

Nebraska Lesson Plan on Human Trafficking.

Learning Objectives:

By the time the students finish the course, they should be able to . . .

1. Explain the definition of human trafficking and describe the laws associated with human trafficking
2. Describe the scope of the problem of human trafficking
3. Understand differences between smuggling and human trafficking
4. Describe the dynamics of human trafficking
5. Become familiar with the manifestations of human trafficking
6. List the indicators of human trafficking
7. Explain the responsibilities of the initial responding officer
8. Be familiar with identifying, assessing, and communicating with victims of human trafficking
9. Understand victim dynamics and effectively respond to victims from varying life circumstances
10. Be familiar with appropriate interviewing techniques
11. Describe the available community resources and referrals, including the availability of civil and immigration remedies
12. Know the information regarding victim notifications
13. Explain the different types of evidence associated with human trafficking and proper evidence collection techniques
14. Be familiar with all aspects of human trafficking case development
15. Explain when arrests are appropriate
16. Understand the importance of collaborating with federal law enforcement and other agencies to share resources

I. Scope of Human Trafficking (OBJECTIVES 1, 2, 3)

A. Federal definition of Human Trafficking

1. Traffickers:
 - a. Recruit
 - b. Abduct
 - c. Transport
 - d. Harboring, *or*
 - e. Provide
2. Persons, by means of:
 - a. Force
 - b. Fraud, *or*

c. Coercion (psychological & physical)

3. For the purposes of:

a. Commercial Sexual Exploitation

b. Forced Labor or Services

*Cases involving persons under 18 yrs old who is commercially, sexually, exploited are not required to show force, fraud or coercion.

*Anybody under 18 yrs old, who is involved in prostitution, is a victim of trafficking under federal law.

B. Nebraska definition of Human Trafficking (NRS 28-830)

1. Actor

a. a person who solicits,

b. procures,

c. or supervises the services or labor of another person;

2. Commercial sexual activity

a. 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

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

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

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 means

a. 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.

b. Commercial sexual activity and sexually-explicit performances are forms of services

10. Sexually-explicit performance means

a. a live or public play, dance, show,

b. other exhibition intended to arouse or gratify sexual desire or to appeal to prurient interests

**Traffickers:

a. Deprive, *or*

b. Violate

The personal liberty of another person, by means of:

- a. Fraud
- b. deceit
- c. Coercion (psychological & physical)
- d. violence
- e. duress
- f. menace, *or*
- g. threat of unlawful injury

C. Types of trafficking

1. International—accomplished using foreign nationals.
2. Domestic—occurring with the United States.
3. Adult (18 years or older), minor (between 14 & 17 years old), child (under 14 years old)
4. Labor exploitation—e.g., peonage, slavery, domestic servitude, agricultural, etc.
5. Sexual exploitation—prostitution, sex slave, pornography, sexual tourism
6. Servile Marriage

D. Who are the traffickers?

1. Neighbors
2. Friends and family members
3. Organized criminal groups
4. Smugglers
5. Pimps/Madams: includes enforcers, bottoms, catchers, etc.
6. Adult entertainment industry providers
7. Massage parlor operators
8. Labor subcontractors
9. Employment Agencies
10. “Johns”
11. Owners of small businesses
12. Gangs
13. Subcontractors
14. Pedophiles

E. Scope of Global Problem

*The following statistics are general estimations—the exact scope of trafficking remains unknown

1. Approximately 600,000- 800,000 individuals are trafficked worldwide
2. After drug dealing, human trafficking is tied with illegal arms industry.
3. It is estimated that millions of people are held in slavery worldwide.

F. Scope of United States problem

*The following statistics are general estimations—the exact scope of trafficking remains unknown

1. U.S. Department of Justice estimates 14,500-17,500 people trafficked in the U.S. annually.
2. 300,000-400,000 Children are at risk victims of the sex trade.
3. 1600 + Certified victims through 2010

G. Why Does Human Trafficking Exist?

1. Estimated billions in profits annually
2. Trafficking profitable because people are resalable and reusable
3. Becoming a preferred business for criminal enterprises worldwide
4. Increased international trade and economic competition have created a demand for cheap labor and goods.
5. Demand for purchasing sexual acts and pornography
6. Criminal penalties in many countries are less severe for human trafficking than for arms or drug trafficking
7. Unlike drugs and arms traffickers, human traffickers can continue to exploit their victims after the initial point of sale.

H. Smuggling vs. Trafficking

1. Smuggling

- a. Relationship ends at the point of destination
- b. Transaction is made for the smuggling service
- c. Person is free to leave upon payment of fee
- d. It is a crime against a national border
- e. It requires movement across an international border
- f. Consent to be smuggled isn't consent to be trafficked

2. Trafficking

- a. Relationship does NOT end at destination.
- b. It involves compelled labor or services through the use of force, fraud or coercion (physical & psychological).
- c. No transaction is made-debts are incurred
- d. The person is not free to leave.
- e. It is a crime against persons.
- f. It does not require movement across a state or international border.

I. Terms associated with Human Trafficking

1. Peonage- is the holding of a person in servitude for the discharge of debt
2. Involuntary Servitude- any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint.

3. "Sex Tourism": commercially organized, across international borders, for persons seeking to engage in sex with citizens of other countries, including children.
4. Debt Bondage – Holding someone for involuntary servitude for a discharge of a debt.
5. Slavery
6. Servile Marriage - forced marriage

J. How Perpetrators Operate

1. Small scale
2. Organization of family and friends.
3. Victims used to recruit other victims
4. Criminal street gangs
5. Organized crime syndicates

K. Legal businesses

1. Buy workers from smugglers
2. Entice those desperate for work
3. Hire through subcontractors.
4. Employment agencies

L. International networks/international criminal networks - several examples:

1. Russian Mafia
2. Chinese Triads
3. Japanese Yakuza
4. Mexican Mafia
5. Drug Trafficking Organizations
6. Outlaw motorcycle gangs (Hell's Angels, etc.)

II. Child and Minor Human Trafficking (OBJECTIVES 4,5,6,7,8,9,10)

*General rule: Child: Under 14 yrs old and under. Minor: Under 18 yrs old and under.

*This can be jurisdiction specific

*Minor and Child Trafficking includes sexual and labor exploitation

A. Commercial Sexual Exploitation of Children (CSEC) includes:

1. Prostitution
2. Pornography
3. Sexual Tourism
4. Sex Trafficking
5. Internet

B. Labor Exploitation of Children Includes:

1. Child Labor/abuse
2. Forced labor
3. Illegal Transporters of Drugs

C. Nature and Scope of the Problem

*The following statistics are general estimations—the exact scope of trafficking remains unknown

1. Annually there estimated to be one million teens involved in prostitution
2. According to one US Department of Health and Human Services report, more than 100,000 children may live on the streets in the United States. Many are only 11 or 12 years old, and some are as young as 9.
3. The average age at which they enter prostitution is reported as 14.8 and the median age of involved youth is 15.5 years. These children come from inner cities, suburbs, and small towns, and there appears to be an increase in recruitment of middleclass youth from schools and shopping malls in the suburbs.
4. Prostitution of children is closely tied to life on the streets. Many youth run away from abusive and or neglected situations at home

D. Precipitating Factors:

1. Running Away from Home
2. Child Abuse and Neglect
3. Sexual Abuse/Incest
4. Psychological and Emotional Trauma
5. Drug and Alcohol in the home
6. Truancy
7. Seeking Economic Independence
8. Media influence
9. Peer Influence
10. “Throwaway” Child
11. Physical/learning disabled
12. Homelessness
13. Transitional Youth/Emancipated Youth (aged out of foster care system)

E. Continuum of Sexual Abuse

1. Child Abuse
 - a. linking of “love,” sex, and abuse
 - b. violation of boundaries
 - c. guilt and shame
 - d. view self as sexual object
 - e. low self esteem
2. Sexually Exploitation
 - a. runaway/throwaway/homeless
 - b. poverty & need
 - c. unequal power dynamics of adult/child relationship
 - d. media influences
3. Commercial Sexual Exploitation

- a. Demand: billion dollar sex industry
- b. Approached by recruiters, pimps, human traffickers
- c. Pedophiles, rapists

F. Methods of Recruitment:

1. Direct Recruitment
2. Peer Recruitment
3. Modeling Agencies
4. Romancing
5. Seduction
6. Gang Related Recruitment
7. Juvenile Facilities (insiders)/Group Homes
8. Befriending
9. Internet Recruitment
10. Advertisements
11. Violence, kidnapping and rape
12. Promise of employment/financial stability
13. Newspaper ads
14. Fake employment agencies
15. Front businesses
16. Word of mouth
17. Abduction
18. Acquaintances
19. Family

G. Domestic minor sex\labor trafficking elements of power and control (DMST Wheel)

1. Using coercion and threats
2. Emotional violence
3. Isolation
4. Physical violence
5. Economic dependence
6. Purposeful manipulation
7. Sexual violence

H. Terms Associated with pimp/prostitution aspect of commercial sexual exploitation

1. The Game or The Life – the subculture of pimping and prostitution
2. Breaking/Broke/Turning Out - indoctrination
3. Blade/Track/Stroll – area where prostitution occurs
4. Out of Pocket – talking to other pimps
5. Trick/John/Hobbyist - customer
6. Daddy/Boyfriend – pimp
7. Family/Stable – group of girls and pimp
8. Outlaw/Renegade – girl without pimp

9. Half & Half – Blow Job and sex
10. Wifey – FTO for prostitutes
11. Lot Lizard – works with truckers
12. Carpet Ho – works at hotels
13. Chulo/Taco Stand – Mexican pimp
14. Doughboy – part time pimp, part time drug dealer
15. Hocializing – prostitutes socializing
16. TennyShoePimp – young, inexperienced pimp
17. Guerilla Pimp – uses violence to gain cooperation
18. Finesse Pimp – uses charm and personality to gain cooperation.
19. Dragons –cross dressers
20. Bottom Bitch – main prostitute

I. Victim Issues

1. Law Enforcement Challenges
 - a. Initial story from victims of human trafficking may not be the truth. LE may receive a trained or canned response from the victim or no response at all or seem uncooperative.
 - b. LE should be cognizant of the fact the victim may have endured physical and/or psychological imprisonment and/or threats.
 - c. Minors may lie about their age because they have been “coached” or protecting someone; because it is easier for minors to get released from adult facilities.
 - d. Victims are not always "likeable"
2. Distrust of law enforcement
 - a. Fear of prior criminal activities that victim was forced to engage in
 - b. Fear of deportation and/or jail
 - c. Unaware of their rights and may not consider themselves victims.
 - d. Believe that life may be better now than it was previously despite the trafficking experience
 - e. They are afraid and intimidated by the traffickers.
 - f. They fear the unknown and unfamiliar and confused, overwhelmed
 - g. They are not in possession of their immigration/identification documents whether falsified or legal
 - h. They fear the threats made against their families.
 - i. They fear being ostracized by their families and/or community.
 - j. They are financially indebted to the traffickers and feel extreme sense of obligation to repay debt (debt bondage)
 - k. They are physically and psychologically isolated and dependent on their trafficker for basic needs

***Discussion Point**

- a. Changing the officer's mindset: Recognizing the differences between a potential Victim and a criminal. Challenge is for officer to balance the requirements of the criminal investigation, in officer safety, with the needs of the victim for support services.
- b. Recognize difficulty victims have with identifying time, date, number of tricks.
3. Cultural and language considerations
 - a. Assure translators used are impartial third parties. Do not use on site translators because they may be tied to the traffickers
 - b. Cultural awareness and competency of the translator/officer
 - c. Religious/cultural values of the victim
 - d. Each country can have unique cultural components even if they share the same language/religion.
 - e. Women may not talk to male investigators
 - f. Some countries find it unacceptable to look someone in the eye.
 - g. Fear of law enforcement
4. Conditions in their country
 - a. Economic Conditions/Poverty
 - b. Political conditions/unrest
 - c. Lack of value and treatment of women and children
 - d. Misogyny-hatred of women
5. Victim Vulnerabilities
 - a. PTSD
 - b. Dissociative disorders
 - c. Accommodation
 - d. Depression/ major depression
 - e. Suicidal tendencies
 - f. Physical and developmental disabilities

J. Possible Victim Responses to LE

1. Human trafficking is a traumatic experience. Victims of human trafficking may respond to law enforcement in varying ways. The spectrum of victim behaviors may include:
 - a. Evasiveness
 - b. Fear
 - c. May attempt flight
 - d. Silence
 - e. Refusal to cooperate
 - f. Embracing their traffickers and/or the traffickers' legal representatives
 - g. Cooperative
 - h. Ambivalent
 - i. Relieved

- j. Unemotional, no affect
- 2. Sympathetic toward the suspects, i.e. traumatic bonding
- 3. They may have a false sense of loyalty or commitment to the trafficker due to “brainwashing.”

K. Understanding victim dynamics and responding effectively.

- 1. Victims often need to feel safe before they will speak with officers/investigators.
- 2. Establish a non-judgmental approach toward victim
- 3. Show understanding, patience, and respect for the victim’s dignity and attempt to establish trust and rapport.
- 4. A supported victim may result in a more effective witness.
- 5. Express sympathy to the victim and an interest in the victim’s wellbeing.
- 6. Be familiar with the concept of “a victim-centered” approach. The victim is at the center, and often times the cornerstone of the investigation.
- 7. When applicable, explain confidentiality rights.
- 8. An effective way to make a victim feel supported is to involve an NGO/government service provider at the earliest stages of your investigation
- 9. Don’t make promises you can’t keep
- 10. Follow-up on medical/forensic results
- 11. Follow-up on appropriate requests/needs
 - a. i.e. possible protections available to victims and their families in response to perceived or real threats

L. Indicators of victim psychological issues

- 1. Behavioral Indicators of trafficking victims
 - a. Who are they afraid of?
 - b. Why are they afraid of them?
 - c. How do they feel about the police?
- 2. Environmental Indicators
 - a. Living and working in the same place
 - b. Where do the perpetrators live
 - c. Living conditions between both
- 3. Psychological coercion
 - a. Stockholm Syndrome
 - b. Distrust of outsiders
 - c. Fears of deportation
 - d. Separation of family
 - e. Victim background/social/ethnic
 - f. Lack of knowledge re: victim rights
 - g. Non-identification as a victim
 - h. Fear of personal and family safety
 - i. Lack of empowerment to heal
 - j. Looking for love/family/belonging

M. Familiarity with available community resources and referrals, including civil and immigration remedies (Utilize local resources to include DV, sexual assault, child abuse resources). Portray HT as DV was several years ago.

1. Trafficking victims often initially may not cooperate. To gain the trust and cooperation of victims, involve government victim assistance organizations (GVAO), such as county victim assistance centers and non-governmental organization (NGO) at the earliest stage of investigation. These agencies work collaboratively to provide support and ensure the short and long term needs of the victims.
2. Social service agencies (often referred to as "NGOs" or nongovernmental agencies) and government victim assistance organizations (GVAO) are resources for law enforcement. They provide emergency, short and long term services to stabilize and support victims so they can participate in the investigation, as well as their rights as a victim.
3. These agencies can provide interpreter assistance, emergency/short and long term housing, access to medical/dental services, counseling and coordination with other services such as Public Health, the local Sexual Assault Response Team (SART), Child Advocacy Centers and Family Justice Centers.
4. One call to victim services and/or NGO can access all of the services a victim will need both short and long term.
5. These agencies inform victims of their legal rights, federal/state criminal and civil remedies, possible federal/state restitution and potential immigration relief.
6. These agencies have access to emergency funds and compensation programs.
7. These services are particularly important in cases involving large numbers of victims or victims with special needs, such as children, elderly, or disabled individuals.
8. Child Protective Services and the Office of Refugee Services (United States Department of Health and Human Services) may become involved and take custody and care of foreign victims under 18.
9. Adult Protective Services should be contacted for elder and disabled trafficking victims.
10. Contacting a task force for victim services or technical assistance will help prevent further victimization, and gives law enforcement immediate help in safely placing a victim. Even if a task force is not in the area, access can be made to victim services through other task forces.

N. Rapport Building with victim

1. Body Language
 - a. Open Posture
 - b. Gestures
 - c. Eye Contact
 - d. Proxemics
2. Techniques
 - a. Introduction/clear communications

- b. Express Concern
 - c. Show Interest
 - d. Address needs, concerns and fears
 - e. No physical contact
 - f. Examine/document injury
 - g. Accept statements as truth
3. Empathetic Listening
- a. Non-Judgmental
 - b. Courtesy/respect
 - c. Listen without filtering
 - d. Listen without thinking about a response
 - e. Look for emotions
 - f. Maintain openness

III. Collaborations with Victim Resource Providers (OBJECTIVES 11, 12)

A. Roles in combating Human Trafficking

- 1. Trafficking victims are going to need a variety of support
- 2. This will include different agencies with different resources to assist
- 3. Work with victim service provider from point of first contact (if possible) to ensure stabilization and successful prosecution.

B. State and Local Strengths

- 1. Most often the first responders
- 2. Familiarity with area and community
- 3. On-going relationship
- 4. Knowledge of non-profit organizations
- 5. Access to local intelligence
- 6. Ability to mount undercover operations quickly
- 7. Logistics

C. Victim Resource Providers

- 1. Victim Assistance (governmental or private)
 - a. Support victim at every stage of the criminal justice system
 - b. Facilitate communication between LE and the victim
 - c. Connect with immigration, legal and other services
- 2. Child Protective Services
 - a. Shelter
 - b. Forensic interviews
- 3. Rape Crisis Center
 - a. Forensic medical exams
 - b. Crisis counseling
- 4. Domestic Violence Assistance
 - a. Shelter

- b. Counseling services for adults and children
 - c. Long-term and transitional care
- 5. Child Advocacy and Family Justice
- 6. Crime-related medical bills
- 7. Mental health counseling for crime-related issue
- 8. FBI
- 9. ICE
- 10. US Attorney's Office
- 11. Other Government Funded Trafficking Victim Services
- 12. OVC-funded: The Salvation Army, etc.
- 13. Non-Governmental Organizations (NGO) and Community Based Organizations (CBO)
 - a. Faith-based
 - b. Ethnic / Language focused
 - c. Professional women
 - d. University students
 - e. Activist groups
 - f. Refugee assistance.

D. What NGOs can do to supplement government services

- 1. Food
- 2. Shelter
- 3. Clothing
- 4. Medical care
- 5. Mental health counseling
- 6. Transportation
- 7. Language translation
- 8. Life skills mentorship
- 9. Educational tutoring
- 10. Employment assistance
- 11. Culturally relevant community
- 12. Labor laws / human rights education
 - b. Legal Services
 - 1. Non-criminal matters
 - a. Family law
 - b. Labor law
 - c. Immigration relief
 - 1. Keep victim in the US to testify - T Visa
 - 2. Protect victim from risk of being re-victimized if deported
 - 3. Legal status so victim is employable while waiting for criminal case to be adjudicated
 - 4. Dependent on victim's reasonable cooperation with investigation/prosecution

d. Civil remedies

1. Sue traffickers for back-wages
2. Pain and suffering

E. National Human Trafficking Resource Center

1. Run by the Polaris Project out of Washington, DC

Hotline Number: 888 - 3737 – 888

2. Funded by the US Department of Health and Human Services
 - a. 24 hours a day / 7 days a week
 - b. Live operator, trained to screen HT cases
 - c. Can accommodate many languages
 - d. Open to law enforcement, first responder professionals, community members, and victims
 - e. Callers can remain anonymous
 - f. Will connect callers to local HT law enforcement or victim resources

F. Collaborating with Victim Services Providers

1. Distinguished Roles

- a. Human Trafficking Case Worker Privilege
- b. Attorney Privilege

2. Building Trust

- a. Takes time
- b. Meet regularly
- c. Join or learn from a Human Trafficking Task Force in your area
- d. Plan ahead for future cases
 1. What are your agency's policies and procedures for handling human trafficking crimes?
 2. Where are your mostly likely areas for possible trafficking?
 3. What agencies will you call when you have a possible victim?

3. Sharing Information

- a. Anticipating victim needs before a special operation (brothel raid, etc.) such as shelter, language interpretation, etc.
- b. Referring cases with enough information so assistance can be rendered
- c. Empowering victims to self-report and/or gain confidence to trust law enforcement

IV. Identification of Child Trafficking Victims & Legal Issues (OBJECTIVES 13, 14)

A. Federal Laws

1. Primary U.S Code Provision

- a. 18 U.S.C. § 241 Conspiracy against rights
- b. 18 U.S.C. § 371 Conspiracy to commit federal offenses
- c. 18 U.S.C. § 1581 Peonage

- d. 18 U.S.C. § 1584 Involuntary Servitude
- e. 18 U.S.C. § 1589 Forced Labor
- f. 18 U.S.C. § 1590 Trafficking with respect to peonage, slavery, involuntary servitude, or forced labor
- g. 18 U.S.C. § 1591 Sex trafficking of a minor by fraud, force, or coercion
- h. 18 U.S.C. § 1592 Holding a confiscation of passport or immigration documents
- i. 18 U.S.C. § 1593 Mandatory restitution
- j. 18 U.S.C. § 1594(a) Attempt to commit peonage, slavery, involuntary servitude, trafficking, or sex trafficking
- k. 18 U.S.C. § 1594(b) Asset forfeiture
- l. 18 U.S.C. § 2421-2424 Mann Act. (Transportation for illegal sexual activity and related crimes)
- m. 8 U.S.C. § 1324 Bringing in and harboring certain aliens
- n. 8 U.S.C. § 1328 Importation of an alien for immoral purposes

2. Other U.S Code Provision

- a. 18 U.S.C. § 1546 Arranging a false visa for the victim
- b. 18 U.S.C. § 1622 Witness tampering
- c. 18 U.S.C. § 875 Interstate transmission of threats
- d. 18 U.S.C. § 2001 False statements in any matter within the jurisdiction of the executive, legislative, or judicial branch, of the U.S. government
- e. 18 U.S.C § 982 Asset forfeiture
- f. 18 U.S.C. § 2 Aiding and abetting a federal offense (e.g., employment of unauthorized aliens)
- g. 31 U.S.C. § 5332 Bulk cash smuggling
- h. 18 U.S.C § 1956 Money laundering

B. Trafficking Victims Protection Act (TVPA) of 2000 was created for:

1. Grants to state coalitions
2. Programs to increase public awareness
3. Provides victim benefits /assistance
4. Increases penalties, 20-30 years for slavery; Life in prison with death, kidnapping, or sexual abuse to victim

C. What Does the TVPA of 2000 Provide for Victims?

1. Access to Health & Human Service benefits
2. Possible Immigration relief
3. Legal assistance
4. Victim-Witness protection

D. Protection Act renewals of 2003 & 2005 & 2008

1. Illegal to solicit sex with a minor abroad
2. Illegal to engage in illicit sex abroad

3. Illegal to travel with the intent
4. Coercion can be mental or physical
5. Entitlement to seek civil remedies
6. Seeks to curb demand
7. Increased victim services options
8. Created greater penalties for some violations

E. Nebraska State Statutes covering human trafficking, many of which also address juvenile and minor trafficking

1. NRS 28-830– Human Trafficking
2. NRS 28-802– Pandering
3. NRS 28-314 – False imprisonment
4. NRS 28-311.01 – Terrorist Threats
5. NRS 28-313 – Kidnapping
6. NRS 28-805 – Debauching a minor
7. NRS 28-319.7 / 320.1 – Sexual Assault of a child / Unlawful sexual intercourse
8. NRS 28-319 – Sexual Assault
9. NRS 28-308-310 – Assault
10. NRS 28-507 – Burglary (Intent to entering residential dwelling (baby mama house, motel room not defendant, crash pads) with intent to commit felony therein. Not traditional larceny, but sex crime with victim (breaking in process).

F. Examples of areas where victims of trafficking are found:

1. Prostitution
2. Exotic Dancing
3. Servile Marriages
4. Agricultural Work
5. Landscape Work
6. Domestic Servitude
7. Factory Work
8. Personal Sexual Exploitation
9. Begging/Street Peddling
10. Restaurant Work
11. Construction Work
12. Carnival Work
13. Hotel Housekeeping
14. Criminal Activities
15. Day Labor
16. Flower, candy, and magazine sales
17. Students on visas
18. Pornography,
19. Bogus modeling/talent agencies
20. Pedicab drivers

G. Types of Calls

Human trafficking may be discovered during a variety of calls for service such as:

1. Any type of call
2. Aggravated Assaults/Battery
3. Domestic Violence
4. Kidnapping/False Imprisonment
5. Lost/found reports/missing children (child or adult)
6. Traffic stops
7. Casual contact
8. Prostitution complaint/observation
9. Community member/citizen complaint
10. Labor dispute
11. Thefts/robbery
12. Suspected narcotic activity that turns out to be human trafficking
13. Tips of smuggling houses
14. Youth/family telephone calls to a hotline
15. Rapes

H. Interview Techniques (suggest student role play)

1. Be respectful, interview not an interrogation
2. Traditional styles of interviewing
3. Meet basic needs (food, shelter, water, medical)
4. Develop rapport; don't rush the interview (can take hours or days for the true story to come out)
5. Don't be judgmental (child not to blame)
6. Treat as victim, NOT suspect
7. Sit down with the victim
8. Move to safe location, if possible
9. Providing a comfortable, youth friendly environment
10. Audio or video of interview
11. Don't make promises you can't keep

I. Initial Intelligence Gathering

1. Photo lineup identifications
2. Get address locations for other girls, pimps, etc.
3. Location of places where they have been (hotels, internet sites)
4. Background checks
5. Telephone numbers for associates
6. Consider information for future search warrants
7. Pretext phone calls
8. Document/Collect Prostitution paraphernalia (clothing, cell phones, lube, condoms)
9. Have medical release signed when appropriate

10. Medical/Forensic Exams (SART)

K. General Investigations

1. Conducting Investigations

a. Responsibilities First Responder

1. Safety Issues (officer, victim, public safety)
2. Assessment of situation, finding the most appropriate action. Victims may look older than they are, may come across as adults but are actually children. Appearances do not reflect emotional maturity.
3. Suspects may be victims/Separate victims and suspects (if possible)
4. Document physical evidence
5. Secure Location. Take away cell phone or any form of communication to preserve evidence (laptops, computers). Cellebrite device (data extractor).
6. Notify Special Unit, task forces, or other law enforcement resources.

2. Understand the victim centered approach

a. How it differs from evidence based investigation

3. Recognize human trafficking indicators

- a. Victim living working conditions
- b. Restricted/controlled communication
- c. Frequent movement by traffickers. Exploited and moved to multiple locations of the sex industry.
- d. Large number of occupants per living space
- e. Lack of personal items
- f. Lack of private space
- g. Lack of financial records
- h. Lack of personal transportation
- i. Lack of independent knowledge of the surrounding community
- j. Personal/physical indicators
 1. Injuries from beatings
 2. Signs of torture
 3. Brands or scarring indicating ownership
 4. Signs of malnourishment
- l. Existing debt issues
- m. Someone else in possession of legal/travel documents
- n. One attorney representing multiple illegal aliens at different locations
- o. Third party who insist on interpreting
- p. Labor camps sweat shops
 1. Security devices to keep victims in
 2. Barbed wire
 3. Bars on windows
 4. Guards and or guard dogs
- q. Brothels

1. Large amount of case/condoms
2. Customer logbook or receipt book
3. Sparse rooms
4. Men come and go frequently
4. Identifying human trafficking victim and offenders
 - a. Links back to victims' country of origin
 - b. Phone logs or numbers
 - c. Maps
 - d. Wire transfers
 1. Debt records
 2. Personal address books
 3. Travel stubs
 4. Luggage tags
 - e. One person in possession of/or controlling everyone ID
 - f. Identifying trafficking offenders
 1. Lack of employee records
 2. Lack of social security deductions
 3. Incomplete payroll records,
 4. Record of wages
 5. Hours of operation
 6. Written policies or lack of them
 7. Employee's children and school
5. Investigative Techniques
 - a. Surveillance
 - b. Undercover officers/agents
 - c. Trash covers(dumpster diving)
 1. Travel documents
 2. Telephone bills
 3. Bank and credit information
 - d. Subpoenas for telephone toll records
 - e. Wiretaps
 - f. Search warrants
 1. Seize all paperwork found during search
 2. Smoking gun evidence

L. On-Line Investigations

1. Social Web Sites such as (they are both dynamic and jurisdictional):
 - a. Facebook.com
 - b. Livejournal.com
 - c. Bookofmatches.com
 - d. MySpace.com
 - e. Twitter
 - f. Adultfriendfinder.com

2. Understanding Sexual Exploitative Sites
 - a. WorldSexguide.com
 1. Top 100 sites for prostitution
 2. Discussion Forums
 - b. Craigslist.com
 1. Erotic Listing
 2. Personals
3. Advertisements to lure victims
 - a. Online profiles
 - b. Internet café
 - c. Fake Modeling web sites
 - d. Nanny jobs
 - e. Job placement
4. Internet Services like:
 - a. AOL.com
 - b. EarthLink
 - c. Google
 - d. MSN
 1. Chat Rooms
 2. Personal Ads
5. Investigative Considerations
 - a. IP Tracing
 - b. Search Warrants
 - c. Seizure of Digital Evidence
 - d. Outcall or reverse sting

M. Investigation Support

1. FBI Support (Innocence Lost task force) Domestic/International
 - a. Surveillance teams
 - b. Computer evidence recovery teams
 - c. Money laundering/assets forfeiture RICO charges
 - d. Grand Jury
 - e. Document Analysis
 - f. Translation Analysis
 - g. Overseas Investigation
 - h. Victim safety and assistance including family members
 - i. Continued presence application
 - j. Victim and Witness assistance
2. ICE Support (Domestic/International/Federal)
 - a. Surveillance teams
 - b. Continued Presence
 - c. Overseas Investigations
 - d. Immigration status review

- e. Border interdiction
- f. Victim and Witness assistance
- g. Temporary immigration issues
- h. ICE Investigations vs. Detention release
- i. Refer to as Department of Homeland Security (DHS) less intimidating
- 3. Other support
 - a. U.S Department of Labor/ NE Department of Labor
 - 1. Wages and hour issues
 - 2. Other labor law investigations
 - b. U.S. State Department
 - 1. Assists with diplomatic Security
- 4. Prosecution
 - a. Local State Level Prosecution
 - 1. Assistance with Victim interviews
 - 2. Advice on investigations
 - b. U.S. Attorney's Office
 - 1. Victim interviews
 - 2. Trial preparation
 - 3. Federal prosecution
- 5. Victim Resource Providers
 - a. Non-governmental Organizations
 - 1. Food and shelter
 - 2. Medical assistance
 - 3. Life Skills
 - 4. Social and emotional health
 - 5. Employment
 - 6. Education
 - 7. Language
 - 8. Legal and Immigration issues
 - 9. Human Rights/labor rights
- 6. Collaborate with other agencies.
 - a. Plan now for the first case
 - 1. What are your agencies policies and procedures for handling Human Trafficking crimes
 - 2. Where are your most likely areas for possible trafficking?
 - 3. Meet with local organizations now & join Human trafficking task force in your area or meet with them.

V. LE Responsibilities (OBJECTIVES 13, 14, 15)

A. Evidence Collection & Victim Statement Corroboration

*The responding officer should document the crime scene, including photographing, sketching, and diagramming the scene prior to it being disturbed or processed.

1. Physical Evidence
 - a. Document the demeanor of the victim.
 - b. Burns, scars
 - c. Tattoos
 - d. Injuries
 - e. Condoms
 - f. Lubricants
 - g. Sex industry devices
 - h. Drugs (even if not illegal, but used to sedate)
 - i. Motel keys
 - j. Physical aspects of crime scene/arrest (barbed wire, etc.)
2. Documentary Evidence
 - a. Contractual
 - b. Property ownership/lease agreement
 - c. Business/Financial
 - d. Directories, client lists, ledger
 - e. Utility bills/phone records
 - f. Tax returns
 - g. Bank records
 - h. Receipts
 - i. Business licenses
 - j. Employment records
 - k. Vehicle registration
 - l. Vehicle violations/tickets
 - m. Temporary Restraining Order (TRO applications)
 - n. Marriage/divorce records
 - o. Arrest/crime record
3. Identification Documents (real and forged)
 - a. Passports
 - b. Visas
 - c. Other immigration docs (green cards, work permits)
 - d. Birth certificates
 - e. Identification cards
 - f. Licenses
 - g. Evidence of forgery
 - h. Stolen ID
4. Personal
 - a. Mail order advertisements
 - b. Letters, journals written by victim
5. Travel
 - a. Bus, airline, train tickets
 - b. GPS tracking
 - c. Border crossing records

6. Photographic/electronic/print media
 - a. CD-ROMs
 - b. Websites, Internet accounts, email
 - c. Web bulletin boards, chat rooms, personal ads, matchmaking services
 - d. Security system videos
 - e. Cell phone/PDA messages, memory (inc. pix)
 - f. Flash drives, including those on key chains
7. Statements
 - a. Victims
 - b. Witnesses
 - c. Suspects
 - d. Officers
 - e. Informants
 - f. 911 calls, recordings
 - g. Jail calls, recordings
 - h. Pretext phone calls
8. Initial Victim Assessment
 - a. If someone insists on being the spokesperson for the victim, be very leery and separate that person from the others. It may be necessary to remove the victim(s) from the scene.
 - b. Allow the victim to describe the experience in his or her own words without interrupting. Use open-ended questions to clarify the details.
 1. "I am here to help you."
 2. "Tell me about your current situation."
 3. "Is someone holding your documents?"
 4. "Did someone threaten to report you to the authorities?"
 5. "Is this the job you were promised or expected?"
 6. "Can you come and go as you please?"
 7. "Has anyone hurt or threatened to hurt you or your family?"
 8. "Who is your employer?"
 9. "Does your employer provide housing, food, clothes, or uniforms?"
 10. "Did you enter into an employment contract? What does it say?"
 11. "Do you owe money to your employer?"
 12. "Did your employer/boss tell you what to say to police?"
 13. "Were you forced to have sex as part of the job?"
 14. "Can you freely leave your employment situation and work somewhere else?"
 15. "Does your employer hold your wages?"
 16. "Are there guards at work or video cameras to monitor and make sure no one leaves?"
 17. "What would happen if you left the job?"
 18. "Have you been physically harmed deprived of food, water, sleep, medical care, or other life necessities?"

19. "Were you kidnapped or sold?"
20. "Are you allowed to buy clothes and food on your own?"
21. "Can you freely contact (phone, write) friends and family?"
22. "Are you isolated from the community?"
23. "Are minors allowed to attend school?"

c. Recording statements can be an excellent investigative tool. Refer to department policy on recording.

9. Advantages of recording statements include:

- a. Provides more detail than handwritten notes.
- b. Enables investigators to be more attentive during the interview, assists investigators in synopsising details.
- c. Protects the interviewer should a complaint or misunderstanding arise.
- d. Conveys the victim's immediate response to prosecutors and jurors.
- e. Provides training material for use in improving the quality of interviews.
- f. Disadvantages of recording statements include:
 - g. May be intimidating to the victim and cause reluctance to disclose.
 - h. If recording, ensure the equipment is functioning properly.
 - i. An in-depth follow-up interview should be conducted after the victim has been medically examined, treated, and personal needs have been met. The interview may take place at a later time or date.

B. Effective Interviewing

1. Interviewing victims of trafficking

- a. Type of employment
- b. Pay
- c. Ability to move freely
- d. Coercion
- e. Living conditions
- f. Dominion and control/keys to the business and or residence
- g. Individuals document (I.E. personal identification)

2. Trafficking Victimology

- a. Reassurance of safety
 1. No one will hurt them or their family
 2. Personal safety assurance
 3. Non criminal status
 4. Trust in law enforcement/ government
 5. Victim rights
 6. Victim assistance groups (NGO's)

3. Interview of Suspects

- a. Questioning the suspect
 1. Victim living conditions
 2. Victim working conditions
 3. Restrictions of movement

- 4. Frequently changing locations
- 5. Possession of illegal document and identification of victims
- 6. Legal status of the victims
- 7. Behavioral indicators of dependency/possessiveness
- 4. Techniques of the traffickers
 - a. Methods of slavery
 - 1. Debt Bondage –financial obligation
 - 2. Isolation from the public-limited contact with outsiders
 - 3. Isolation from family members
 - 4. Confiscation of passports/visa personal documents
 - 5. Use of threat of violence against victims and or families
 - 6. Deportation or immigration of victims
 - 7. Control of the victims money
- 5. Cultural differences/Languages
 - a. Use of interpreters
 - 1. Careful who you use
 - 2. Bystanders may not be just bystanders
- 6. Cultural differences
 - a. What are the cultures in the U.S.?
 - 1. Different in other countries
 - 2. Women may not talk to male investigators
 - 3. Some countries find it unacceptable to look someone in the eye.
- 7. Rapport Building
 - a. Body Language
 - 1. Open Posture
 - 2. Gestures
 - 3. Eye Contact
 - 4. Respect of personal space
 - b. Techniques
 - 1. Introduction
 - 2. Express Concern
 - 3. Show Interest
 - 4. Address needs, concerns and fears
 - 5. Physical contact
 - 6. Examine/document injury
 - 7. Accept statements as truth
 - c. Empathetic Listening
 - 1. Non-Judgmental
 - 2. Courtesy, trust, and respect
 - 3. Listen without filtering
 - 4. Listen without thinking about a response
 - 5. Look for emotions
 - 6. Maintain openness

C. Questions for investigation of human trafficking:

1. Testimonial Evidence: Fraud/Financial Coercion

- a. How was the person recruited?
- b. Who recruited the person?
- c. Did the person come to this country/city for a specific job that he or she was promised?
- d. Who promised them this job?
- e. Was he or she forced to do different work?
- f. Who forced them into doing different work than what was promised?
- g. Was there some sort of work contract signed?
- h. Who organized the travel?
- i. How was the payment of this travel handled?
- j. Does the person owe the employer money?
- k. Are there records or receipts of what is owed to the employer/recruiter?
- l. Are there records/receipts of what was earned/paid to the person?
- m. How were financial transactions handled?
- n. Is the person in possession of his or her own legal (I.D.) documents? If not, why?

2. Testimonial Evidence: Physical Coercion and Physical Abuse

- a. Was the person ever threatened with harm if he or she tried to leave?
- b. Did the person ever witness any threats against other persons if they tried to leave?
- c. Does the person know about any other person's family ever being threatened?
- d. Was there any physical abuse towards that person, or was it ever witnessed against another person?
- e. What type of physical abuse was witnessed?
- f. Were there any objects or weapons used in the physical abuse?
- g. Where are these objects or weapons located?
- h. Was knowledge of this abuse ever communicated to a person outside of this situation? If yes, who and when?
- i. Did anyone ever witness the abuse personally?
- j. How were medical problems handled, and who attended to them?

3. Testimonial Evidence: Physical Coercion

- a. In what ways is freedom of movement restricted?
- b. Does the person live and work in the same place?
- c. Were there instances of physical restriction through locks, chains, etc..?
- d. Where are the locks used and who had the keys to them?
- e. How was movement in public places handled?
- f. Who supervised victim movement in public places?
- g. How was the purchase of private goods and services handled?
- h. What forms of media or telecommunication did the person have access to?

4. Testimonial Evidence: Psychological Coercion

- a. Behavioral indicators:
 - 1. Who is the person afraid of?
 - 2. Why is the person afraid of them?
 - 3. What is the person's perception of law enforcement and how did they get that impression?
- b. Environmental indicators
 - 1. Where did the person live/eat/sleep?
 - 2. Are the living conditions between the two excessively disparate?
- c. Role/relationship between figures of authority/command and dependents:
 - 1. Is there evidence or possible "Stockholm" or "Patty Hearst" Syndrome where the victim, because of his or her dependency, actually begins to identify with the trafficker?
- 5. Physical Evidence: Fraud/Financial Coercion
 - a. Receipts, financial record documents and/or computer records
 - b. Phone records as possible method to document personal relationship between involved persons.
 - c. Possession by the suspected traffickers of immigration or identification documents belonging to the victims
- 6. Physical contact evidence
 - a. Latent fingerprints on documents
 - b. Handwriting
 - c. Possible DNA evidence (e.g., to document rape, sexual exploitation, etc.)
- 7. Physical Evidence: Physical Coercion
 - a. Documentation of physical marks of abuse on the victim:
 - b. Forensic photography
 - c. Medical Exam (Sexual Assault Evidence Kit)
 - d. Collection of any weapons or objects used in physical abuse
 - e. Documentation of location of these implements and/or tools
 - f. Contact evidence – latent fingerprints, DNA on these implements and/or tools that might prove who has been in contact with them.
- 8. Physical Evidence: Psychological Coercion
 - a. Behavioral indicators
 - b. Videotaped witness statements that might help provide proof of the traumatized behavior of a victim.
 - c. Interviews conducted by experts (e.g., Child Protection Teams, Victim Advocates, etc.)
 - d. Environmental Indicators
 - e. Photographic/video documentation of living conditions.
 - f. Photographic/video documentation of spatial restrictions

D. Case Development / Prosecution Needs

- 1. Corroborate the criminal and non-criminal statements

2. Commitment by law enforcement: In first contact/bonding w/the victim and eventually building that trust
3. Collaborative model between the organizations, implemented differently depending on the city/county, etc.
4. Run the case by a sex crime/gang/child abuse investigator to look for additional charges before submitting it to the prosecutor.

E. CASE EXAMPLES NEEDED- ESPECIALLY NEBRASKA SPECIFIC

VI. Resources (OBJECTIVE 16)

Human Trafficking Resources for LE

National Criminal Justice Reference Service (For general information, legislation, programs, training, grants and funding, and resources on trafficking in persons)

<http://www.ncjrs.gov/spotlight/trafficking/Summary.html>

U.S. Department of Justice (For general information on human trafficking and links to reports on human trafficking) Trafficking Information and Referral Hotline: (888) 373-3888. Trafficking in Persons and Worker Exploitation Task Force: (888) 428-7581,

website:www.usdoj.gov/whatwedo/whatwedo_ctip.html

U.S. Department of Health and Human Services (The Campaign to Rescue and Restore Victims of Human Trafficking) website: www.acf.hhs.gov/trafficking/ (Certification for Victims of Trafficking) website:

http://www.acf.hhs.gov/trafficking/about/cert_victims.html

U.S. Immigration & Customs Enforcement (For general information and updates on ICE investigations into human trafficking) website:

www.ice.gov/pi/investigations/publicsafety/humantrafficking.htm#trafficking

U.S. Department of State (For general information and links to the U.S. Trafficking in Persons Report released each year) website: www.state.gov/g/tip/

U.S. Department of Justice Child Exploitation and Obscenity Section.

www.justice.gov/criminal/ceos/prostitution.html

Sharedhope.org

National Center for Missing and Exploited Children.www.missingkids.com, 1-800-TheLost

National Human Trafficking Resource Center- 888-3737-888

Community Service Programs, Inc. Website: www.cspinc.org.

The Salvation Army: Website: www.salvationarmy.org

Catholic Legal Immigration Network, Inc. Address: 564 Market Street, Suite 416, San Francisco, CA 94104. phone: (408) 554-5368

National Runaway Switchboard 1-800 Runaway (786-2929) www.1800runaway.org