

Criminal Justice Coordinating Council

Report on Human Trafficking in the District of Columbia CY 2017

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About CJCC

The Criminal Justice Coordinating Council (CJCC) is an independent agency in the District of Columbia that serves as the forum for District and federal agencies to identify cross-cutting issues and achieve coordinated solutions for the criminal and juvenile justice systems. CJCC was established by the DC Council in 2001 and by Congress in 2002.

CJCC is the home of the DC Statistical Analysis Center (SAC). The mission of the SAC is to apply the highest level of scientific rigor and objectivity in the study of criminal justice policies, programs and practices, and to identify activities that improve the administration of justice. The SAC aims to produce empirical research and analysis that informs stakeholders and enhances policy decision-making in the District.

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BACKGROUND

The CJCC completed the inaugural human trafficking report for the District of Columbia: *An Analysis of Human Trafficking in the District of Columbia* (2016) in response to the *Prohibition of Human Trafficking Amendment Act of 2010* passed by the DC Council to help combat human trafficking in the District of Columbia. The initial report established a data and information baseline on human trafficking in the District of Columbia and included, among other things, incidents identified by or reported to law enforcement, prosecutors, and service providers for calendar year (CY) 2016, as well as information on trafficking offenders and victims. This report will build upon the initial report by addressing the following questions for calendar year 2017:

1. What is the nature of human trafficking in the District, including how victims are recruited and the extent to which there is movement within and outside of the District?
2. How many human trafficking investigations, arrests, prosecutions, and convictions occurred?
3. What is the demographic information of offenders and victims of human trafficking?

The CJCC reviewed recent human trafficking literature and identified federal human trafficking legislation enacted since the prior report. Additionally, in order to understand the nature of this crime and the extent to which it was investigated and prosecuted, the CJCC analyzed data from and conducted informal interviews with criminal justice agencies that investigate and prosecute human trafficking in the District as well as governmental and nongovernmental victim service agencies. The CJCC also regularly attended DC Human Trafficking Task Force meetings, trainings, and seminars and obtained information from the National Human Trafficking Hotline.¹ The *Prohibition of Human Trafficking Amendment Act of 2010* requires this report on human trafficking in the District of Columbia to be conducted at least every 3 years. The CJCC decided to provide a 1-year update to address some of the limitations encountered during compilation of the previous report (e.g., data received from more than two NGO's) and to provide some additional context and comprehension developed as a result of the initial report.

HUMAN TRAFFICKING DEFINED

Human trafficking is defined by both federal and District statutes as “the use of force, fraud, or coercion to recruit, harbor, transport, provide, or obtain any person for labor or commercial sex or to cause a person under 18 years to engage in a commercial sex act (even if force, fraud, or coercion are not used).”² District law explicitly incorporates specific factors in its definition of “coercion” that are not plainly stated in federal law, including dominating or influencing one’s access to an addictive or controlled substance; limiting access to prescription medication; and causing an individual to believe that he or she is the property of a particular individual or business.

At times, human trafficking, specifically sex trafficking, can be confused with prostitution. DC Code defines prostitution as “a sexual act or contact with another person in return for giving or receiving anything of value.”³ However, if force, fraud, or coercion was used to compel an individual to engage in a sexual act in exchange for something of value, or if the individual was under the age of 18, then the offense would be considered human trafficking. In the District of Columbia, youth under the age of 18 cannot be arrested, prosecuted, or convicted for prostitution as they are seen as victims of sexual abuse.⁴ Instead, these youth are granted immunity and are provided safe harbor and referrals to services.

New Legislation and Human Trafficking Definitions

The previous report describes federal legislation that criminalized human trafficking, including the Trafficking Victims Protection Act (TVPA) of 2000 and its subsequent reauthorizations from 2003 through 2013.⁵ During CY 2017, there

¹A full description of the methodology used to conduct the analysis is included in Appendix I: Human Trafficking Report Research Scope and Methodology.

²Detailed description of the federal and District of Columbia definitions of human trafficking provided in Appendix II: Federal and District of Columbia Definitions of Human Trafficking.

³DC Law 16-306 § 22–2701

⁴The Sex Trafficking of Minors Prevention Amendment Act of 2014

⁵History of local and federal legislation on Human Trafficking available in Appendix III: Federal and District Human Trafficking Legislation

were seven (7) new bills introduced to the House of Representatives (3) and Senate (4), four of which were signed into public law.

The *Abolish Human Trafficking Act* (S.1311) was introduced in June 2017, to develop preventative and punitive protocol for human trafficking, while also providing assistance to victims. This bill includes restitution for victims, funding for investigations, training and grants, penalties for human trafficking and human trafficking-related offenses, and research on the physical and psychological effects of human trafficking on victims. **This bill became public law on December 21, 2018.**

On December 21, 2018 and on January 8, 2019, the *Trafficking Victims Protection Act (TVPA) of 2017* (S.1312) and the *Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act (TVPPRA) of 2017* (HR 2200) **became public law**, respectively. Combined, these bills authorized local agencies to implement programs to educate children on the dangers of severe forms of trafficking in persons and establishes a Human Trafficking Victims Reintegration Through Employment Program to be facilitated by the Department of Health and Human Services appropriating funds in furtherance of these goals. Additionally, the TVPPRA 2017 appropriated monies for “trauma-informed care or long-term housing for: (1) youth transitioning from foster care, and (2) women or girls in underserved populations.”

In September 2017, two *Trafficking Victims Protection Reauthorization Act (TVPPRA) of 2017* bills, S. 1848 and S. 1862, were introduced to amend the TVPA 2000 by establishing requirements to ascertain whether countries were achieving the minimum guidelines set forth to eliminate human trafficking as well as the ramifications for not meeting those standards.⁶ **On January 9, 2019, TVPPRA of 2017 (S. 1862) became public law** which also extends funding to support the efforts in place including, but not limited to: victims’ services, training, programming for vulnerable or “at-risk” populations, investigations, enforcement, prosecutions, and convictions.

NATURE OF HUMAN TRAFFICKING

“Human trafficking is characterized as a \$150 billion-dollar industry that does not differentiate across gender, age, race, or nationality and can occur in rural, urban, and suburban developments confining more than 25 million people internationally to modern-day slavery. Anxiety, fear, trauma, depression, post-traumatic stress disorder, and potentially suicide are common symptoms victims may face as a result of the physical, emotional, economic, and sexual abuse typically experienced.”⁷

Victims may fall prey to two types of human trafficking: sex and labor.⁸ Sex trafficking involves compelling victims to engage in commercial sex acts by force, fraud, or coercion. Labor trafficking also involves force, fraud, or coercion, and victims are confined to servitude or debt bondage. In the District of Columbia, according to the local law enforcement officials and prosecutors interviewed by CJCC, the majority of human trafficking cases were determined to involve sex trafficking. This observation was also supported by the data received from criminal justice partners and service providers. Victims were typically targeted by their traffickers through social media, ads in newspapers to work for massage parlors, or other grooming methods, and coerced into the commercial sex industry. Recruitment through social media is common, and victims can be lured (groomed) with false promises of love, employment, or stability. Then, through physical, sexual or mental abuse (e.g., threatening to harm the victim’s family) and economic manipulation, they are forced to remain in the trafficking environment. In some cases, victims may be transported within the District or across the District’s borders to and from Maryland, Virginia, and other states to meet potential “clients.”

⁶ Abolish Human Trafficking Act, Pub. L. No. 115-392; Trafficking Victims Protection Act of 2017, Pub. L. No. 115-392; Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017, Pub. L. No. 115-425; and Trafficking Victims Protection Reauthorization Act of 2017, Pub. L. No. 115-427.

⁷ Polaris. (2018). *On-Ramps, Intersections, and Exit Routes: A Roadmap for Systems and Industries to Prevent and Disrupt Human Trafficking*. Retrieved from <https://polarisproject.org/a-roadmap-for-systems-and-industries-to-prevent-and-disrupt-human-trafficking>.

⁸ See Appendix II for full description of sex and labor trafficking under federal and District law.

While victims of human trafficking can include any person of any demographic background age, race, religion, etc., they often tend to be vulnerable or “at-risk” individuals in unstable environments (e.g., individuals with substance abuse or mental health concerns, or persons under the age of 18 years). Human traffickers take advantage of “at-risk” persons in multiple ways including under the false pretense of caring or intimate relationships.⁹ Perpetrators of human trafficking are not exclusive to any race, gender, religion, or nationality. Traffickers may be known to the victim, and may even be family members or intimate partners, but can also be acquaintances or complete strangers.

Traffickers may run the human trafficking operation on their own, or as a member of a criminal network soliciting prospective “clients” via residential brothels, on the streets, in strip clubs, or by advertising online through websites.¹⁰ Traffickers tend to maintain control over their victims with force, fraud, or coercion (e.g., physical or sexual abuse, threats, or withholding immigration documents of foreign nationals). Human traffickers may fund their human trafficking activities under the radar through legitimate financial services industries by completing small, dispersed monetary transactions which can be difficult to track by financial institutions. According to a focus group facilitated by Polaris, a nonprofit organization working to prevent and disrupt human trafficking using data-driven strategies, traffickers who recruit victims from countries outside of the United States, commit visa fraud charging victims for such items as visa processing fees, contract fees, housing deposits, transportation, airfare to the U.S., visa extension fees, and attending information sessions. This occurs with victims of both labor and sex trafficking where victims may spend up to \$9,000 in “recruitment fees”.¹¹

HUMAN TRAFFICKING INVESTIGATIONS, ARRESTS, AND PROSECUTIONS

The overall prevalence of human trafficking is unknown, which can be attributed to a few realities: human trafficking is often underreported by victims; detecting individuals who received human trafficking services may be duplicative as victims may receive services across multiple agencies; and, the inadvertent but unavoidable inconsistencies by which varying agencies or programs collect, store, report, or update data and case information. Therefore, information on the number of human trafficking victims who receive services, or traffickers who are investigated, arrested, prosecuted, and convicted is only a preliminary measure of the prevalence of human trafficking.

In the United States, federal trafficking offenses are investigated by the Department of Justice (DOJ), Department of State (DOS), and Department of Homeland Security (DHS) and prosecuted by the DOJ. Based upon the *2018 Trafficking in Persons Report*, during fiscal year 2017, DHS opened 833 investigations suspected to involve human trafficking, DOJ formally opened 782 investigations, and DOS opened 169 human-trafficking related cases. Each of these totals show a decrease from the previous fiscal year (FY 2016).¹²

During fiscal year 2017, DOJ initiated a total of 282 human trafficking prosecutions where 553 defendants were charged with human trafficking or human trafficking-related offenses (both increases from the previous fiscal year). Of the prosecutions initiated, 266 were for sex trafficking and 16 were for labor trafficking. Human trafficking prosecutions account for a small percentage of total federal prosecutions (more than 85,000 per year historically) which is also consistent here in the District of Columbia based on the information received from law enforcement agencies and the United States Attorney’s Office (USAO) for the District of Columbia.¹³

Investigations and Arrests

In the District of Columbia, human trafficking cases are investigated by the Metropolitan Police Department (MPD), the Federal Bureau of Investigation (FBI) Washington Field Office (WFO), U.S. Immigration and Customs Enforcement Homeland Security Investigations (ICE-HSI) within the Department of Homeland Security, and the Diplomatic Security Service (DSS) within the Department of State. During CY 2017, MPD and the FBI investigated a total of 329 alleged

⁹ U. S. Government Accountability Office (GAO), *Human Trafficking: Agencies Have Taken Steps to Assess Prevalence, Address Victim Issues, and Avoid Grant Duplication*, GAO-16-555 (Washington, DC: Jun. 28, 2016). (<https://www.gao.gov/assets/680/677520.pdf>)

¹⁰ GAO-16-555; *Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States, 2013 - 2017*

¹¹ National Domestic Workers Alliance (2018); Polaris. (2018).

¹² *Department of State, 2018 Trafficking in Persons Report* (2018): <https://www.state.gov/documents/organization/282798.pdf>.

¹³ Bureau of Justice Statistics, U.S. Department of Justice, 2014 Federal Justice Statistics, Table 4.2 Disposition of criminal cases terminated, by offense, October 1, 2013 – September 30, 2014, (<https://www.bjs.gov/content/pub/pdf/fjs14st.pdf>).

human trafficking-related incidents in the District of Columbia and made a total of 23 human trafficking-related arrests combined.¹⁴ MPD ultimately determined that many of the alleged incidents investigated were for prostitution.

The Human Trafficking Unit within MPD is responsible for investigating both prostitution and human trafficking-related offenses. MPD's Human Trafficking Unit received and investigated 224 complaints of human trafficking in CY 2017 and made a total of 216 arrests. The vast majority (99.5%) of the Human Trafficking Unit's arrests were for prostitution-related offenses, whereas only one of those arrests was for a human trafficking offense ("Pandering, Kidnapping, and no permit"). MPD's Youth and Family Services Division (YFSD) reported and investigated 93 allegations of child sex trafficking during CY 2017. YFSD arrested six individuals in four confirmed cases of human trafficking during that time period (two of these cases involved two suspects). Each of the offenders arrested were charged with "Sex Trafficking of Children."

While there is no "typical" human trafficking case, there are a few common elements in many of the cases MPD has investigated in recent years. Namely, MPD has been alerted to human trafficking by a victim who indicated that she has been forced to have sex with men in exchange for money, the proceeds of which were given to the suspected traffickers. Victims tend to be young females (including juveniles) who have been coerced into engaging in these activities at various locations (usually hotels) in northern Virginia and the District. The victims' accounts have been corroborated through witness interviews and other leads.

The FBI-WFO had 12 human trafficking cases in the District that were active at some point during CY 2017. Nine of the cases were for sex trafficking and the other three were for labor trafficking. Eight of twelve cases involved two suspects while the other four involved one. Seven cases were still pending at the end of CY 2017, and arrests were made in each of them. The other 5 cases were either declined for prosecution by the U.S. Attorney's Office (1) or administratively closed (4). Three of the four cases closed administratively included an arrest. The FBI made 16 human trafficking arrests during CY 2017 (12 from cases that were still pending at the end of the year and 4 from cases that were closed during the year).

The FBI-WFO typically received these cases through local and state authorities (5) or via a task force with which it collaborates (5). The other two cases were initiated through a victim (1) or non-victim complainant (1), further supporting the theory of human trafficking being grossly underreported by victims. An analysis of the cases received by the FBI-WFO indicates that traffickers used the internet to advertise their victims for sex trafficking and deliver the victims to the buyer's homes. In the past, FBI-WFO cases mostly included victims who were forced by their traffickers to engage in commercial sex on the streets or in hotels.

DSS and ICE-HSI did not provide data on human trafficking investigations or arrests within the District of Columbia for the purposes of this report. DSS advised that human trafficking information specific to the District of Columbia is not compiled. However, they reported that there have been labor trafficking cases in the Washington metropolitan area that involve diplomats and their domestic workers.¹⁵ DSS stated that the agency collaborates with other local and federal law enforcement agencies in the region when investigating human trafficking, and they specialize in investigating visa fraud that is associated with trafficking. Diplomats are required to pay their domestic workers at a rate that is at least above the poverty level in the United States. When a domestic worker applies for a visa to travel to the United States, the worker must provide an employment contract which includes the wages the employer agreed to pay. If the employer does not pay the wages identified in the contract, the employer has committed visa fraud. DSS representatives stated that there are some challenges with prosecuting diplomats for human trafficking, given varying levels of diplomatic immunity and the need to maintain diplomatic relations; there are, however, other means by which the State Department can hold individuals accountable. The State Department seeks to prevent human trafficking of domestic workers by, among other things, including conducting intake interviews of domestic

¹⁴ Information on investigations, arrests, prosecutions and convictions for the District of Columbia was collected and is being reported by calendar year.

¹⁵ DSS Washington Field Office has is responsible for Delaware, the District of Columbia, Maryland, North Carolina, South Carolina, Virginia, and West Virginia.

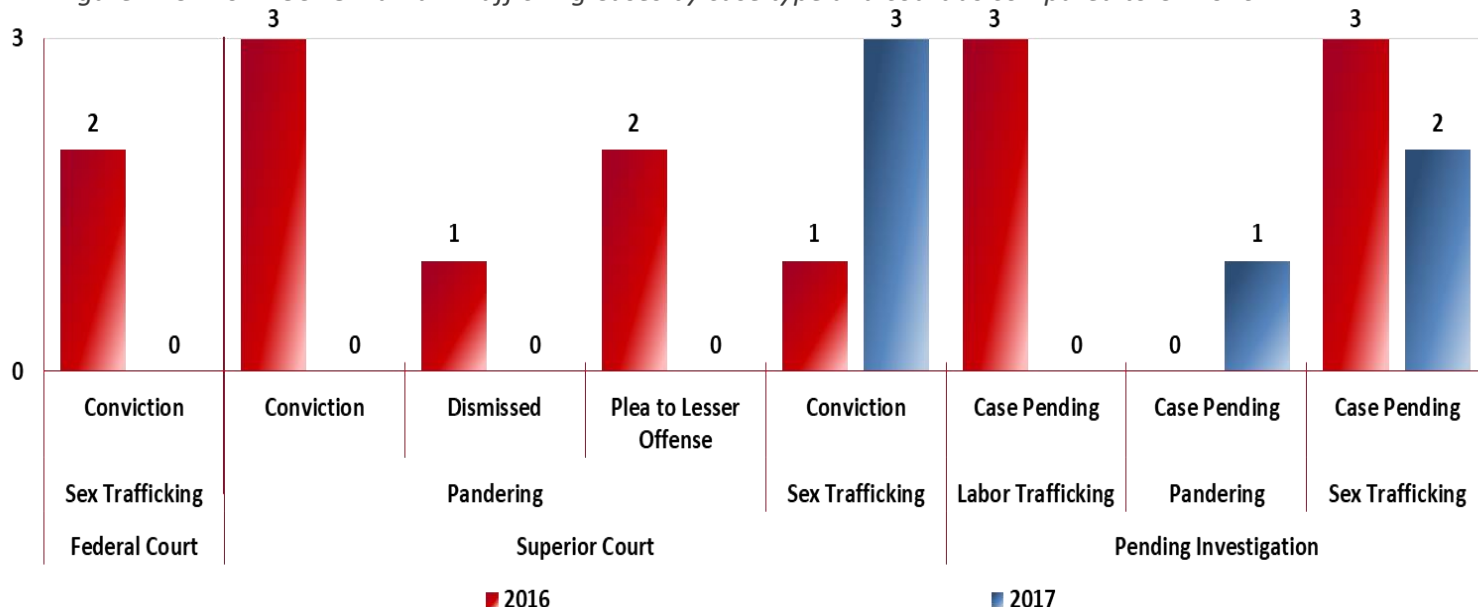
workers, during which the Office of Chief Protocol explains what rights the workers have while in the United States; conducting 1-year follow-up interviews with the workers; and providing pamphlets with information on NGOs that the workers can contact if they feel they are being mistreated. DSS stated that it receives most of its human trafficking tips from Polaris.

Prosecutions and Convictions

The United States Attorney’s Office (USAO) for the District of Columbia identified three human trafficking prosecutions (i.e., charges filed in court) during CY 2017 in DC Superior Court. All three cases were for sex trafficking of children. Each defendant entered a guilty plea and was sentenced for attempted trafficking charges among others.

During CY 2017, the USAO initiated three additional sex trafficking of children investigations and one pandering¹⁶ investigation (defined as inducing or compelling an individual to engage in prostitution), which are still pending.¹⁷

Figure 1: CY 2017 USAO Human Trafficking Cases by case type and court as compared to CY 2016



Source: United States Attorney’s Office for the District of Columbia, Sex Offense/Domestic Violence Division

HUMAN TRAFFICKING OFFENDER AND VICTIM DEMOGRAPHICS

Offender Demographics

Suspects who were under investigation, arrested, or prosecuted for human trafficking offenses in the District during CY 2017 were mostly black males and U.S. citizens between the ages of 18 and 29 years.

The FBI investigated 20 individuals (arresting 16) who were suspected of committing human trafficking offenses in the District. Of the 20 male individuals suspected, 11 were black and 9 were white. More than half of the suspects (12) were between 18 and 29 years of age: 7 black and 5 white. Five of the suspects were between 30 and 45 years of age (4 black and 1 white); and one white male was over 45 years of age. Nearly all the suspects were U.S. citizens: 1 of the suspects was a non-U.S. citizen and his age was unknown.

MPD arrested 7 individuals during CY 2017 for human trafficking: 6 of the offenders were black adult males and 1 was a black adult female. Ages were not provided for an age range classification.

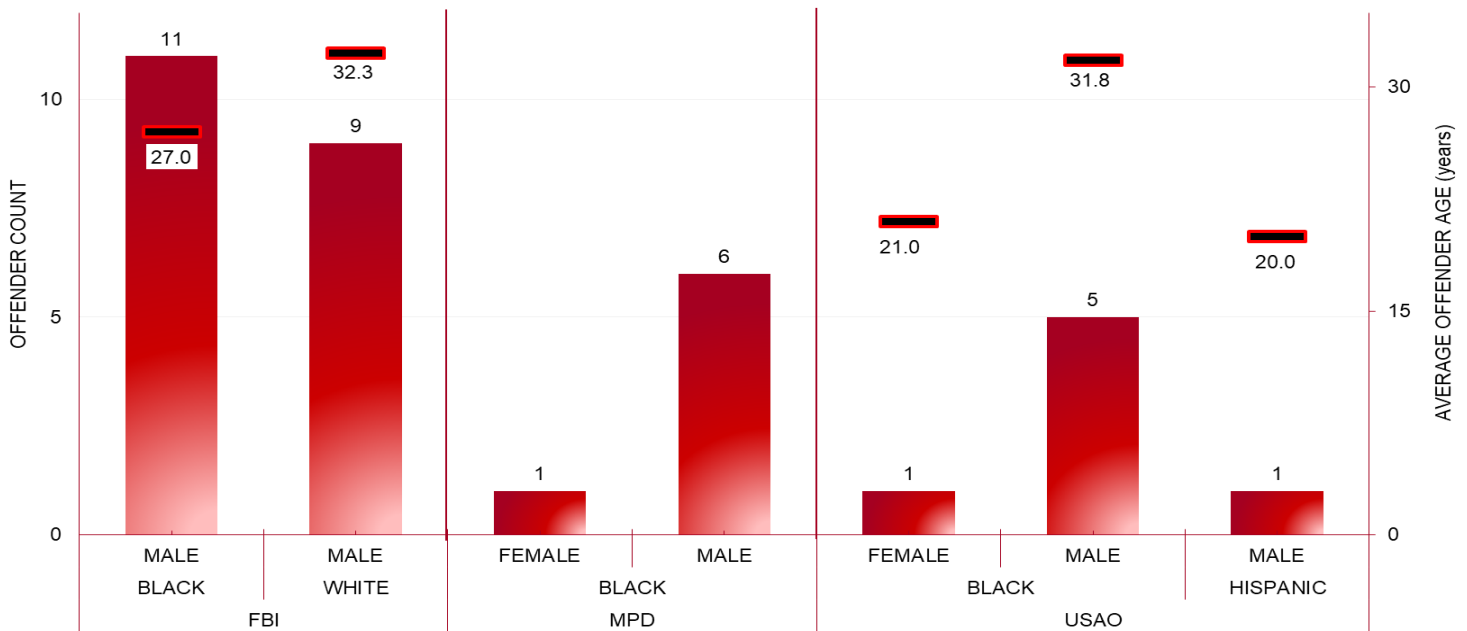
The USAO also identified 7 suspects or defendants as part of its CY 2017 human trafficking investigations and prosecutions. Six of the seven suspects or defendants were black (5 males and one female) and were mostly in their

¹⁶ DC Law 16-306 § 22-2705

¹⁷ The USAO works in concert with law enforcement when conducting investigations. Therefore, there may be some overlap in the investigations conducted by the USAO and those conducted by law enforcement during CY 2017.

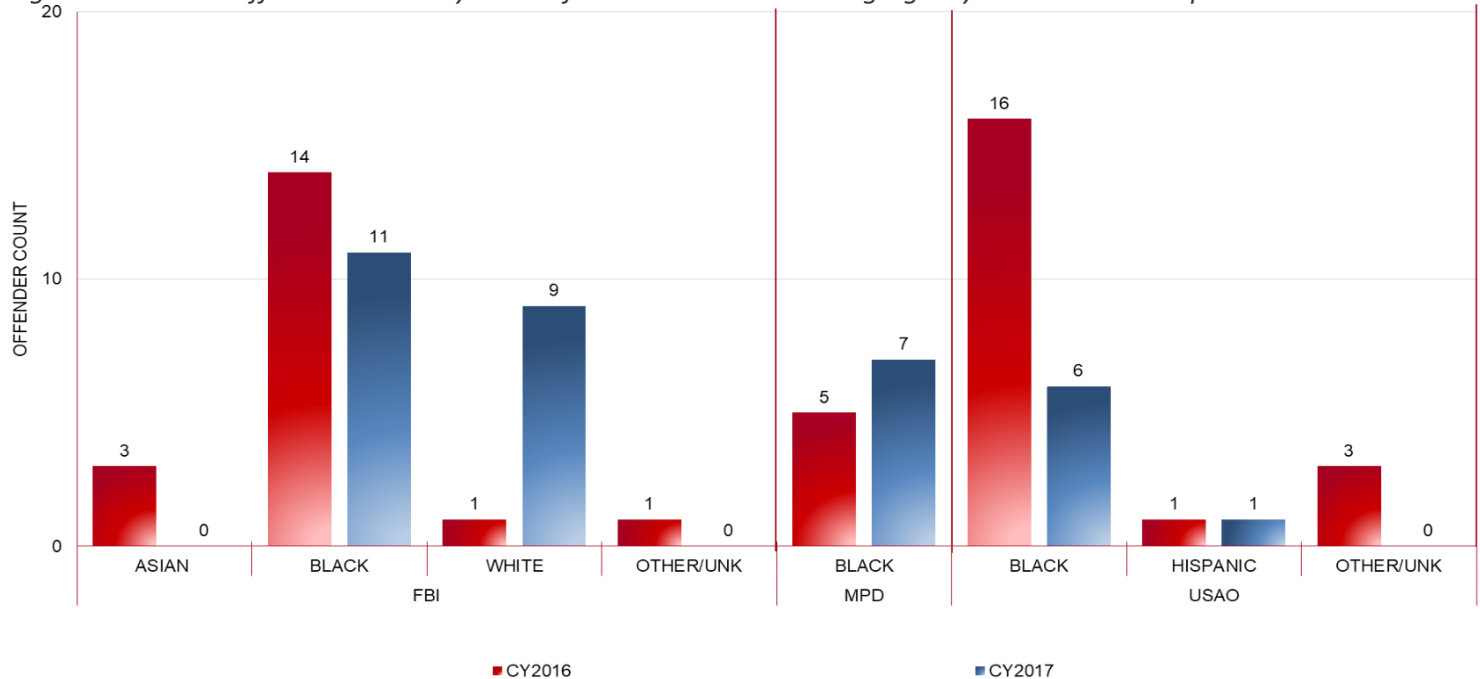
early to mid-20s; one of the black male suspects or defendants was in his early 50s. The seventh suspect or defendant was a Hispanic male in his early 20s and was a non-U.S. citizen. Figure 2 depicts the average age of suspects or offenders by race and sex by investigating agency.¹⁸

Figure 2: CY 2017 Offender Counts by Law Enforcement or Prosecuting Agency, Race, and Offender Average Age



Source: Federal Bureau of Investigation Washington Field Office, Child Exploitation Task Force
Metropolitan Police Department, Human Trafficking Unit and the Youth and Family Services Division (YFSD)
United States Attorney's Office for the District of Columbia, Sex Offense/Domestic Violence Division

Figure 3: CY 2017 Offender Counts by Law Enforcement or Prosecuting Agency and Race as compared to CY 2016



Source: Federal Bureau of Investigation Washington Field Office, Child Exploitation Task Force
Metropolitan Police Department, Human Trafficking Unit and the Youth and Family Services Division (YFSD)
United States Attorney's Office for the District of Columbia, Sex Offense/Domestic Violence Division

¹⁸ The USAO works in concert with law enforcement when conducting investigations. Therefore, there may be some overlap in the investigations conducted by the USAO and those conducted by law enforcement during CY 2017.

Victim Demographics

As human trafficking is an underreported crime, victims are largely identified by service providers (governmental and non-governmental) as well as the National Human Trafficking Hotline. While victims may be identified by law enforcement, the majority of victim totals received were from the victim perspective as they were reported to service providers. Regardless of the source, human trafficking victims in the District of Columbia reported in CY 2017 were often black females, under the age of 18 years, who were mostly U.S. citizens.

The information provided below on human trafficking victims in the District is based upon individuals who: were identified as part of a law enforcement investigation or prosecution; were youth in custodial care; received victim services; and, contacted the National Human Trafficking Hotline.

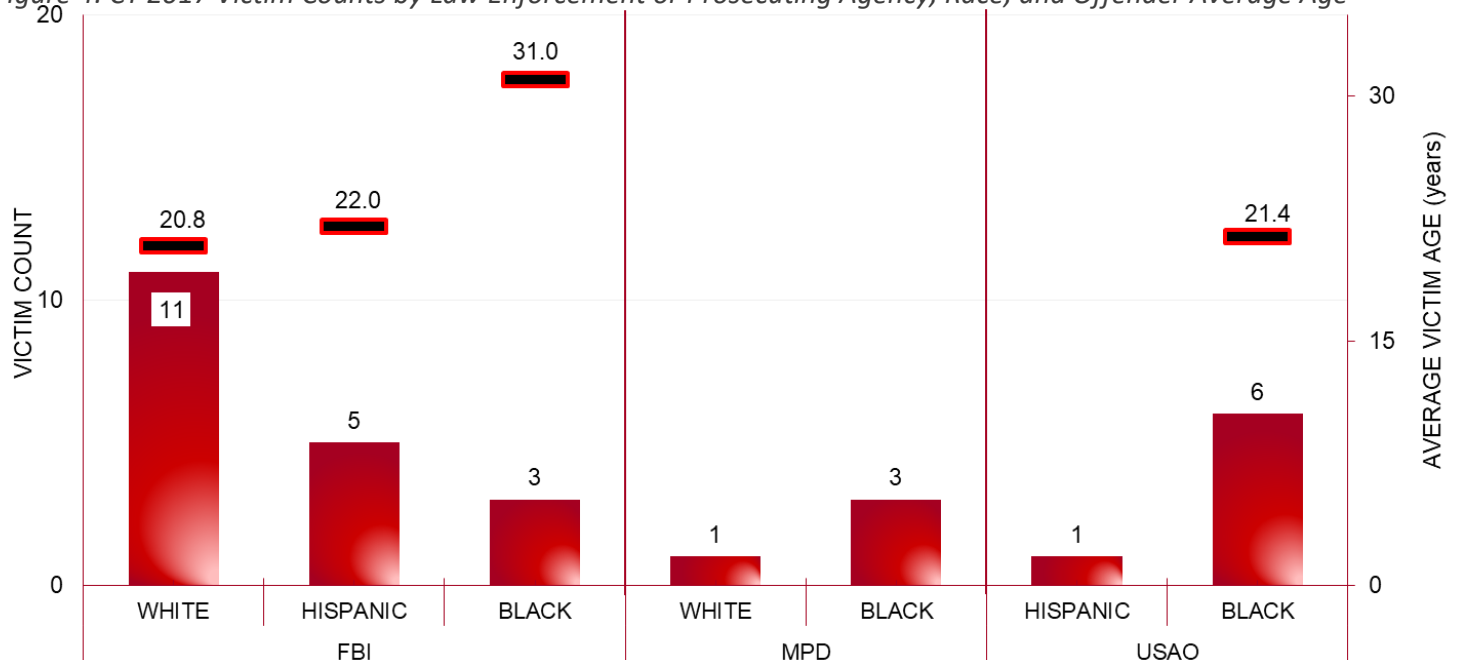
Victims Identified by Law Enforcement and Prosecutors

Consistent with CJCC's previous report, most of the sex trafficking victims identified by the FBI and MPD during CY 2017 were under the age of 18 years and were U.S. citizens. What is different in this reporting year as compared to last year, is the race of females who were identified by the FBI. In CY 2016, the number of black and white victims were the same (5 each). In CY 2017, the FBI reported 11 white victims, 5 Hispanic victims, and 3 black victims. There were 3 labor trafficking victims: 2 were black and 1 was white with their ages ranging from minors to 29 years.

The Youth and Family Services Division within MPD reported 4 victims of sex trafficking in CY 2017 who were all under 18 years of age: 3 were black and 1 was white.

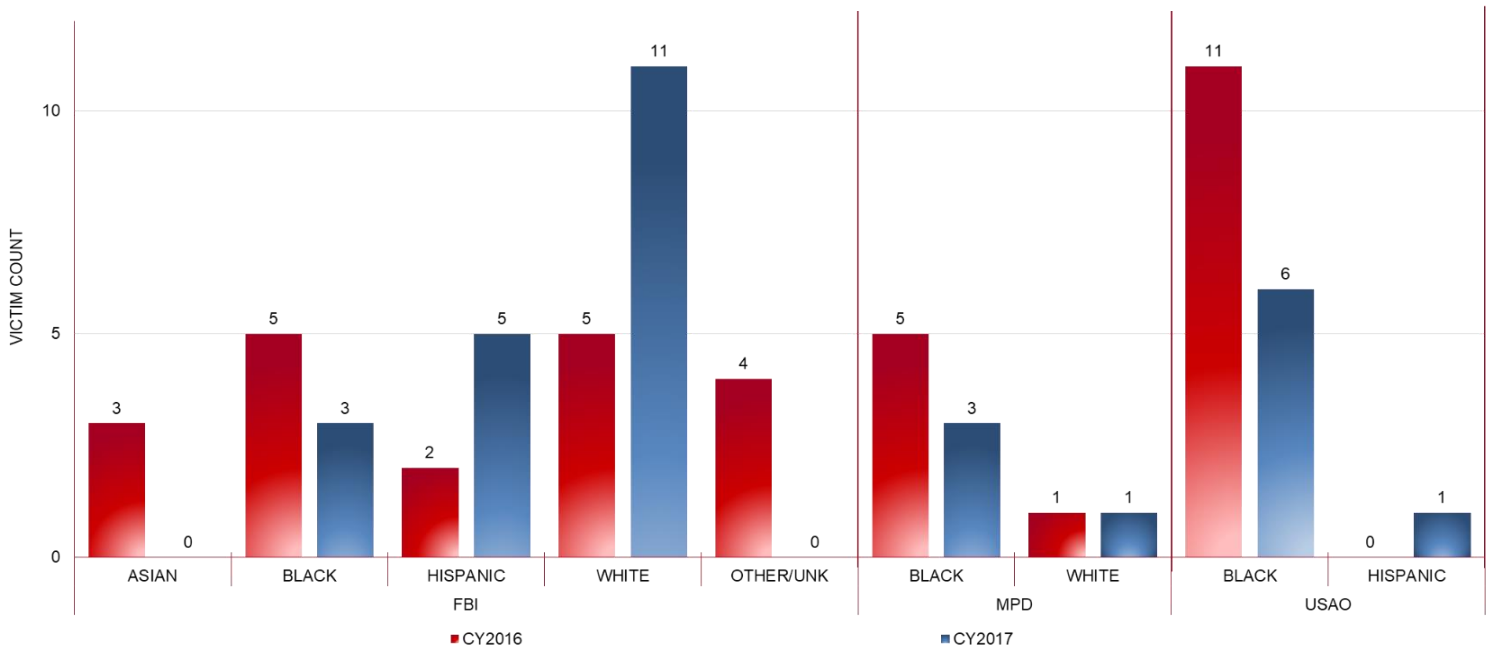
The USAO identified 7 sex trafficking victims, 5 of whom were black females under 18 years of age and U.S. Citizens. One of the 7 female victims identified was Hispanic and 1 victim was white. As of the submission of this report, some cases were still pending initial investigation; in these instances, demographic information on victims is not provided in this report. Figure 4 depicts the average age of victims by race and sex by investigating agency. For victim counts where the total is 1, average age calculations are not provided in this report. For MPD, ages were not provided for an age range calculation.

Figure 4: CY 2017 Victim Counts by Law Enforcement or Prosecuting Agency, Race, and Offender Average Age



Source: Federal Bureau of Investigation Washington Field Office, Child Exploitation Task Force
Metropolitan Police Department, Human Trafficking Unit and the Youth and Family Services Division (YFSD)
United States Attorney's Office for the District of Columbia, Sex Offense/Domestic Violence Division

Figure 5: CY 2017 Victim Counts by Law Enforcement or Prosecuting Agency and Race as compared to CY 2016



Source: Federal Bureau of Investigation Washington Field Office, Child Exploitation Task Force
Metropolitan Police Department, Human Trafficking Unit and the Youth and Family Services Division (YFSD)
United States Attorney's Office for the District of Columbia, Sex Offense/Domestic Violence Division

Victims Who Are Youth in Custodial Care

The Sex Trafficking of Children Prevention Amendment Act of 2014 was enacted by the DC Council in 2014, requiring the Child and Family Services Agency (CFSA) and the Department of Youth Rehabilitation Services (DYRS) effective January 2015, to begin screening youth under their custodial care who may be at risk for sex trafficking.

CFSA identified 67 youth during CY 2017 who were suspected victims of sex trafficking or sexual exploitation (by a caregiver or by a non-caregiver). Upon further investigation, all but 6 allegations were ruled out. Of the 6 cases where allegations were substantiated for sex trafficking, 4 victims were black, 1 was Hispanic, and 1 victim's race was unknown. There were 5 females and 1 male identified. Although only 6 cases were substantiated by CFSA, 18 youth were still referred for services as they were either determined to be "high-risk" for human trafficking, or they disclosed human trafficking offenses at a later date. CFSA stated that despite the outcome of their investigations, services are offered to many of the families they encounter. CFSA has identified several risk factors with the youth they serve, such as: history of abscondence, running away, physical and sexual abuse, substance abuse, juvenile justice involvement, engagement in sexual relations, and mental health diagnoses.

On average, victims spent two years in CFSA's care from the time their cases were referred to their current reported age. Victims were offered referrals to service providers specializing in sex trafficking, mental health, and substance abuse.

During CY 2017, DYRS identified 13 youth in its care who were *suspected* victims of human trafficking. The youth suspected by DYRS as victims of human trafficking were all black females. At the time of entry into DYRS custody, eleven of the victims were between the ages of 15 and 17, one was 18 years old, and one was 11 years old. Of the 13, only two of the suspected victims were not DC residents. In addition to staff experiences in assisting youth under DYRS care, DYRS relies on the results of the Sex Trafficking Assessment Review (STAR) as a supplemental tool to confirm suspected victims of human trafficking. The STAR is administered by the Child Guidance Clinic within the Court Social Services Division (CSSD) to identify children who may have been sexually exploited.

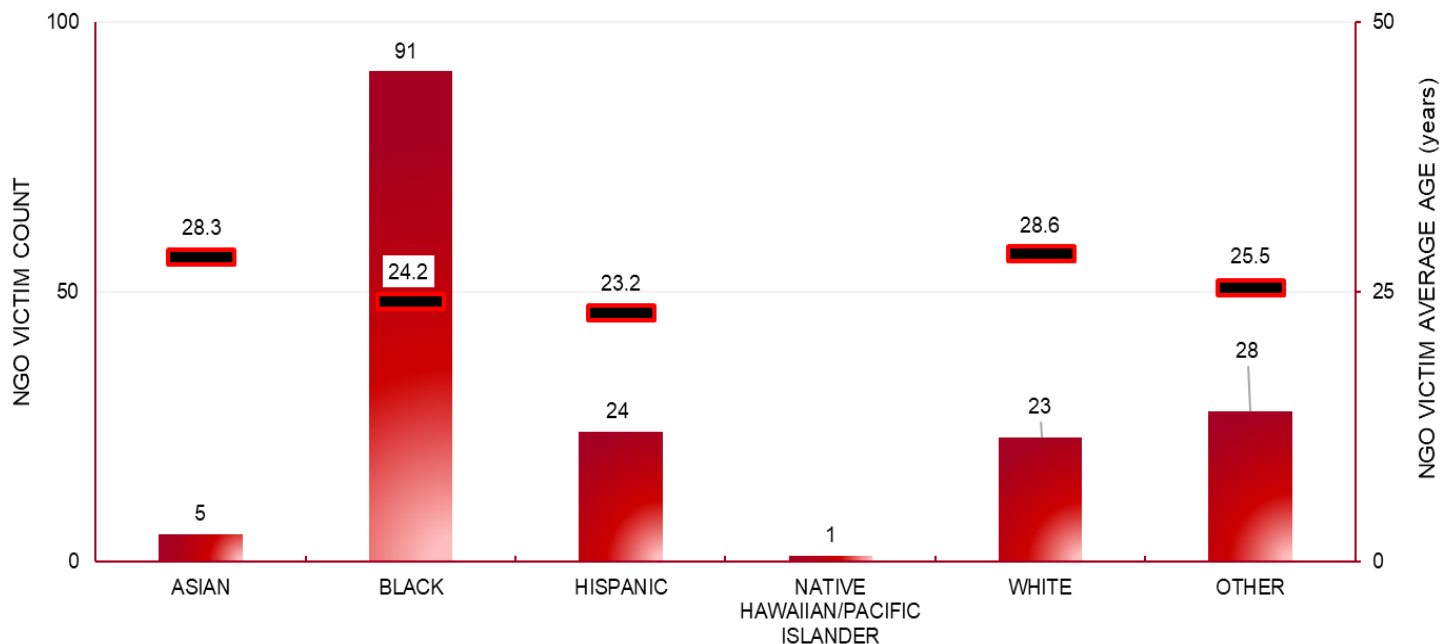
Victims Identified by Non-Governmental Service Providers

In addition to government agencies, CJCC engaged non-governmental organizations (NGOs) to participate in interviews to inform this report. Three of the DC Human Trafficking Task Force NGOs responded and indicated that among them, a total of 172 human trafficking victims were served.¹⁹

Most of the victims were black (52.9%), female²⁰ (99.4%), between the ages of 18 and 29 (49.4%), and U.S. citizens (62.2%); there were a number of victims whose country of origin or citizenship were unknown or undisclosed.

Across all NGOs providing this information, from the victim's age at the time of entry or intake with their service provider (if known) to their current reported age, on average, human trafficking victims sought services for approximately 6 years. Victims receiving assistance from NGOs typically sought services for housing referrals, supportive counseling, crisis assistance, victim/witness advocacy, criminal defense, and record sealing from these NGOs.

Figure 6: CY 2017 NGO Victim Counts by Victim Race and Average Age

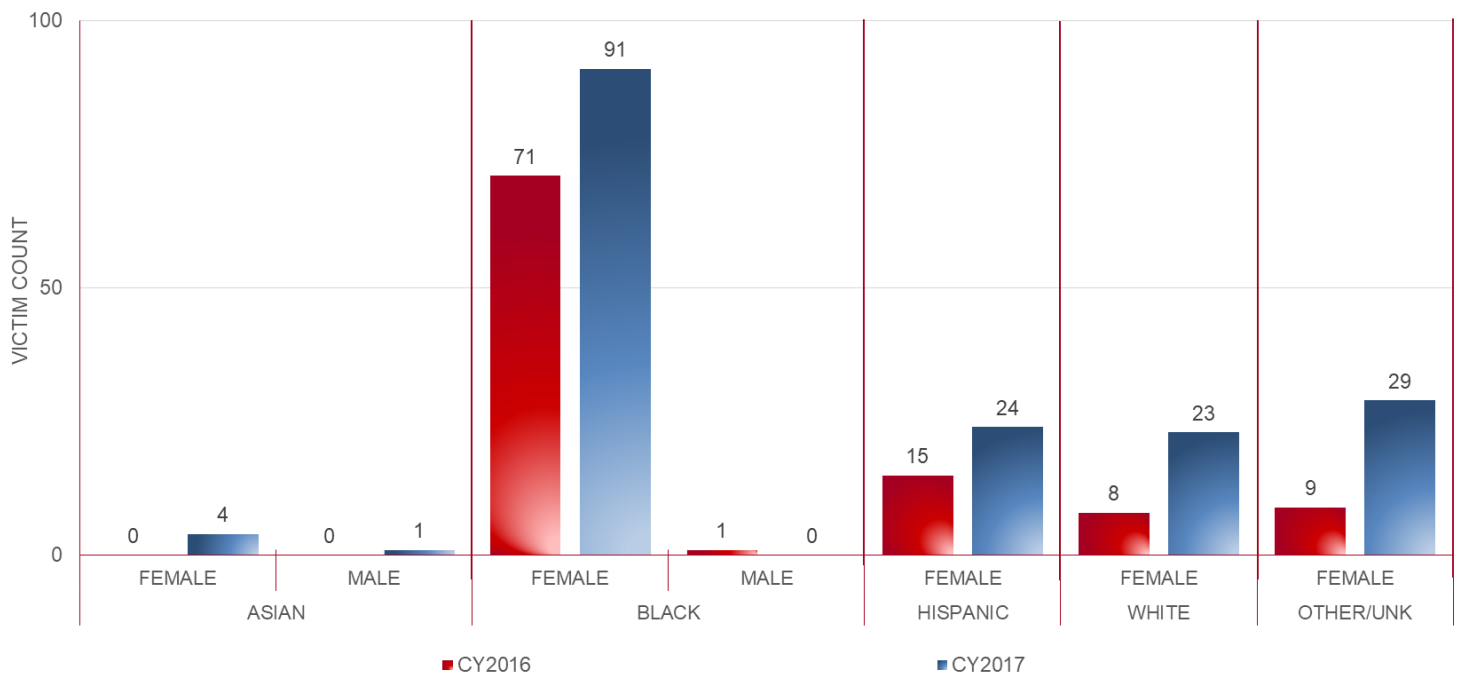


Source: Non-Governmental Service Providers that are members of the DC HTTF

¹⁹ For the purposes of this report, Non-Governmental Service Provider agency names have been intentionally omitted to consider the confidentiality and safety of the victims and survivors of human trafficking they serve. Additionally, victim identities are sealed and as such total counts may be duplicative as they may include the same victims who received services across multiple providers depending on the need.

²⁰ Some Non-Governmental Service Providers do not serve male victims. Therefore, low counts of male victims in this section should not be considered an indication that males are not victims of human trafficking or that they are not seeking services for human trafficking.

Figure 7: CY 2017 NGO Victim Counts by Victim Race and Gender as compared to CY 2016*



Source: CY 2017 numbers are from Non-Governmental Service Providers that are members of the DC HTTF
CY 2016 numbers are from OVSJG funded Non-Governmental Service Providers

*Note: The yearly trends in this chart are not an indication of an increase in human trafficking victims in the District but rather is intended to show the increase in responses received by non-governmental service providers regarding the victims they serve.

Victims Identified through the National Human Trafficking Hotline

The National Human Trafficking Resource Center and the National Center for Missing and Exploited Children provide reporting services for human trafficking victims or agencies and organizations that come in contact with victims of human trafficking via telephone hotlines and online reporting. These tiplines receive reports of suspected human trafficking and then refer those reports to law enforcement nationwide.

The National Human Trafficking Hotline is a product of the National Human Trafficking Resource Center, which is managed by Polaris via funding from the U.S. Department of Health and Human Services. The National Human Trafficking Hotline provides referrals, online resources, and reporting services for victims of human trafficking as well as individuals or agencies who come in contact with victims. Victims often make referral requests for housing, transportation, case management, shelter, legal services, and crisis counseling. Calls to the hotline are typically made by medical professionals, faith-based organizations, representatives of NGOs, family members or friends of trafficking victims, or the victims themselves.

In CY 2017, the National Human Trafficking Hotline (NHTH)²¹ received 26,557 calls and 8,524 reports of human trafficking cases on a national level; and, of those 232 calls and 61 reports were specific to the District, which is a decrease from the number reported for CY 2016.²² Just under two-thirds of the cases reported to the hotline in the District were for sex trafficking (37 of 61), and the top venues or industries for sex trafficking were from an online ad or hotel/motel based. Labor trafficking accounted for just over a quarter (17 of 61) of the cases reported to the hotline, and the top venues or industries were peddling rings and domestic work.

²¹ Statistics from the National Human Trafficking Hotline website, <https://humantraffickinghotline.org/states>

²² In CY 2016, the National Human Trafficking Hotline received 348 calls and 84 reports of human trafficking cases for the District of Columbia.

Of the 84 human trafficking victims identified in the District, 85% were females and 15% were males. The majority of victims were adults (72%). Regarding citizenship, 25% identified as a U.S. citizen and 18% identified as a foreign national. The remaining 56% did not identify their citizenship.²³ The race of human trafficking victims is not reported through the National Human Trafficking Hotline.

The National Center for Missing and Exploited Children (NCMEC), largely funded by the U.S. Department of Justice, maintains the CyberTipline. This tipline receives electronic or phone reports from service providers and the general public regarding suspected sexual exploitation of children, including child sex trafficking. Although information on CyberTipline reports of suspected child sex trafficking specific to the District were not available, NCMEC reported that one in seven runaways nationwide were likely victims of child sex trafficking; and the average age of child sex trafficking victims reported was 15 years.

FUTURE CONSIDERATIONS AND NEXT STEPS

One of the most significant considerations for the information summarized in this report is that the subject of human trafficking is complex. Identifying, collecting, documenting, and reporting reliable, individual-level data on offenders and victims is difficult, especially noting that human trafficking offenses are often not reported to law enforcement. Moreover, when cases are reported to law enforcement, suspect and victim demographics may not be readily available or shareable due to the sensitive nature of the cases, specifically for those where investigations are ongoing.

Another consideration is to extend the current operational collaboration among law enforcement, prosecutors, and service providers to data collection and information sharing. The law enforcement agencies and NGOs that participate on the DC Human Trafficking Task Force continue to engage in outreach through informational sessions to community members, schools, and other entities; provide cross-training among law enforcement agencies and service providers; and, offer relief to victims of human trafficking who are concerned about their immigration status. However, there currently is no process or mechanism for service providers to determine whether they are assisting the same victims which presents challenges in determining the number of unique human trafficking victims in the District. Discussions of a shared database of victims served were held and have been underway since the last report. This centralized database would provide the ability to estimate the number of unique human trafficking victims in the District.

The new system would help CJCC as it aims to report the actual number of victims impacted by human trafficking and gauging its prevalence in the District. The CJCC will continue to collect data on human trafficking investigations, arrests, prosecutions, and convictions, and demographic information on the offenders and victims associated with those cases and report the findings to the DC Council annually.

A future data collection goal will be to estimate the total number of human trafficking victims who have sought services and assistance in the District. At present, as the prevalence of human trafficking in the District of Columbia cannot be determined, the information in this report should be used to understand the nature of the human trafficking offenses that have been detected and the demographic traits of the offenders and victims who have been identified.

²³ NHTH website, CY 2017 human trafficking statistics <https://humantraffickinghotline.org/state/district-columbia>

APPENDIX I – HUMAN TRAFFICKING REPORT RESEARCH SCOPE AND METHODOLOGY

To identify resources for information on human trafficking for this report, CJCC conducted internet literature searches on human trafficking, attended DC Human Trafficking Task Force meetings and other human trafficking-related forums, conducted interviews with government and nongovernmental victim service agencies, and obtained and analyzed information from law enforcement agencies that investigate and prosecute human trafficking in the District. The CJCC held discussions with the relevant agencies and task force members to understand the nature of human trafficking in the District and to obtain additional context for understanding the data, any limitations, and the general challenges in determining the extent to which human trafficking is occurring in the District.

Given the applicability of both local and federal human trafficking statutes in the District, the relevant law enforcement agencies identified for this study were the Metropolitan Police Department (MPD), the Federal Bureau of Investigation (FBI), U.S. Immigration and Customs Enforcement Homeland Security Investigations (ICE-HSI), and Diplomatic Security. For each of these agencies, CJCC requested data on all human trafficking investigations and arrests that were initiated, ongoing, or closed at any point in time during calendar year 2017. Data were also requested on the number of offenders and victims associated with the human trafficking arrests and investigations, including information on race, gender, age (or age range), national origin, and current citizenship.

To assess prosecutions (open, pending, or closed) and convictions for human trafficking and trafficking-related offenses during CY 2017, both at the local and federal levels, CJCC requested information from the United States Attorney's Office (USAO). CJCC also requested demographic information on offenders and victims associated with the prosecutions.

Additionally, the CJCC reached out to the Child and Family Services Agency (CFSA) and the Department of Youth Rehabilitation Services (DYRS) as a result of the Sex Trafficking of Children Prevention Amendment Act of 2014. This law was enacted by the DC Council in 2014 requiring these two governmental agencies to screen youth under their custodial care who may be at risk for sex trafficking.

To identify additional human trafficking victims who may or may not have been involved in an investigation or prosecution, CJCC contacted the nongovernmental organizations (NGOs) with a human trafficking focus that regularly attend DC HTTF meetings. Additional information on human trafficking victims in the District and nationwide was retrieved from the National Human Trafficking Hotline website.

All agencies and organizations that contributed data for this report were provided an opportunity to review relevant sections of the report in January 2019, to confirm that the data were correct, up-to-date, and reported in the proper context.

APPENDIX II – FEDERAL AND DISTRICT OF COLUMBIA DEFINITIONS OF HUMAN TRAFFICKING

Federal Definitions	District Definitions
<p>Forced labor: (18 USC § 1589) To knowingly benefit, financially or by receiving anything of value, from participating in a venture which has engaged in the providing or obtaining of labor or services by [the means described below], knowing or in reckless disregard of the fact that the venture has engaged in the providing or obtaining of labor or services by any such means.</p> <p>By means of: a) force, threats of force, physical restraint, or threats of physical restraint; b) serious harm or threats of serious harm; c) the abuse or threatened abuse of law or legal process; or d) any scheme, plan, or pattern intended to cause the person to believe that, if that person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint.</p>	<p>Forced labor (DC Official Code § 22-1832): To knowingly a) use coercion to cause a person to provide labor or services or b) place or keep any person in debt bondage.</p> <p>(Coercion means any one or combination of the following: a) force, threats of force, physical restraint, or threats of physical restraint; b) serious harm or threats of serious harm; c) the abuse or threatened abuse of law or legal process; d) fraud or deception; e) any scheme plan, or pattern intended to cause a person to believe that if that person did not perform labor or services, that person or another person would suffer serious harm or physical restraint; f) facilitating or controlling a person's access to an addictive or controlled substance or restricting a person's access to prescription medication; or g) knowingly participating in conduct with the intent to cause a reasonable person in that person's circumstances to believe that he or she is the property of a person or business. DC Official Code § 22-1831).</p>
<p>Sex trafficking of children or by force, fraud or coercion (18 USC § 1591): (1) To knowingly recruit, entice, harbor, transport, provide, obtain, advertise, maintain, patronize, or solicit by any means a person; or</p> <p>(2) To benefit, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in an act described above, knowing, or, except where the act is advertising, in reckless disregard of the fact, that</p> <p>a) means of force, threats of force, fraud, coercion or any combination of such means will be used to cause the person to engage in a commercial sex act, or b) the person has not attained the age of 18 years and will be caused to engage in a commercial sex act.</p>	<p>Trafficking in labor or commercial sex acts (DC Official Code § 22-1833): To recruit, entice, harbor, transport, provide, obtain, or maintain by any means a person, knowing, or in reckless disregard of the fact that:</p> <p>a) coercion will be used or is being use to cause the person to provide labor or services or to engage in a commercial sex act; or b) the person is being placed or will be placed or kept in debt bondage</p> <p>Sex trafficking of children (DC Official Code § 22-1834): To knowingly recruit, entice, harbor, transport, provide, obtain, or maintain by any means a person who will be caused as a result to engage in a commercial sex act knowing or in reckless disregard of the fact that the person has not attained the age of 18 years.</p>
<p>Unlawful conduct with respect to documents in furtherance of trafficking, peonage, slavery, involuntary servitude or forced labor (18 USC § 1592): To knowingly destroy, conceal, remove, confiscate, or possess any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person [in the course or with the intent of committing human trafficking offenses] or to prevent or restrict or to attempt to prevent or restrict, without lawful authority, the person's liberty to move or travel, in order to maintain the labor or services of that person, when the person is or has been a victim of a severe form of trafficking persons.</p>	<p>Documents with respect to human trafficking (DC Official Code § 22-1835): To knowingly destroy, conceal, remove, confiscate, or possess any actual or purported government identification document, including a passport or other immigration document, or any other actual or purported document, of any person to prevent or restrict, or attempt to prevent or restrict, without lawful authority, the person's liberty to move or travel in order to maintain the labor or services of that person.</p>

APPENDIX III – FEDERAL AND DISTRICT OF COLUMBIA HUMAN TRAFFICKING LEGISLATION

In the District of Columbia, both federal and District laws can be applied to address human trafficking. At the federal level, Congress passed the Trafficking Victims Protection Act of 2000 (TVPA), which defined and criminalized various aspects of human trafficking in the United States. In the District, DC Council passed the Prohibition of Human Trafficking Amendment Act of 2010, as well as other legislation, which expanded the definition of human trafficking in the District and established penalties for certain offenses.

Trafficking Victims Protection Act (TVPA) of 2000

The Trafficking Victims Protection Act (TVPA) of 2000 was signed into law under the Victims of Trafficking and Violence Protection Act of 2000 (Pub. L. 106-386, Division A). The stated purpose of the law was to combat human trafficking, to ensure just and effective punishment of traffickers, and to protect trafficking victims. The law authorized the establishment of a federal interagency task force to monitor and combat trafficking by collecting data and evaluating the United States and other countries and their efforts to prosecute criminals, protect victims, and prevent human trafficking. At the time the TVPA was enacted, it was estimated that approximately 700,000 people were trafficked across international borders yearly; and, around 50,000 women and children were trafficked into the United States every year.²⁴

Congress reauthorized and amended the TVPA in 2003, 2005, 2008, 2013; and in 2017, Congress further amended provisions of the TVPA, its reauthorizations, and other related laws.²⁵ The changes to the law were intended to enhance efforts to prevent human trafficking and assist victims by requiring training for federal law enforcement officials, developing educational information to promote awareness, increasing public information programs, and improving victim protection and providing more direct services.²⁶ In 2013, the interagency task force established by the TVPA also issued the first Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States (2013 – 2017) to coordinate efforts across 17 federal agencies to address the needs of trafficking victims.

Prohibition Against Human Trafficking Amendment Act of 2010

In 2010, the DC Council passed the *Prohibition Against Human Trafficking Amendment Act of 2010* (DC Law § 18-239) to combat human trafficking and protect victims by criminalizing certain human trafficking and human trafficking-related offenses; permitting victims to take civil action against their traffickers; authorizing victim compensation for trafficking victims; including human trafficking as a form of child abuse that is subject to mandatory reporting; protecting confidential communications between counselors and human trafficking victims; and affording crime victims the right to consult a victim advocate, among other things.²⁷

²⁴ 22 USC 7101 Division A, TVPA, 2000

²⁵ Trafficking Victims Protection Reauthorization Act of 2003, Pub. L. No. 108-193, 117 Stat. 2875 (2003); Trafficking Victims Protection Reauthorization Act of 2005, Pub. L. No. 109-164, 119 Stat. 3558 (2006); William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, Pub. L. No. 110-457, 122 Stat. 5044 (2008); Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113-4, tit. XII, 127 Stat. 54, 136-60; Trafficking Victims Protection Reauthorization Act of 2017, Pub. L. No. 115-427 Stat.

²⁶ U.S. Government Accountability Office, *Human Trafficking: Agencies Have Taken Steps to Assess Prevalence, Address Victim Issues, and Avoid Grant Duplication*, GAO-16-555, (June 2016).

²⁷ DC Law 18-239; § 22-1831:1843

APPENDIX IV – THE DC HUMAN TRAFFICKING TASK FORCE

In 2004, local and federal law enforcement and prosecutorial agencies, as well as nongovernmental organizations that provide services to victims, established the DC Human Trafficking Task Force (HTTF). The task force is led by the USAO and includes more than 40 federal, state, local, and nongovernmental partners. Membership is open to any DC metropolitan area law enforcement agency or nongovernmental organization involved in anti-trafficking activities. (See Appendix III for a list of the government agencies and nongovernmental organizations (NGOs) that are members of the task force.) The stated goals of the task force are to:

- facilitate a more coordinated anti-trafficking effort in the DC area through protocol development, extensive community outreach, proactive investigations, law enforcement training, intelligence sharing, and more formalized partnerships between law enforcement organizations and NGOs;
- identify citizen, resident and transnational victims of both sex and labor trafficking;
- provide comprehensive services to trafficking victims; and
- increase the prosecution of traffickers.²⁸

DC HTTF MEMBER LISTING

District Government Agencies

- DC Office of the Attorney General
- DC Child and Family Services Agency
- DC Metropolitan Police Department, Human Trafficking Unit
- DC Metropolitan Police Department, Youth Investigations Branch
- DC Metropolitan Police Department, Special Liaison Unit (SLU) - The SLU is comprised of the Asian Liaison, Deaf and Hard of Hearing Liaison, Gay and Lesbian Liaison and the Latino Liaison Units

Federal Government Agencies

- U.S. Attorney's Office for the District of Columbia
- Federal Bureau of Investigation
- U.S. Department of Justice, Civil Rights Division, Criminal Section, Human Trafficking Prosecution Unit
- U.S. Department of Justice, Criminal Division, Child Exploitation and Obscenity Section
- U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime
- U.S. Department of State, Office to Combat and Monitor Trafficking in Persons
- U.S. Department of Homeland Security, Immigration and Customs Enforcement
- U.S. Department of Labor
- Wage and Hour Division (WHD) of the U.S. Department of Labor
- U.S. Department of Health and Human Services, Administration for Children and Families

Other Government Agencies

- Virginia Human Trafficking Task Force

Non-Governmental Organizations

- National Center for Missing & Exploited Children
- Amara Legal Center
- Asian Pacific American Legal Resource Center (APALRC)
- Ayuda
- Boat People SOS
- Break the Chain Campaign
- Bridge to Freedom Foundation
- Courtney's House
- Exodus Project
- FAIR Girls
- Global Centurion
- Global Rescue Relief
- HIPS
- Innocents At Risk
- Latin American Youth Center
- Polaris Project
- Prevent Human Trafficking
- Restoration Ministries
- Salvation Army National Capital Area
- Sasha Bruce Youthwork
- Shared Hope International
- Stop Modern Slavery - DC & VA
- Tahirih Justice Center
- United States Conference of Catholic Bishops

²⁸ DC Human Trafficking Task Force (DC HTTF) website, <https://www.justice.gov/usao-dc/human-trafficking>