to rescue me.

After a few days of staying there, I felt the craving for dope again and left. I went to a truck stop and all day asked if anyone was going north to Omaha. I was getting desperate to get back. A trucker saw me running along beside his truck and banging on his door. He said, "God must be on your side, I am going straight there." He took me all the way and dropped me off on Lake Street. Soon I found out that the guy that I ran away from beat me back here and was looking for me, threatening to kill me. I stayed in the house and out of site, he would come and bang on the door and harass the family, begging me to come back and he would make it up to me. After staying in the house for several days, I went for a walk, he pulled up but I got away and eventually he left me alone, I think he realized I was done so moved on to another gal.

All this time, I was using drugs and high, but still praying to God for deliverance. People around me said it was hopeless but I believed that God would rescue me. Even after that, because I was hooked on drugs, I continued to turn tricks myself to support my habit. I was in and out of jail a lot and got involved with Wellspring. I started going to church and got saved. God delivered me from drugs and I am so grateful. Praise Jesus! I have been married several years now and I am very active in my church. After all of those years on the streets, being beaten and abused, I can see the covering of God. There is no other way I survived but by His protection and grace. Glory to God, I can never thank him enough.

## Mom sentenced for selling daughters for sex

BY JONATHAN EDWARDS / LINCOLN JOURNAL STAR

A 36-year-old mother was sentenced to 80 to 90 years in prison Wednesday for prostituting out her 14- and 7-year old daughters.

Buffalo County District Judge John Icenogle sentenced the Upland woman for setting up a rendezvous between her 14-year-old daughter and an undercover Nebraska State Patrol investigator last April in a Kearney motel, and two counts of having child pornography -- pictures of her daughters she used to advertise.

The investigator told the mother he would pay \$150 to \$200 to have sex with the teenager, court documents say.

The Journal Star is not naming the mother to protect the identity of her daughters. Nebraska State

Patrol investigators said the mother let at least seven men have sex with the 14-year-old at least 20 times and at least three men have sex with the 7-year-old.

In November, she pleaded guilty to three charges in Buffalo County, nine similar felony charges in Franklin County and one in Furnas County. As part of a plea agreement, she avoided more charges in those three counties as well as Lancaster and Kearney counties.

Her sentencing in Franklin County is set for Feb. 7.

# Akers: Human trafficking plagues Nebraska's thrown-away children

By Donna Akers

Published: Tuesday, September 15, 2009

Updated: Tuesday, September 15, 2009

I looked across the table at the disheveled young girl, her hair sticking up in surprising places with yesterday's mascara ringed her eyes.

"I'm 15," she said, drawing her lips back in what looked more like a snarl than a smile. She didn't look a day over 13, I thought.

"What d'ya wanna know?" she asked, tapping out a little rhythm with her straw. "Why are you on the street?" I asked.

"Got kicked outta the house," she shrugged.

When I met her in November of last year, Polly was living on the streets of Omaha, running with a group of kids who sort of watched out for her. "Baby," they catted her. Like other thrown-away kids, Polly survived by having sex with men.

"Can't get money no other way" she whispered, "Where do you sleep?" I asked.

She named a culvert downtown where lots of street kids crash.

"Do you go to school?" .

She just stared at me.

"I used to like school," she said. "But then things got real bad at home, and we didn't have no money so I couldn't go no more."

"How far did you get?"

"Sixth grade."

For the past two years, I have been involved as an activist and scholar in the fight against human trafficking, a terrible modern-day form of slavery. It's the fastest growing international crime, right behind drugs and guns. A majority of people who are trafficked are women and children, primarily forced into prostitution against their will.

Most are transported hundreds or thousands of miles away from their homes, forced to perform sex with dozens of strangers every night. They're held captive and are sold, over and over, until they're no longer useful. They're often forced to have sex without protection, so many become HIV positive and develop full-blown AIDS. The women are rarely, if ever, allowed outside the place where they "work" and are frequently physically and sexually abused.

Congress also includes the crime of "Domestic Minor Sex Trafficking" (DMST) under the criminal statutes on human trafficking. The crime of DMST is defined as recruiting, enticing, harboring, transporting, or providing or obtaining by any means a U.S. citizen or permanent resident, under the age of 18, to engage in a sex act for which anything of value is exchanged (i.e. money, a place to stay, food, etc.) So, according to U.S. law, any minor engaged in prostitution is a victim of trafficking.

Some of my students have asked, "What is the difference between domestic minor sex trafficking and juvenile prostitution?"

There is none, according to the FBI.

As in the crime abroad, the victims are confined closely, watched constantly and forced to engage in sexual acts with strangers. Most or all the money earned from these transactions are kept by the victims' exploiters- usually pimps -who regularly abuse the victims in order to intimidate and keep them under control. Domestic sex trafficking often takes place across state lines, since criminals like to move "their" girls from place to place to avoid cops and to go where major sporting events and conventions are taking place.

Research shows that a majority of the victims of DMST are runaways or thrown-away children who were sexually abused in their own homes. They flee to the mean streets of the cities when they can no longer bear the abuse in their homes. Within 48 hours, many are unknowingly lured into prostitution by a pimp, who then traps them, beats them and forces them into a "stable." If they try to run away or contact law enforcement, they face the distinct possibility of dying from the predictable beating they will get at the hands of their pimp.

Did you know that Lancaster, Douglas and Sarpy counties in Nebraska received nearly 20,000 reports in 2008 of child abuse or neglect? That's an average of more than 54 calls every single day of the year. Only a small number of these calls are actually investigated, and far fewer are taken to court. How many of these calls would have saved an abused child if the state had the money and the will to put children first? What happens to the girls who are being sexually molested or abused, have contacted authorities and then nothing happens? No one comes to the rescue. Instead, they are ignored, disbelieved and left in the hands of their abusers.

Or, of course, they can run away. What a choice!

If you were one of these girls, what would you do? Can you imagine a life where every night you were raped or molested in your own home? Can you picture how terrifying it would be to be all alone on the streets of Lincoln or Omaha?

I've heard some guys argue with a straight face that "prostitution" should be legalized. It's the "oldest profession in the world," they say.

Really? Do you really think some little girls dream of the day they can prostitute themselves? "Prostitution is a victimless crime," these guys might reply, "a harmless transaction between two consenting people."

I guess if you are the perpetrator instead of the victim, it might seem so. "It's her choice," they say.

Now, maybe I'm slow or something, but explain to me how this is a choice. Did someone offer to send Polly to graduate school? Did she turn down a "career" opportunity? How about even a job at McDonald's?

If you were a 12-year-old girl on the streets, exactly where would you go for work that paid enough to feed, house and clothe yourself – or for any work at all for that matter? What would your "choices" be?

When I met Polly, she was only 12 years old – not 15. She just had her birthday. She came from a small town in Nebraska and had a child-like lisp that softened the bad-ass attitude she tried desperately to pull off. She was the fourth and youngest child in a family where children

had no childhood. Her brother was in prison, and her sisters had run off-nobody knew where. Nobody seemed to care.

Her mom was a drunk. Polly's stepfather liked young girls. Mom didn't believe her, called her a slut. Told her to get out and never come back. She wouldn't leave. So her mom got a pipe and hit her in the face with it until she stumbled, bleeding, out into the yard.

"If you don't get outta here, I'm gonna kill you!" her mother screamed, her face contorted with hatred, booze and a life of poverty.

When I met her, Polly had been on the street for seven months. A social worker at a street outreach house in downtown Omaha told me the next week that Polly showed up in hysterics. She hadn't eaten for three days, and some man had assaulted her the night before, ripping up her shirt, trying to force her down an alley. Another run-away heard her screams and pushed the old guy off. Polly ran all the way to the outreach house and waited for hours until it opened.

A few months ago, I heard Polly got picked up by a pimp. He was selling her in exchange for a place to stay and a little food. She had a quota of \$300 per night, every night. Come back short, and she got beaten black and blue. She gave him all the money she got. He gave her 20 bucks a week.

Now Polly's 13. She's hooked on crack. In a few years, she will be an adult. After 10 years as a prostitute, she'll turn 21. Statistics say she will probably have:

- \* Physical health problems associated with beatings and rapes, including broken bones and the need for wound care
- \* Reproductive health problems, including exposure to HIV and other STDs, pregnancies, and fertility issues
- \* Malnutrition
- \* Mental health problems, including Post Traumatic Stress Disorder and somatic complaints (headaches, chronic pain) resulting from the trauma
- \* Alcohol and other drug use, as well as addiction

Happy birthday, Polly.

"Prostitution is a victimless crime," say advocates of legalizing prostitution, "a harmless transaction between two consenting adults."

Tell that to Polly.

But don't tell that to me.

**JOIN ME IN THE FIGHT AGAINST HUMAN TRAFFICKING IN ALL ITS FORMS. TRAFFICK-JAMMERS, Meeting Friday, Sept. 25, 2009, at 3 p.m. in the University of Nebraska-Lincoln City Union.**

Dr. Donna L. Akers is an associate professor of History and Ethnic Studies at the University of Nebraska.

## **Appendix J: REPORT BY PUBLIC AWARENESS SUBCOMMITTEE**

### **Public Awareness Work Group**

We were directed to work with the Department of Labor to select information posters on human trafficking for placement in rest stops and strip clubs across the state with no specific timeframe for accomplishing this.

- The posters were to be printed in English and Spanish and any other language deemed appropriate by the task force;
- The posters shall include a toll-free telephone number a person may call for assistance, preferably the National Human Trafficking Resource Center Hotline (888-373-7888);
- Posters shall be placed in rest stops and strip clubs; and
- The task force shall work with local businesses and nonprofit entities associated with the prevention of human trafficking to voluntarily place additional signs/posters in the following locations:
  - o High schools and post-secondary educational institutions
  - o Hospitals, health care clinics, and urgent care centers;
  - o Airports, train stations, and bus stations, gas stations and hotels;
  - o Other locations deemed appropriate by the task force

The Public Awareness Work Group identified labor and sex trafficking posters produced by the U.S. Department of Health and Human Services and distributed through the Polaris Project with the National Human Trafficking Resource Center Hotline (888-373-7888). These posters were made available to us in bulk and also electronically through the U.S. Department of Health and Human Services and were distributed in both English and Spanish.

The Public Awareness Work Group targeted first tier distribution points to be rest stops, truck stops, and gas stations along the I-80 corridor and Highway 81 North/South, as well as middle and high schools.

Second tier distribution points included clinics, shelters, food distribution locations, churches, cultural centers, libraries and locations that provide ESL classes.

We recognize that strip clubs and hotels are appropriate distribution sites, but with nothing in law to enforce compliance, we decided to focus our efforts as outlined above.

There were also no dollars appropriated to fund additional purchase of posters, beyond what U.S. Department of Health and Human Services was able to give us for free, so we limited our focus to the first tier distribution points as outlined above.

The Nebraska State Patrol distributed posters at rest stops and truck stops during April, May and June 2013.

The Department of Labor mailed posters to truck stops, trucking companies and gas stations.

The Department of Education electronically distributed materials to middle schools and high schools across the state.

Additional posters were distributed through the Nebraska Alliance of Child Advocacy Centers and the Latino Commission.

### Next Steps:

The Public Awareness Work Group discussed and identified the following concerns and next steps:

- Posters distributed without trained first responders and social services in place to meet the needs of human trafficking victims have the potential to do more harm than good. Support services for trafficked victims and training for first responders need to be in place requiring additional private and public dollars.
- There is no organization in place from year-to-year to maintain and update posters beyond the initial distribution.
- Most human trafficking victims, especially youth, are more likely to access information through social media, texting, apps, QR codes and the like, not posters. Further work needs to be done on identifying and utilizing technology to reach trafficking victims requiring additional private and public dollars.
- There are many community groups who have been active for years in promoting awareness of human trafficking including the University of Nebraska and faith based communities. There is no central point of coordination of effort which has led to duplication of effort and inconsistent message and branding. The University of Nebraska has developed a website called the Red Shawl which brings together a great deal of information related to Human Trafficking in Nebraska, but again consistent marketing and branding is an issue. How are trafficked victims or first responders made aware of this website? A lead agency or organization with resources should be identified to better coordinate state-wide efforts.

## **Appendix K: REPORT BY CURRICULUM SUBCOMMITTEE**

### **As follow-up/pending business:**

During our April 24th task force meeting, the Curriculum Subcommittee provided a status report, noting training currently provided to law enforcement and collaborating agencies. A question arose regarding HT training for the judges, and I stated I would follow up. I spoke with Carol McMann-Boise, Training Coordinator for the NE Supreme Court. She indicated that judges do receive both "live" and "remote" training specifically on human trafficking. In addition, they have access to related resources/training through the National Judicial College.

Blessings In Christ,

Linda Burkle, PhD, LMHP, CSWM  
Divisional Social Services Director  
Phone: (402) 898-5940