

# An Analysis of Human Trafficking in the District of Columbia 2016



District of Columbia  
**Statistical Analysis Center**

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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

**H**uman trafficking involves the exploitation of a person typically through force, fraud, or coercion for such purposes as forced labor, involuntary servitude, or commercial sex. Human trafficking is described as a multi-billion dollar, modern-day slavery industry that imprisons more than 20 million people worldwide, regardless of age, gender, race, or nationality.<sup>1</sup> Human trafficking can take place in rural, suburban, and urban areas, and its victims are often individuals who are already vulnerable—such as missing and runaway youth or persons dealing with substance abuse addictions.<sup>2</sup> Traffickers may recruit victims through social media or other means and develop what victims may perceive to be caring or intimate relationships. Traffickers may also lure victims into work or commercial sex with false promises of love, a good job, or a stable life, then ultimately force victims to remain in the trafficking situation through various means, such as physical and sexual abuse; threatening to harm the victim's family; or for foreign nationals, withholding their immigration documents.<sup>3</sup> Traffickers may be family members, intimate partners, acquaintances, or strangers, and they may run the human trafficking operation on their own or be a member of a criminal network.<sup>4</sup> The impact of human trafficking on victims, may include but is not limited to, anxiety, fear, trauma, depression, as well as post-traumatic stress disorder and even suicide. Human trafficking is a violation of the most basic human rights.

To help combat human trafficking in the District of Columbia, the DC Council passed the Prohibition of Human Trafficking Amendment Act of 2010, which includes a provision that a report on human trafficking in the District of Columbia be completed at least every 3 years. In 2017, the CJCC was formally enlisted to prepare the report. The goal of this initial report is to establish a baseline and provide context for human trafficking activity in the District of Columbia during calendar year (CY) 2016 by addressing the following questions:

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?

A description of the methodology used to conduct the analysis is included in Appendix I. This report provides information on incidents of human trafficking that have been identified by or reported to law enforcement, prosecutors, and service providers. Based on a review of human trafficking literature, as well as interviews with law enforcement officials and service providers in the District, it is difficult to determine the full extent to which human trafficking is occurring due to multiple factors including, but not limited to, human trafficking is an under-reported crime; human trafficking is often a hidden crime and difficult to detect; data are specific to a particular agency or program and may be duplicative across agencies and programs since victims may receive services from various organizations; agencies and organizations may define human trafficking differently; and agencies' records management systems may not capture a human trafficking offense if it was discovered later in the investigation or if the offender was ultimately charged with a different but related crime, such as sexual abuse.<sup>5</sup> As a result of the foregoing, the information in this report cannot be used to estimate the prevalence of human trafficking in the District. However, the information can 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.

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<sup>1</sup> The *Polaris Project* website, 2017

<sup>2</sup> 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>)

<sup>3</sup> GAO-16-555; *Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States, 2013 - 2017*

<sup>4</sup> GAO-16-555; *Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States, 2013 - 2017*

<sup>5</sup> GAO-16-555; National Criminal Justice Research Service, *Estimating Human Trafficking into the United*

*States: Development of a Methodology*, September 2006, (<https://www.ncjrs.gov/pdffiles1/nij/grants/215475.pdf>); Office of the Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services, "Human Trafficking into and within the United States: A Review of the Literature," August 2009, (<https://aspe.hhs.gov/report/human-trafficking-and-within-united-states-review-literature>)

## Human Trafficking Legislation and Definitions

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 was pivotal legislation that 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.<sup>6</sup>

Congress reauthorized and amended the TVPA in 2003, 2005, and 2008; and in 2013, Congress further amended provisions of the TVPA, its reauthorizations, and other related laws.<sup>7</sup> 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.<sup>8</sup> 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.<sup>9</sup>

### *Definitions of Human Trafficking*

Federal and District statutes have aligned definitions for human trafficking, namely “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 to engage in a commercial sex act (even if force, fraud, or coercion are not used)”. Key differences are that District law explicitly includes certain factors in its definition of coercion that are not explicitly included in federal law: facilitating or controlling a person’s access to an addictive or controlled substance; restricting access to prescription medication; and causing a reasonable person to believe that he or she is the property of a particular individual or business. See Appendix II for a detailed description of the federal and District of Columbia definitions of human trafficking.

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<sup>6</sup> 22 USC 7101 Division A, TVPA, 2000

<sup>7</sup> 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

<sup>8</sup> 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).

<sup>9</sup> DC Law 18-239; § 22-1831:1843

## **Enforcement and Coordination of Anti-Trafficking Efforts in the District of Columbia**

Given the applicability of both federal and District law, human trafficking in the District of Columbia can be investigated by either local or federal law enforcement and prosecuted by the U.S. Attorney's Office for the District of Columbia (USAO) at either the DC Superior Court or federal District Court.

The Metropolitan Police Department's (MPD) Youth and Family Services Division (YFSD) and the Narcotics and Special Investigations Division's (NSID) Human Trafficking Unit conduct human trafficking investigations at the local level. The Federal Bureau of Investigation (FBI) and U.S. Immigration and Customs Enforcement, Homeland Security Investigations (ICE-HSI) conduct human trafficking investigations at the federal level. The Diplomatic Security Service at the U.S. Department of State may also conduct human trafficking investigations that involve diplomats, foreign nationals, or visa fraud.

Local and federal law enforcement agencies, as well as nongovernmental organizations, have coordinated their efforts to combat human trafficking in the District through three task forces.

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.

The Northern Virginia-District of Columbia Internet Crimes Against Children (NOVA-DC ICAC) Task Force was also established in 2004 through grant funding provided by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) within the U.S. Department of Justice. There are 61 ICAC task forces nationwide representing over 4,500 federal, state, and local law enforcement and prosecutorial agencies. The goal of the ICAC is to engage in proactive and reactive investigations and prosecutions of persons involved in child abuse and exploitation involving the Internet. The NOVA-DC ICAC is led by the Virginia State Police, and MPD's YFSD and the USAO participate on the task force.

MPD's YFSD and the USAO also participate on the FBI's Child Exploitation Task Force (CETF). In 2012, the FBI merged two of its existing child exploitation programs to form the Violent Crimes Against Children program, and it was under this program that the FBI established CETFs in each of its 56 field offices, including the Washington Field Office.<sup>10</sup> The CETF's aim to combine the resources of the FBI with those of other federal, state, and local law enforcement agencies to successfully detect, investigate, and prosecute a range of crimes against children including, child pornography, child abductions, and child sex trafficking.

Many of the investigations that are initiated by the task forces are a result of referrals that are received by private citizens, other law enforcement agencies, or NGOs. The DC Human Trafficking Task Force receives referrals from the National Human Trafficking Hotline, which is managed by Polaris—an NGO that is focused on eradicating human trafficking. The CETF and ICAC receive referrals from the National Center for Missing and Exploited Children

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<sup>10</sup> The FBI merged its Innocent Images National Initiative and Crimes Against Children program to establish the Violent Crimes Against Children program.

(NCMEC), which receives tips from electronic service providers (e.g., Google, Yahoo, etc.) and the general public through the CyberTipline regarding suspected sexual exploitation of children, including child sex trafficking.

## **NATURE OF HUMAN TRAFFICKING IN THE DISTRICT OF COLUMBIA**

According to local law enforcement officials and prosecutors who were interviewed, most of the human trafficking cases in the District involve sex trafficking, where victims are lured by their traffickers through various methods, including social media, and are coerced into the commercial sex industry. In some cases, victims responded to ads in newspapers to work for massage parlors, but instead they were coerced into performing sexual acts in addition to or in lieu of providing massage services. Traffickers may solicit prospective “buyers” through such means as residential brothels, on the streets, in strip clubs, or advertising online through websites. In these instances, victims may be transported by their “pimps” within the District or across the District’s borders to and from Maryland and Virginia. In CY2016, there was at least one case that included traffickers who transported victims to the District from North Carolina. However, transporting a victim across city boundaries is not required in order for a case to be considered human trafficking.

## **HUMAN TRAFFICKING INVESTIGATIONS, ARRESTS, AND PROSECUTIONS**

The prevalence of human trafficking nationwide is unknown. The federal government has taken steps to assess the prevalence of human trafficking, but generally for specific programs or initiatives. The federal government has also funded efforts to develop sound methodologies for estimating the prevalence of human trafficking, but those approaches have not yet been applied nationally.<sup>11</sup>

Given the lack of prevalence data, other information, such as arrests, investigations, prosecutions, and number of victims seeking services, could be used as indicators of the extent to which human trafficking is occurring. According to the *2017 Trafficking in Persons Report*, the U.S. Department of Justice (DOJ) opened more than 1,800 human trafficking investigations during fiscal year 2016, and the U.S. Department of Homeland Security (DHS) opened 1,029 human trafficking investigations.<sup>12</sup> DOJ also initiated a total of 241 human trafficking prosecutions in fiscal year 2016—228 for sex trafficking and 13 for labor trafficking. Considering that DOJ historically has initiated more than 85,000 criminal prosecutions annually, human trafficking cases comprise a very small percentage of total federal prosecutions.<sup>13</sup> As indicated by the information provided by law enforcement agencies and the USAO for this study, the same holds true for the District of Columbia.

### **Investigations and Arrests**

During CY2016, MPD, the FBI, and ICE-HSI investigated 259 alleged human trafficking-related incidents in the District of Columbia and made a total of 14 human trafficking-related arrests.

MPD’s Human Trafficking Unit received and investigated 186 complaints of human trafficking in CY2016 and made a total of 198 arrests. The vast majority (98 percent) of the Human Trafficking Unit’s arrests were for prostitution-related offenses, whereas four of those arrests were for human trafficking offenses. The Human Trafficking Unit is responsible for investigating both prostitution- and human trafficking-related offenses. The Youth and Family Services Division reported and investigated 56 allegations of child sex trafficking during CY2016. YFSD made one human trafficking-related arrest during that time period.

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<sup>11</sup>GAO-16-555

<sup>12</sup> Each year, the U.S. Department of State issues a *Trafficking in Persons Report* in which it ranks nearly 200 countries, including the United States, on their efforts to prevent human trafficking, prosecute traffickers, and protect trafficking victims. Countries are placed in one of four tiers – Tier 1, Tier 2, Tier 2 Watchlist, and Tier 3. The United States has consistently been ranked as a Tier 1 country, which means that it meets the minimum standards for the elimination of trafficking that are defined in the Trafficking Victims Protection Act of 2000. The report describes key initiatives that countries have underway to combat human trafficking and identifies the total number of investigations and prosecutions conducted by the national government.

<sup>13</sup> 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>)

The FBI had 16 human trafficking cases that were active at some point during CY2016. Fourteen of the cases were for sex trafficking and the other two were for labor trafficking. Eleven cases were still pending at the end of CY2016, and the other five cases were closed either by arrest (2) or administratively closed/suspended (3). The FBI made nine human trafficking arrests (seven pending cases and two closed cases) during CY2016.

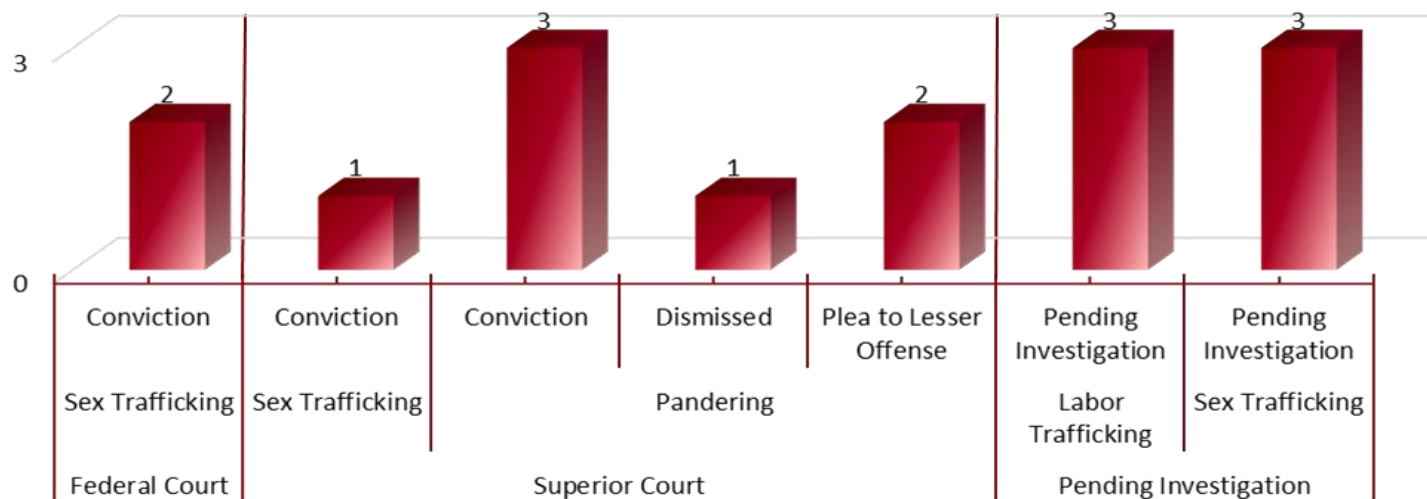
ICE-HSI reported one labor trafficking case that was active during CY2016; MPD requested that ICE-HSI participate in the investigation. Due to the fact that this case is still ongoing, no additional details are provided in this report.

## Prosecutions and Convictions

The USAO identified nine human trafficking prosecutions (i.e., charges filed in court) during CY2016. Three of the cases were for sex trafficking and six cases were for pandering, which is defined as inducing or compelling an individual to engage in prostitution.<sup>14</sup> Of the sex trafficking cases, two were prosecuted in federal District Court and one was prosecuted in DC Superior Court. The defendants were convicted of sex trafficking in all three cases. All six of the pandering cases were prosecuted in DC Superior Court. Three cases resulted in a conviction for pandering, two cases resulted in a guilty plea to human trafficking-related charges (solicitation of prostitution and procuring), and one case was dismissed.

The USAO also had three sex trafficking and three labor trafficking investigations that were initiated during CY2016, which are still pending.<sup>15</sup>

Figure 1: USAO CY2016 Human Trafficking Cases



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

## HUMAN TRAFFICKING OFFENDER AND VICTIM DEMOGRAPHICS

### Offender Demographics

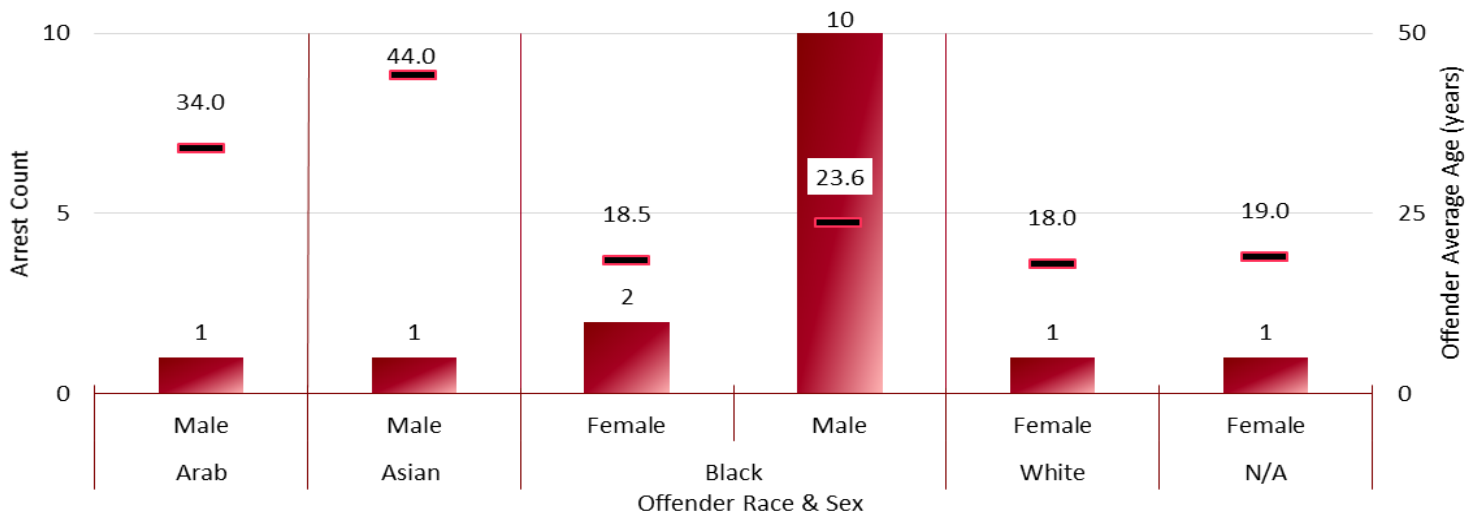
According to the information provided by law enforcement and the USAO, ***suspects who were under investigation, arrested, or prosecuted for human trafficking in the District in CY2016 were mostly black males in their mid to late 20s who were U.S. citizens.***

<sup>14</sup> DC Law 16-306 § 22-2705

<sup>15</sup> 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 CY2016.

The FBI arrested or investigated 16 individuals who were suspected of committing human trafficking offenses in the District. More than half of the suspects were black males; about half of the suspects were in their mid to late 20s, whereas the other half were in their 40s and 50s. Nearly all of the suspects were U.S. citizens (see Figure 2).

Figure 2: Demographic Information for FBI Human Trafficking Suspects, CY2016 (Race, Sex and Average Age)



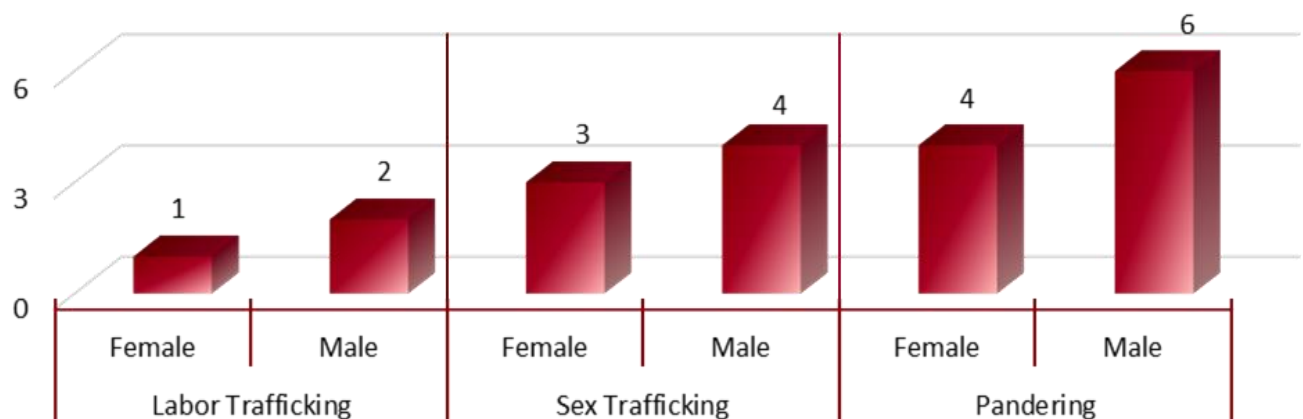
Source: Federal Bureau of Investigation (FBI), Washington Field Office Child Exploitation and Human Trafficking Task Force

MPD arrested five individuals during CY2016 for human trafficking: four of the offenders were black adult males and one was a black juvenile female.

ICE-HSI was not able to provide publicly available demographic information on the labor trafficking suspects that it investigated in CY2016 given that the investigation is still underway.

The USAO identified 20 suspects/defendants as part of its CY2016 human trafficking investigations and prosecutions. For the sex trafficking cases, about half of the suspects/defendants were black males, and all of the suspects/defendants were U.S. citizens in their 20s and 30s (see Figure 3). Due to the sensitive nature of the cases, the USAO was only able to provide limited demographic information on the suspects/defendants in the three labor trafficking cases. However, there were both male and female suspects; one was in their 30s, another in their 50s, and the age of the third suspect is unknown.

Figure 3: USAO Defendants by Type of Human Trafficking and Gender



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

## Victim Demographics

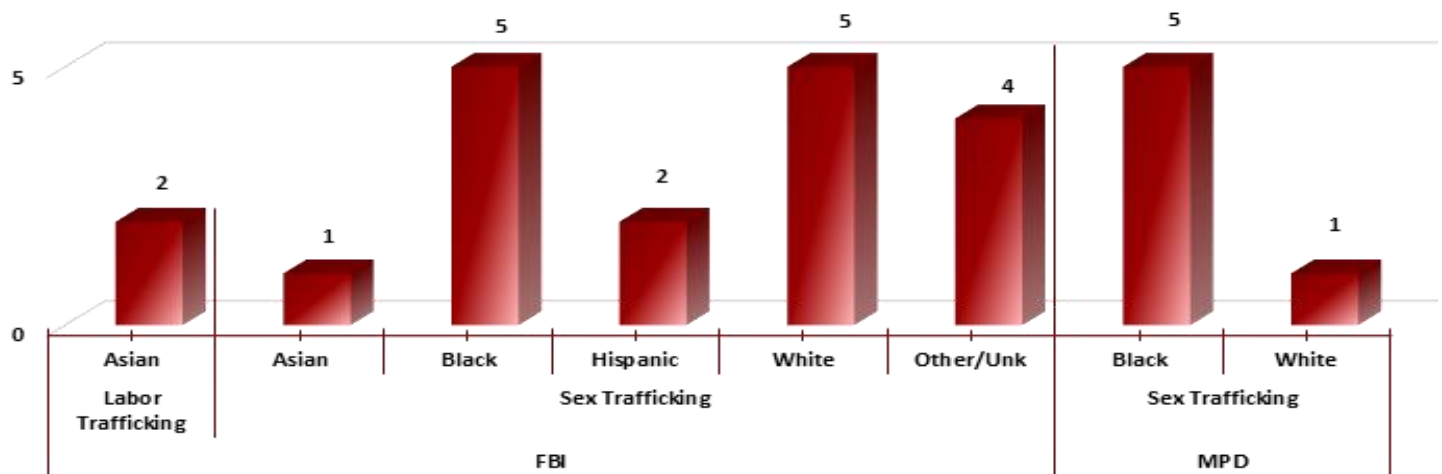
Human trafficking is a significantly underreported crime. There are many more human trafficking victims identified by service providers and the National Human Trafficking Hotline as compared to those who were identified by law enforcement. However, the demographic profile of human trafficking victims in the District is consistent across government agencies and NGOs. **Black females in their teens and 20s, most of whom are U.S. citizens, comprised the largest proportion of human trafficking victims who were identified during CY2016.**

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; who were youth in custodial care; who received victim services; and who contacted the National Human Trafficking Hotline.

### *Victims Identified by Law Enforcement and Prosecutors*

Most of the sex trafficking victims identified by the FBI and MPD during CY2016 were black females in their teens who are U.S. citizens. There were two labor trafficking victims identified by law enforcement who were Asian females in their 30s and 40s (see Figure 4).

Figure 4: Victims Identified by the FBI and MPD by Race and Type of Trafficking, CY2016



Source: Federal Bureau of Investigation (FBI), Washington Field Office Child Exploitation and Human Trafficking Task Force  
Source: Washington DC, Metropolitan Police Department, Human Trafficking Unit & Youth and Family Services Division

The USAO identified 11 sex trafficking victims, all of whom were black females in their teens and U.S. Citizens. The USAO also identified 25 labor trafficking victims, including males and females of varying ages who were primarily non-U.S. Citizens. 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.

### *Victims Who Are Youth in Custodial Care*

In 2014, the DC Council enacted the Sex Trafficking of Children Prevention Amendment Act of 2014, which required that, effective January 2015, the Child and Family Services Agency (CFSA) and the Department of Youth Rehabilitation Services (DYRS) begin screening youth under their custodial care who may be at risk for sex trafficking. Data were provided by DYRS for this initial study.

During CY2016, DYRS identified 10 youth in its care who were *suspected* to be victims of human trafficking. DYRS made this determination based on its experiences working with the youth and the results of the Sex Trafficking Assessment Review (STAR), which is conducted by the Child Guidance Clinic within the Court Social Services Division (CSSD) to identify children who may have been sexually exploited. Each of the potential human trafficking

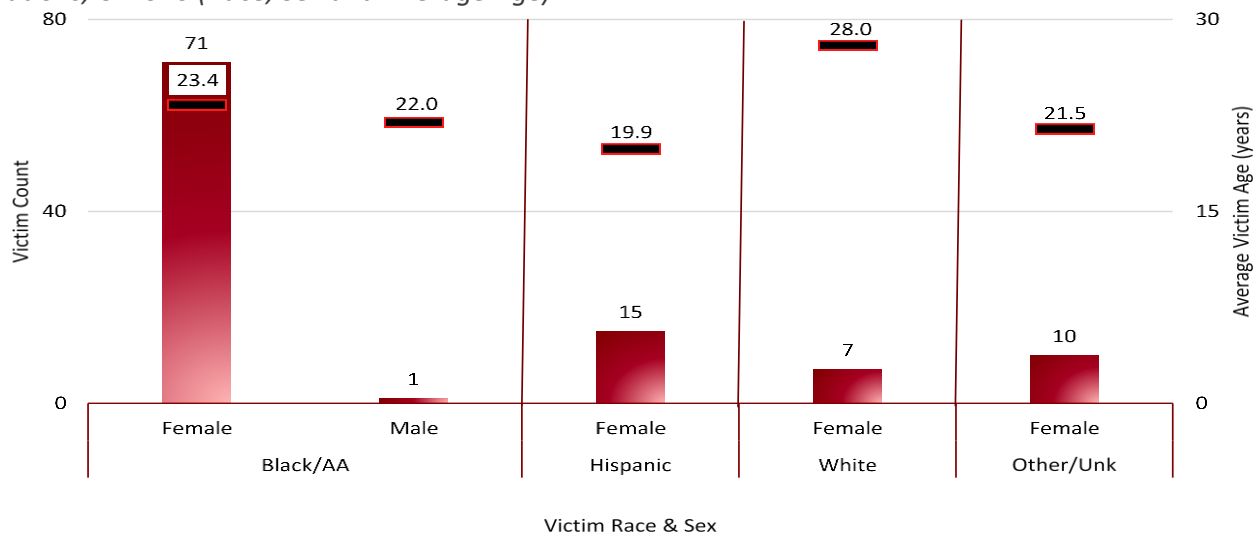
victims that DYRS identified were black females; eight were between the ages of 15 and 17 years, and the other two were 18 years or older.

### *Victims Identified by Non-Governmental Service Providers*

According to the Office for Victim Services and Justice Grants (OVSJG), there were three NGOs that received grant funding from the District in CY2016 that have a primary focus on assisting human trafficking victims. These three NGOs were contacted for the purpose of this study regarding the number of human trafficking victims served during CY2016 and the types of assistance provided. Two of the three NGOs responded and indicated that a total of 104 human trafficking victims were served between them.<sup>16</sup>

Based on information provided by the two NGOs, the most frequently provided services were for victim/witness advocacy, criminal defense, record sealing, supportive counseling, crisis assistance, and housing referrals. Most of the victims were black (69.2%), female<sup>17</sup> (99%), between the ages of 18 and 25 (58.7%), and U.S. citizens (86.5%) (see Figure 5). It is important to note that victim totals provided in this report may be duplicative as victims may receive services from multiple providers depending on the need.

*Figure 5: Demographic Information for Human Trafficking Victims from OVSJG funded Non-Governmental Organizations, CY2016 (Race, Sex and Average Age)*



Source: Non-Governmental Service Providers funded by the Office for Victim Services and Justice Grants (OVSJG)

### *Victims Identified through the National Human Trafficking Hotline*

In addition to NGOs that provide services to victims, two of the NGOs that participate on the DC Human Trafficking Task Force—Polaris and the National Center for Missing and Exploited Children (NCMEC)—receive reports of suspected human trafficking and then refer those reports to law enforcement nationwide.

Polaris receives funding from the U.S. Department of Health and Human Services to manage the National Human Trafficking Resource Center, which also maintains the National Human Trafficking Hotline. During CY2016, the National Human Trafficking Hotline received 26,727 calls and 7,621 reports of human trafficking cases, nationwide. The District ranked 23rd among 55 states and territories with respect to the number of calls (348) and reported human trafficking cases (84) in CY2016. Calls to the hotline were made by community members such as a medical professional or faith-based representative, NGO representatives, family members or friends of trafficking victims,

<sup>16</sup> For the purposes of this report, Office for Victim Services and Justice Grants (OVSJG) funded 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.

<sup>17</sup> Some OVSJG funded 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.

or the victims themselves. Cases are identified from calls to the hotline based on careful evaluation of the information provided during the call. Most often, these cases are determined based on law enforcement, service provider, or individual requests for training or technical assistance or services available for victims.<sup>18</sup>

Just under two-thirds of the cases reported to the hotline in the District were for sex trafficking (54 of 84), and the top venues or industries for sex trafficking were hotel/motel based or from an online ad. Labor trafficking accounted for a quarter (21 of 84) of the cases reported to the hotline, and the top venues or industries were peddling rings and domestic work.

Of the 84 human trafficking victims identified in the District, 79% were females, 17% were male, and 5% were gender minorities. The majority of victims were adults (58%). Nearly 30% of the victims identified as a U.S. citizen, 27% identified as a foreign national, and the remaining 36% did not identify their citizenship.<sup>19</sup> The National Human Trafficking Hotline does not report the race of human trafficking victims.

The National Center for Missing and Exploited Children (NCMEC), which is largely funded by the U.S. Department of Justice, maintains the CyberTipline, which receives tips from electronic services providers and the general public regarding suspected sexual exploitation of children, including child sex trafficking. Information on CyberTipline reports of suspected child sex trafficking in the District were not available. However, according to NCMEC, of the nearly 25,000 runaways nationwide reported to NCMEC in 2017, one in seven were likely victims of child sex trafficking; and the average age of child sex trafficking victims reported to NCMEC was 15 years.

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<sup>18</sup> CY2016 National human Trafficking Hotline Data Report

<sup>19</sup> <https://humantraffickinghotline.org/states>

## FUTURE CONSIDERATIONS AND NEXT STEPS

The goal of this initial report was to establish a baseline for human trafficking investigations, arrests, and prosecutions in the District; demographics of offenders and victims; and the types of assistance victims are seeking. However, human trafficking is complex; and collecting, documenting, and reporting dependable, individual or record-level data on offenders and victims is challenging, in large part, because occurrences of human trafficking are rarely reported to law enforcement. Also, for cases that are reported to law enforcement, information on suspects and victims may not be accessible, especially for ongoing investigations.

The law enforcement agencies and NGOs that participate on the DC Human Trafficking Task Force provided invaluable insights and information for this study, and they identified several actions currently underway to encourage more victims to report their cases to law enforcement and participate in investigations and prosecutions. For example, the DC HTTF has been conducting human trafficking information sessions at various schools throughout the city, which may help to raise awareness among a demographic that has been more frequently victimized by this crime - African American females in their teens and early twenties. Also, the NGOs have ongoing efforts to train law enforcement agencies on how to employ a trauma-informed approach to working with victims, and they have also conducted information sessions with community members on indicators that someone may be a victim of human trafficking. In turn, law enforcement agencies plan to train NGOs on the processes for conducting investigations and prosecutions, including the victims' role in those processes. Law enforcement partners also agreed to provide information to NGOs on relief available to human trafficking victims who may be reluctant to engage with law enforcement because of their immigration status. For example, trafficking victims may seek immigration relief in the form of T nonimmigrant status (T visa), which is specifically for trafficking victims, or U nonimmigrant status (U visa), which is for victims of qualifying criminal activity, including human trafficking. The T and U visa allow victims to remain in the country for up to 4 years so they can assist with the investigation or prosecution of the case, and it authorizes the victims to seek employment. Further, ICE can grant Continued Presence, which is a temporary form of protection available to foreign national victims of human trafficking without lawful immigrant status if they are potential witnesses to trafficking. Continued Presence allows victims to remain and work in the country for 1 year, and may be renewed in 1-year increments as long as the human trafficking investigation is ongoing.<sup>20</sup>

Consistent with the Prohibition of Human Trafficking Amendment Act of 2010, 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. Data will be collected annually in order to monitor human trafficking trends in the District, and a report will be submitted to the DC Council at least every 3 years. One goal of future data collection efforts will be to estimate the total number of human trafficking victims who have sought services and assistance in the District. However, during a DC HTTF meeting in December 2017, members discussed the challenges in determining the number of unique human trafficking victims in the District. It was noted that victims, understandably, may seek services and assistance from multiple NGOs but that makes it difficult to provide an accurate count of victims. Currently, there is no process or mechanism for service providers to determine whether they are assisting the same victims. Following our discussions with several of the NGOs on the task force, they agreed to explore options for developing a shared database of victims they have served. If implemented, this database would be useful for future CJCC human trafficking reports with respect to estimating the number of unique human trafficking victims in the District.

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<sup>20</sup> GAO-16-555

## APPENDIX I – RESEARCH SCOPE AND METHODOLOGY

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To identify resources for information on human trafficking for this report, staff conducted internet literature searches on human trafficking, participated in DC Human Trafficking Task Force meetings, held discussions with government and non-government victim service agencies, attended information forums, and gathered information from criminal justice partners.

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 2016. This time period was selected because it was the most recent completed year for which data were available at the start of this review. 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 CY2016, both at the local and federal levels, CJCC requested information from the United States Attorney's Office (USAO), and the Superior Court of the District of Columbia. CJCC also requested demographic information on offenders and victims associated with the prosecutions.

To identify additional human trafficking victims who may or may not have been involved in an investigation or prosecution, CJCC contacted the Office for Victim Services and Justice Grants (OVSJG) to identify nongovernmental organizations (NGOs) with a human trafficking focus that received District grant funds. OVSJG identified three such NGOs, and CJCC contacted those organizations to request the number of and demographic information on human trafficking victims they served during CY2016.

Additional information on human trafficking victims in the District and nationwide was retrieved from the National Human Trafficking Hotline website and the 2016 National Hotline Annual Report as of December 2017.

CJCC also 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.

All agencies and organizations that contributed data for this report were provided an opportunity to review relevant sections of the report between December 2017 and February 2018 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><b><i>Forced labor:</i></b> (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><b><i>Sex trafficking of children or by force, fraud or coercion</i></b> (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> <ul style="list-style-type: none"> <li>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</li> <li>b) the person has not attained the age of 18 years and will be caused to engage in a commercial sex act.</li> </ul> <p><b><i>Unlawful conduct with respect to documents in furtherance of trafficking, peonage, slavery, involuntary servitude or forced labor</i></b> (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><b><i>Forced labor</i></b> (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><b><i>Trafficking in labor or commercial sex acts</i></b> (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> <ul style="list-style-type: none"> <li>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</li> <li>b) the person is being placed or will be placed or kept in debt bondage</li> </ul> <p><b><i>Sex trafficking of children</i></b> (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><b><i>Documents with respect to human trafficking</i></b> (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 – MEMBERSHIP OF THE DC HUMAN TRAFFICKING TASK FORCE**

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### **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