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THESIS

**COMBATING SEX TRAFFICKING: THE STRATEGIES
OF THE UNITED STATES AND UNITED KINGDOM**

by

Neal J. Ferry

March 2013

Thesis Advisor:
Second Reader:

Ryan Gingeras
Mikail Tsyarkin

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**COMBATING SEX TRAFFICKING: THE STRATEGIES OF THE UNITED
STATES AND UNITED KINGDOM**

Neal J. Ferry
Lieutenant, United States Navy
B.S., University of Pittsburgh, 2002

Submitted in partial fulfillment of the
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March 2013**

Author: Neal J. Ferry

Approved by: Dr. Ryan Gingeras
Thesis Advisor

Dr. Mikhail Tsypkin
Second Reader

Dr. Harold Trinkunas
Chair, Department of National Security Affairs

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ABSTRACT

The trafficking in persons for sexual exploitation is a worldwide problem. The international community is engaged in addressing this problem. One of the major issues associated with sex trafficking is that its severity is ultimately unknown. While the majority of government and NGO research indicates sex trafficking victims number in the hundreds of thousands or millions, some academic researchers argue these statistics are inaccurate. In the United States, there are federal and state laws empowering prosecutors and police officers. Law enforcement efforts involve operations conducted at the international, state and local levels. Education and training programs designed for criminal justice practitioners and the general public take place in the classroom and through the Internet. In the United Kingdom, legislation is also in effect to empower prosecutors and police officers. Law enforcement efforts are also conducted at the international and local levels. Training and education are also available for the general public and law enforcement communities. Both nations have evaluated their efforts in attempting to make improvements. While the U.S. and U.K. are actively engaged in combating sex trafficking, the unknown severity of the issue makes it difficult to determine success or failure of the efforts in place.

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TABLE OF CONTENTS

I.	INTRODUCTION.....	1
A.	MAJOR RESEARCH QUESTION.....	1
B.	IMPORTANCE.....	2
C.	PROBLEMS AND HYPOTHESES	4
D.	LITERATURE REVIEW	5
E.	METHODS AND SOURCES.....	15
F.	THESIS OVERVIEW	16
II.	SIGNIFICANCE OF SEX TRAFFICKING	19
A.	DEFINITION OF SEX TRAFFICKING.....	19
B.	CHALLENGES IN UNDERSTANDING SEX TRAFFICKING THROUGH DATA AND STATISTICS	21
C.	SIGNIFICANCE OF SEX TRAFFICKING IN THE UNITED STATES.....	30
D.	SIGNIFICANCE OF SEX TRAFFICKING IN THE UNITED KINGDOM	33
E.	CONCLUSION	37
III.	COMBATING SEX TRAFFICKING IN THE UNITED STATES.....	39
A.	LEGISLATION	39
B.	LAW ENFORCEMENT ACTIVITIES.....	45
1.	Federal Efforts	46
2.	State Efforts.....	50
3.	Recent Cases of Sex Trafficking	53
4.	Evaluation of Law Enforcement Efforts.....	55
C.	TRAINING AND EDUCATION	61
1.	Polaris Project to Combat Slavery	61
2.	Department of Homeland Security.....	63
3.	International Association of Chiefs of Police (IACP)	64
4.	Challenges Associated with Training and Education	65
D.	CONCLUSION	67
IV.	COMBATING SEX TRAFFICKING IN THE UNITED KINGDOM.....	69
A.	LEGISLATION	69
1.	Prosecution Agencies within the United Kingdom	72
2.	Evaluation of Sex Trafficking Legislation	73
B.	LAW ENFORCEMENT EFFORTS	75
1.	United Kingdom Human Trafficking Centre (UKHTC)	75
2.	National Referral Mechanism (NRM)	76
3.	Border Security	77
4.	Domestic Efforts.....	78
5.	International Efforts.....	82
6.	Evaluation of Law Enforcement Efforts.....	87
C.	TRAINING AND EDUCATION	98

1.	UKHTC Best Practice Guide	98
2.	U.K. Blue Blindfold Campaign	98
3.	U.K. CRIMESTOPPERS Training Program	99
4.	International Outreach	100
5.	Training for Law Enforcement and Border Security	102
D.	CONCLUSION	104
V.	CONCLUSION	107
	LIST OF REFERENCES	111
	INITIAL DISTRIBUTION LIST	125

LIST OF ACRONYMS AND ABBREVIATIONS

ACPO	Association of Chief Police Officers
BJS	Bureau of Justice Statistics
CHASTE	Churches Against Sex Trafficking in Europe
CPS	Crown Prosecution Service
EU	European Union
EUROPOL	European Union Police Organization
FBI	Federal Bureau of Investigation
FLETC	Federal Law Enforcement Training Center
DHS	Department of Homeland Security
DOJ	Department of Justice
DOL	Department of Labor
DOS	Department of State
HTRS	Human Trafficking Reporting System
ICE	Immigrations and Customs Enforcement
IOM	International Organization for Migration
INTERPOL	International Police Organization
MPS	Metropolitan Police Service
NIJ	National Institute of Justice
NGO	Non-Governmental Organization
OIG	Office of the Inspector General
OSCE	Organization for Security and Cooperation in Europe
OVC	Office of Victims of Crime
PITF	Presidential Interagency Task Force
PNLD	Police National Legal Database
PSNI	Police Service of Northern Ireland
SOCA	Serious Organized Crime Agency
UKBA	United Kingdom Border Authority
UKHTC	United Kingdom Human Trafficking Center
UNODC	United Nations Office on Drugs and Crime

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I. INTRODUCTION

A. MAJOR RESEARCH QUESTION

Since the turn of the century, the trafficking of humans across state and international borders for the purpose of sexual exploitation has expanded and is receiving attention. Both the United States and United Kingdom have taken steps to combat sex trafficking at various levels. In the United States, the President's Interagency Task Force was created in 2000 to oversee initiatives at the federal level, while state and local governments enacted their own initiatives. In the United Kingdom, efforts to combat sex trafficking are overseen by the Human Trafficking Centre (UKHTC) established under the Serious Organized Crime Agency (SOCA).

Legislation, law enforcement efforts, and education and training are the three major areas of focus between the two nations pertaining to sex trafficking. Legislation serves two purposes: It establishes government understanding of the sex trafficking problem, and it arms prosecutors and law enforcement officers with tools to adjudicate sex trafficking cases. Law enforcement efforts to combat sex trafficking can range from international operations, in which police forces work across continents, to local efforts within large cities. Education and training programs are designed for criminal justice practitioners as well as the general public. Also, a range of topics—such as physical and emotional signs of trafficking victims, interview strategies, and case law—review can be delivered via the Internet or classroom.

Although the two nations have different programs, they are actively engaged in combating sex trafficking; legislation, law enforcement efforts, and training and education programs are in effect. Despite these efforts, sex trafficking remains a problem. Additionally, the ultimate severity of the problem is unknown and, therefore, creating strategies to combat it is complicated. In light of these issues, is it possible to measure effective strategies to combat sex trafficking? In this thesis, I intend to prove that, although the U.S. and U.K. are engaged in combating sex trafficking, the severity of the problem remains unknown, and the programs fail to provide evaluations of effectiveness.

B. IMPORTANCE

Although it is estimated that thousands of people are trafficked across borders for sexual exploitation annually, the underground nature of the problem makes it difficult to articulate precise figures. Data derived from the U.S. State Department indicates, “600,000 to 900,000 persons trafficked worldwide, and between 14,500 and 50,000 trafficked in to the United States.” These estimates, however, are not “based on any actual count, and it is not known whether the volume is increasing or decreasing.”¹

Combating sex trafficking has received national and international attention. In the United States, the PITF oversees the work performed by agencies such as the Department of State (DOS); Department of Justice (DOJ), and within it the Federal Bureau of Investigation (FBI); Department of Homeland Security (DHS), and within it, Customs and Border Protection (CBP); and Immigration and Customs Enforcement (ICE).² States have also established initiatives, and major police departments such as Los Angeles and New York have created specialized trafficking units or placed the issue under the responsibility of previously established vice divisions designed to confront sex trafficking.

In the United Kingdom, the SOCA-operated Human Trafficking Centre (UKHTC) serves as the lead government agency to combat sex trafficking.³ Similar to the United States, this agency provides information such as an overview of human trafficking to include sex trafficking-related legislation and common myths, as well as a Best Practice Guide designed for law enforcement officers who make contact with trafficking victims.⁴ Additionally, the London Metropolitan Police Service (MPS) established its own human trafficking unit, the most recent of which was the Human Exploitation and Organized

¹ Jay S. Albanese, *Transnational Crime and the 21st Century: Criminal Enterprise, Corruption, and Opportunity* (New York: Oxford, 2011), 51.

² U.S. Department of State: U.S. Government Entities Combating Human Trafficking, <http://www.state.gov/j/tip/response/usg/index.htm>, accessed August 24, 2012.

³ Introduction to the UKHTC, <http://www.soca.gov.uk/about-soca/about-the-ukhtc>, accessed August 24, 2012.

⁴ Ibid.

Crime Unit in 2010.⁵ Also, the United Kingdom Border Authority (UKBA) serves as the equivalent of the DHS, by screening persons traveling through air and seaports and patrolling the waters surrounding the country.⁶

The governments of the United States and United Kingdom provide information about the significance of sex trafficking as well as awareness, anti-trafficking measures, and conviction summaries. The U.S. Department of State (DOS) provides online information for how to identify potential victims of sex trafficking as well as the annual Trafficking in Persons Reports that includes both nations.⁷ Information in the report includes victim details, recommendations for the government, prosecution summaries, protection of victims, and prevention methods. Sex trafficking victims enter the United Kingdom from Africa, Asia, and Eastern Europe, although in 2011, victims were identified from nearly forty countries.⁸ Anti-trafficking laws in the United Kingdom include the Coroners and Justice Act, Sexual Offenses Act, and Asylum and Immigration Act. Despite prison sentences ranging from 10 to 14 years, the average sentence for a convicted trafficker in the United Kingdom in 2011 was around 27 months.⁹ Training programs were held for police officers as well as military troops.¹⁰

Similar information was provided for the United States; however, compiling information is challenging because “numerous agencies, initiatives, and programs each serve distinct roles in a multifaceted anti-trafficking effort.”¹¹ One difference between the two nations is that traffickers in the United States can be sentenced to up to life

⁵ Mayor’s Office for Policing and Crime, “Getting tough on trafficking and prostitution,” Greater London Authority, <http://www.london.gov.uk/priorities/crime-community-safety/tackling-priority-crimes/violence-against-women/trafficking-prosti>, accessed August 25, 2012.

⁶ United Kingdom Border Office, <http://www.ukba.homeoffice.gov.uk/aboutus/>, accessed August 24, 2012.

⁷ U.S. State Department Office to Combat Trafficking in Persons, <http://www.state.gov/j/tip/index.htm>, accessed August 11, 2012.

⁸ U.S. State Department, “Trafficking in Persons Report: 2012,” 357.

⁹ Ibid., 358.

¹⁰ Ibid., 359.

¹¹ Ibid., 360.

imprisonment.¹² Despite both nations taking active steps to combat sex trafficking, the ability to gauge success or failure of the measures in place is difficult because the severity of sex trafficking is ultimately unknown.

C. PROBLEMS AND HYPOTHESES

Sex trafficking is a heinous crime compounded by its lucrative nature. Law enforcement efforts to combat trafficking have taken place at the domestic and international levels. Legislation, law enforcement efforts, and education and training are prevalent in both the United States and United Kingdom. Both nations have laws in effect to combat sex trafficking. Both governments also make information available to the public through their numerous respective websites.

Although law enforcement officers from both nations are exposed to training related to sex trafficking to one degree or another, the degree of training and frequency of sustainment are unknown. There is a best practice guide designed for officers listed on the UKHTC website that serves an informative purpose.¹³ In the U.S., DHS provides online training tailored to individuals, businesses, and federal employees, including videos as well as pamphlets.¹⁴

The academic argument regarding the significance of sex trafficking is complicated. Governments and most scholars agree that there are hundreds of thousands of trafficking victims, although the severity is ultimately unknown. Despite law enforcement efforts, and the education and training programs in place, the number of trafficking victims identified is significantly lower than the estimates.

Because of the wide disparity of data related to the significance of sex trafficking, it is difficult to determine the effectiveness of the measures in place. Chapters III and IV show that both the U.S. and the U.K. are actively engaged in combating sex trafficking;

¹² Ibid., 361.

¹³ Serious Organized Crime Agency: Best Practice Guide, <http://www.soca.gov.uk/about-soca/about-the-ukhtc/best-practice-guide>, accessed August 24, 2012.

¹⁴ Department of Homeland Security: Human Trafficking Awareness Training, <http://www.dhs.gov/human-trafficking-awareness-training>, accessed August 24, 2012.

without knowing the severity of the problem, however, success or failure cannot be measured by the numbers of victims and suspects.

D. LITERATURE REVIEW

The literature covering sex trafficking in both the U.S. and U.K. is provided by academic researchers as well as government and non-government organizations. Some of the researchers presented detailed descriptions through undercover work in the sex industry or activist support. Others provided first-hand experience from a law enforcement officer's standpoint. Common arguments included a need for more research regarding sex trafficking as well as linkages between sex trafficking, prostitution, and violence against women. Another significant argument included claims that strategies to combat sex trafficking were too focused on border security issues. Federal Prosecutor Robert Moossy highlighted some of the challenges associated with sex trafficking cases, beginning with training. Moossy's input is valuable because his occupation exposes him to sex trafficking matters. The U.S. DOJ provides training designed specifically for law enforcement officers in identifying and working with victims of sex trafficking from the initial contact through adjudication.¹⁵ The justification for training patrolman is that they typically encounter victims during other incidents such as traffic stops or domestic violence calls.¹⁶ Discussion points include teaching all police officers in a given department how to identify potential victims, effective interviewing techniques, and reasons why victims may refuse to cooperate with law enforcement.¹⁷ Key information included how to conduct an interview and detect potential victims in the event they are actually traffickers, as well as how to remain patient with victims throughout the ordeal and attempt to locate additional victims.¹⁸ Overall, Moossy's arguments appear objective.

¹⁵ Robert Moossy, "Sex Trafficking: Identifying Cases and Victims," National Institute of Justice, March 2009 <http://www.nij.gov/journals/262/sex-trafficking.htm>.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Ibid.

Although sex trafficking in the U.S. is combated at the state and federal level, a case study published by researchers Jeremy M. Wilson and Erin Dalton of the RAND Corporation examined a sex trafficking ring in Toledo, Ohio. Key findings of this report were that, despite sex trafficking being an international issue, “it is ultimately a problem identified locally” and, while a majority of information is addressed at the federal level, there is little information about sex trafficking in smaller communities throughout the United States.¹⁹ Additionally, smaller agencies such as local police departments typically lack the ability to handle trafficking cases as a small percentage of “medium to large departments report having a unit or personnel dedicated to human trafficking” and, “in 11 of 12 cases examined, authorities failed to notice the victims and take appropriate action to bring them to safety.”²⁰ Recommendations for improvement included increasing law enforcement resources and networking between agencies, revising policies currently in place, and re-evaluating legislation.²¹

While Wilson and Dalton’s study was limited to a small community in the continental U.S., other researchers examined the significance of sex trafficking globally. Kennedy School of Government fellow Siddharth Kara researched sex trafficking and modern-day slavery around the world. The U.S. and Western Europe were among the regions he examined. Kara’s work involved interviewing prostitutes and trafficking victims; his descriptions of their conditions are blunt and as sometimes emotional. Kara presents an objective analysis of sex trafficking in Europe by highlighting arguments for and against prostitution, and the connection with sex trafficking. Although most of Kara’s Western Europe research is focused on Italy, some of his findings can be applied to the entire region. Italy, because of its coastline, serves as a destination for sex trafficking victims from Eastern Europe, the Middle East, and Asia.²² Kara highlighted that trafficking victims of all nationalities are flown through the major airports in Italy and

¹⁹ Jeremy M. Wilson and Erin Dalton, “Human Trafficking in the Heartland: Variation in Law Enforcement Awareness and Response,” *Journal of Contemporary Criminal Justice*, August 2008, 297.

²⁰ *Ibid.*, 304.

²¹ *Ibid.*, 310–311.

²² Siddharth Kara, *Sex Trafficking: Inside the Business of Modern Slavery* (New York: Columbia, 2009), 88.

“Nigerians are flown more frequently than are other nationalities.”²³ Through an interview with an Italian police officer, Kara revealed that Italy was the first EU destination for victims, and that traffickers would subsequently sell them in the other EU nations.²⁴

Kara indicated that the majority of sex trafficking cases in Italy dealt with Nigerian victims and investigations were usually hindered by “limited resources...as well as a lack of government-level cooperation with neighboring countries.”²⁵ Kara also highlighted the arguments regarding legalization of prostitution. On one hand, women have a right to control their bodies and should be allowed to choose whether they want to work in the sex trade.²⁶ The counterargument is that prostitution is linked with sex trafficking and women would be further victimized if the behavior were allowed.²⁷ Although Kara’s description of the sex trafficking problem in Western Europe seemed objective, he was critical of the situation in the U.S.

In his opening paragraph, Kara stated, “Individuals from every corner of the world are trafficked to the ‘land of the free, and the home of the brave,’ where they are treated no better than the Africans who arrived on slave ships two centuries ago.”²⁸ His criticism continued throughout the chapter as he focused more on the failures of the law enforcement strategy while caveating some of the strengths. In one case, Kara highlighted that U.S. prosecutors have more resources in pursuing trafficking suspects compared to other parts of the world.²⁹ He also praised federal efforts to pursue Americans who traveled globally to sexually exploit children.³⁰ However, Kara indicated that frontline police officers failed on several occasions to stop a trafficking situation in Florida, faulting a lack of persistence during several encounters that transpired between police and

²³ Ibid., 88.

²⁴ Ibid., 93.

²⁵ Ibid., 99.

²⁶ Ibid., 100.

²⁷ Ibid.

²⁸ Ibid., 179.

²⁹ Ibid., 188.

³⁰ Ibid., 194–195.

traffickers.³¹ Kara also criticized U.S. immigration policy. He argued that strict border control created opportunities for traffickers to move people from Mexico and that the visa application process for trafficking victims was too subjective.³² Although he presented positive and negative aspects of combating sex trafficking in both regions, Kara seemed critical of U.S. efforts.

Similar to Kara, Professor Louise Shelley, founder of the George Mason University Terrorism, Transnational Crime, and Corruption Center, described sex trafficking throughout the world. In her discussion of sex trafficking throughout Western Europe, Shelley indicated there is a demand for sex workers because native-born women “do not choose to engage in prostitution.”³³ Similar to Kara, she also highlighted the immigration aspect and challenges of border security throughout the region as they relate to combating sex trafficking.³⁴ Shelley indicated EUROPOL recently determined that the U.K. is a major destination of trafficking victims.³⁵ In understanding the significance of the problem, she indicated much information remains unknown about sex trafficking.³⁶ Although the available victim data indicated young women were primarily affected, it was still difficult “to research and analyze trafficking from a multi-disciplinary and comprehensive perspective.”³⁷ Shelley indicated law enforcement responses have been “understaffed and under-resourced” and, as a result, traffickers did not seem intimidated about working in the U.K.³⁸ Although she praised U.K. efforts to track traffickers’ finances, she also indicated it was uncommon throughout the EU to “follow the money

³¹ Ibid., 188.

³² Ibid., 195–196.

³³ Louise Shelley, *Human Trafficking: A Global Perspective* (New York: Cambridge University, 2010), 204.

³⁴ Ibid., 205.

³⁵ Ibid.

³⁶ Ibid., 216.

³⁷ Ibid., 217.

³⁸ Ibid., 224.

trails.”³⁹ In closing, Shelley indicated that “far too many trafficking victims are caught in a bureaucratic maze, often deported before they can obtain assistance.”⁴⁰

Shelley also described sex trafficking in the U.S. She indicated that, unlike the EU, U.S. victims were “younger, more often native born, and more mobile.”⁴¹ Shelley also highlighted a morbid detail pertaining to U.S. sex trafficking: Sex trafficking victims typically lived only seven years after they enter trafficking and some may be kept hidden from law enforcement during that entire time.⁴² On the issue of U.S. law enforcement corruption, she indicated it is less prevalent as in other parts of the world, while also highlighting that police in large cities would also work for traffickers (in some cases “brothel keepers”) by informing them about potential raids.⁴³ In discussing sex trafficking throughout the country, emphasis was made on the West Coast and major cities such as Los Angeles, San Diego, Las Vegas, and San Francisco.⁴⁴ In closing, Shelley reiterated that U.S. sex trafficking is unique from other parts of the world because it is primarily a domestic matter. Although she indicated that the problem seems to be growing, she also caveated, “The absence of reliable statistics makes it difficult to confirm the trends in the problem.”⁴⁵

While Shelley and Kara focused on the challenges in combating trafficking in the Europe and the U.S., Professors Kevin Bales and Ron Soodalter focused on linking U.S. sex trafficking with slavery. Throughout their book, they compared historical cases of slavery throughout the nation with modern-day human trafficking and the subset of sex trafficking. They also highlighted challenges associated with understanding sex trafficking and the enforcement efforts in place. Similar to Kara, Bales and Soodalter included victim accounts with their work. On the larger issue of human trafficking, Bales

³⁹ Ibid., 225.

⁴⁰ Ibid., 228.

⁴¹ Ibid., 229.

⁴² Ibid., 231–233.

⁴³ Ibid., 238.

⁴⁴ Ibid., 247–259.

⁴⁵ Ibid., 262.

and Soodalter argue that “when most Americans think of human trafficking, they think of sex slavery,” and this is mainly due to the prostitution opponents.⁴⁶ They argued U.S. efforts were more concerned with the eradication of sex trafficking, rather than other forms of trafficking, and also highlighted NGO support.⁴⁷ Additionally, Bales and Soodalter also highlighted the arguments for and against legalization of prostitution and articulated a state department official’s theory that “the sex industry and legal prostitution breed an enabling environment—a legitimate cover in which sex trafficking can occur.”⁴⁸ While they acknowledge these opposing arguments, Bales and Soodalter highlighted the viewpoint of an anti-trafficking NGO, also indicating that “policies and programs must be based upon objective, apolitical, peer-reviewed, evidence-based research and not on anyone’s opinions or anecdotes.”⁴⁹

Similar to the other research, data issues complicated understanding the best course of action for an anti-trafficking program. Princeton researcher Anthony Shorris said, “There is very little [research] work done on trafficking, and much of the research that does exist is focused on one element of the problem: the need for more and better data.”⁵⁰ Bales and Soodalter argued the need for statewide interagency task forces was highlighted as vital to combating trafficking because these forces can “research and ascertain the types and extent of trafficking within their respective states, develop state human trafficking response plans, review existing services, and establish policies.”⁵¹ The importance of the individual states’ ability to combat trafficking independently was reiterated because, according to the federal government, “State and local authorities were the likeliest to locate and identify instances of trafficking at the community level.”⁵²

⁴⁶ Kevin Bales and Ron Soodalter, *The Slave Next Door: Human Trafficking and Slavery in America Today* (California: University of California, 2009), 113.

⁴⁷ Ibid.

⁴⁸ Ibid., 113–114.

⁴⁹ Ibid., 116.

⁵⁰ Ibid., 203.

⁵¹ Ibid., 205.

⁵² Ibid., 208.

Bales and Soodalter highlighted that in developing anti-trafficking laws, states should include mechanisms to monitor progress and conduct research to help understand the problem.⁵³

Similar to Kara and Shelley, Professors Kimberly A. McCabe and Sabita Manian compiled a group of articles discussing international sex trafficking. This work is significant as it is a compilation of viewpoints discussing how regions combat sex trafficking globally. Of the 17 articles, one each dealt specifically with the U.K. and the U.S. Similar to other writers, Margaret Melrose argued that the U.K. sex trafficking strategy is “primarily focused on organized crime and border control rather than with the abuses of human rights that processes of human trafficking inevitably entail.”⁵⁴ Melrose repeated findings that the U.K. is a source and destination country for sex trafficking, and most of the international victims are young women from Asia, the Middle East, and Africa.⁵⁵ Similar to Kara, Melrose highlighted that victims are moved throughout the region, as well as the significance of Italy as a transit point for Nigerian trafficking victims.⁵⁶ Melrose argued the U.K. government’s approach to combat sex trafficking “is not primarily concerned with the human rights abuses endured by those who are subjected to trafficking; instead, it is concerned with controlling its borders and tackling organized crime.”⁵⁷ Melrose was also critical of the fact that U.K. trafficking victims had to apply for asylum in order to receive assistance.⁵⁸ Because there is more emphasis on the border control aspect vice the care of sex trafficking victims, Melrose argued the overall U.K. strategy needed to be improved.⁵⁹

⁵³ Ibid., 210.

⁵⁴ Margaret Melrose, “Mercenary Territory: A UK Perspective on Human Trafficking,” *Sex Trafficking: a Global Perspective*, Kimberly A. McCabe and Sabita Manian eds. (New York, Lexington: 2010), 59.

⁵⁵ Ibid., 61.

⁵⁶ Ibid., 62–63.

⁵⁷ Ibid., 65.

⁵⁸ Ibid., 66.

⁵⁹ Ibid., 67.

In her explanation of sex trafficking in the U.S., McCabe highlighted the same difficulties in grasping the scope of the problem. Those issues included understanding the accuracy of the data available on victims and the monetary value of trafficking.⁶⁰ McCabe also speculated that law enforcement officials may be complicit with traffickers.⁶¹ In explaining why trafficking flourishes in the U.S., McCabe argued that it was directly related to the mail-order bride industry as well as Internet-related exploitation.⁶² Women brought from overseas were forced into “spousal prostitution” (situations where husbands force their foreign-national wives to work for sex) and Internet pornography was a component of the exploitation.⁶³ McCabe also criticized U.S. efforts to combat trafficking, arguing that police and prosecutors were still learning how to adjudicate sex trafficking cases and the penalties were too light.⁶⁴ She highlighted that foreign nationals are subjected to challenges because of their immigration status.⁶⁵ In light of these issues, McCabe stated, “The United States is the land of victimization for those exploited through sex trafficking.”⁶⁶

Similar to McCabe and Manian, Louise Gerdes compiled over twenty academic articles regarding these issues in the “Opposing Viewpoints Series” book *Prostitution and Sex Trafficking: Opposing Viewpoints*. Because of the controversial subject, some of the authors were passionate in their arguments. Regarding the significance of trafficking, Jennifer Goodson highlighted U.S. State Department figures from 2004 estimating nearly 19,000 people are brought into the nation annually (no distinction between type of trafficking) as well as nearly 4 million trafficking victims worldwide.⁶⁷ Goodsen connected the commercial sex industry with sex trafficking, arguing the two were linked

⁶⁰ Kimberly A. McCabe, “Sex Trafficking in the United States,” *Sex Trafficking: a Global Perspective*, Kimberly A. McCabe and Sabita Manian eds. (New York, Lexington: 2010), 147–48.

⁶¹ *Ibid.*, 148.

⁶² *Ibid.*, 149–150.

⁶³ *Ibid.*

⁶⁴ *Ibid.*, 152.

⁶⁵ *Ibid.*

⁶⁶ *Ibid.*, 153.

⁶⁷ Jennifer Goodsen, “Sex Trafficking Threatens the United States,” *Prostitution and Sex Trafficking: Opposing Viewpoints*, Louise Gerdes ed. (Michigan: Greenhaven Press, 2006.), 25.

by “servitude and exploitation.”⁶⁸ Contrary to Goodsen, Jack Shafer argued that the published statistics regarding victims of sex trafficking were inaccurate.⁶⁹ Schaefer disputed the trafficking statistics from the first decade of the twenty-first century, highlighting the wide gaps of up to 30,000 victims.⁷⁰ While he argued the total number of victims ultimately “remains a mystery,” he also articulated the number of temporary visa applications (not visas issued) as about 500.⁷¹ Although he disputed the data, Shafer also highlighted that “sex slaves” exist, but it remains unclear how many there are.⁷²

A second contested issue was whether U.S. policies reduce sex trafficking or encourage it. State Department reporting also indicated a connection between prostitution and sex trafficking victims, as well as a report that almost 90 percent of prostitutes want to get out of their predicament.⁷³ Additionally, the U.S. government highlighted Swedish efforts to eradicate sex trafficking by pursuing prostitution customers; this strategy led to decreases in sex trafficking victims and “men buying sex.”⁷⁴ While the government argued its policies were effective, NGO activists indicated they were counterproductive. Eartha Melzer argued that human trafficking task forces in urban areas failed to treat prostitutes as victims.⁷⁵ Melzer also argued that military members stationed abroad were responsible for promoting sex trafficking by patronizing prostitutes.⁷⁶

A third issue was whether the laws targeting prostitution customers hurt or harm the prostitutes. Darla Mueller argued when prostitution customers were arrested and prosecuted, they were less likely to re-engage in prostitution and prostitutes are less likely

⁶⁸ Ibid., 27–28.

⁶⁹ Jack Shafer, “Sex Slaves, Revisited,” *Prostitution and Sex Trafficking: Opposing Viewpoints*, Louise Gerdes ed. (Michigan: Greenhaven Press, 2006.), 30–31.

⁷⁰ Ibid.

⁷¹ Ibid., 32.

⁷² Ibid., 32–33.

⁷³ U.S. State Department, “U.S. Policies will Reduce Sex Trafficking,” *Prostitution and Sex Trafficking: Opposing Viewpoints*, Louise Gerdes ed. (Michigan: Greenhaven Press, 2006.), 175.

⁷⁴ Ibid., 177.

⁷⁵ Eartha Melzer, “U.S. Policies Promote Sex Trafficking,” *Prostitution and Sex Trafficking: Opposing Viewpoints*, Louise Gerdes ed. (Michigan: Greenhaven Press, 2006.), 181.

⁷⁶ Ibid., 182–183.

to be harmed by the customers.⁷⁷ Mueller examined programs in several large cities throughout the U.S. such as “john schools” and “public shaming.”⁷⁸ While it was unclear how effective shaming was, the schools reported low recidivism rates.⁷⁹ In evaluating the international realm, Mueller discovered that countries with legalized prostitution also had higher rates of sex trafficking and “violence against women.”⁸⁰ On the other hand, she argued countries in which prostitution was illegal and whose governments pursued prostitution customers had less violence against women.⁸¹ Contrary to Mueller, Rosie Campbell and Merl Storr argued that laws targeting customers hurt prostitutes. Campbell and Storr’s article is significant because it examined U.K. efforts to combat prostitution and sex trafficking. They argued that prostitutes would be subjected to violence and “risky behaviors” by dealing with male clients who did not fear law enforcement efforts.⁸² Specifically, police efforts to combat prostitution customers cause prostitutes to work in areas less likely to be monitored by police, placing them in danger.⁸³ Campbell and Storr also argued that prostitutes would be less likely to engage in safe sex practices in order to earn more money because of fewer customers.⁸⁴ In closing, Campbell and Storr criticized U.K. efforts focused on prostitution customers, arguing it was more likely to cause harm to women working in the sex industry.⁸⁵

⁷⁷ Darla Mueller, “Laws that Target Customers will Protect Prostitutes,” *Prostitution and Sex Trafficking: Opposing Viewpoints*, Louise Gerdes ed. (Michigan: Greenhaven Press, 2006), 186–187.

⁷⁸ Ibid., 188–189.

⁷⁹ Ibid.

⁸⁰ Ibid., 189.

⁸¹ Ibid., 190.

⁸² Rosie Campbell and Merl Storr, “Laws that Target Customers Harm Prostitutes, *Prostitution and Sex Trafficking: Opposing Viewpoints*, Louise Gerdes ed. (Michigan: Greenhaven Press, 2006.), 191.

⁸³ Ibid., 195.

⁸⁴ Ibid., 197.

⁸⁵ Ibid., 198–199.

E. METHODS AND SOURCES

This thesis examines the government publications, online media, and press releases pertaining to combating sex trafficking in the United States and United Kingdom. The majority of the research material evaluated was published by a government entity, a non-government organization contributing to counter-trafficking, or scholars who have conducted sex trafficking research. This is a comparative study between the two nations, evaluating the measures in effect. Prosecution rates, victim totals and demographics, and evaluations of law enforcement efforts were all reviewed.

Regarding the United States, I reviewed the State Department Human Trafficking Report for 2012, as it was the most recent document, and included information on both the U.S. and the U.K. websites for federal agencies contributing to combating trafficking were also examined, as they provided information covering individual agencies' contributions to sex trafficking. Victim and suspect information from government reports as well as government and non-government evaluations of anti-trafficking efforts were included. Individual state websites were examined in describing their contributions to combating sex trafficking. Press releases and media coverage of trafficking investigations were also included.

Regarding the United Kingdom, I reviewed government publications discussing efforts to combat sex trafficking as well as media reporting from major organizations throughout the U.K. Online information provided by the SOCA, the UKHTC, and security organizations such as the European Union, EUROPOL, and the Organization for Security and Cooperation in Europe (OSCE) was examined. This information was included to highlight the U.K. relationship with the organizations in combating sex trafficking. Several academic articles discussing sex trafficking were also included, as they provided input independent from the government.

In the case of both nations, I chose to include government and civilian reporting on sex trafficking to present an objective evaluation and include any opposing viewpoints about the efforts in place. In the U.S., evaluations by the Government Accountability

Office and the Justice Department Office of the Inspector General uncovered areas requiring improvement. In the U.K., a Home Office report as well as independent scholars revealed areas for improvement.

F. THESIS OVERVIEW

The thesis first discusses the issue of sex trafficking as it relates to both nations and proceeds to discuss how each country combats it. Chapter II describes the significance of Sex Trafficking in both the United States and the United Kingdom. Items covered will include the definition of sex trafficking and how it relates to the larger issue of human trafficking. Additionally, I discuss the statistics on the number of victims in each country and the debates surrounding sex trafficking literature. While most people believe sex trafficking affects hundreds of thousands and possibly millions, the academic debate surrounding statistics indicates the severity is ultimately unknown. This debate is significant because it effects how governments can determine whether the anti-trafficking measures discussed in the following two chapters are effective. Followed by the academic debate, I briefly discuss some of the U.S. and U.K. measures as a precursor to the larger nation-specific chapters.

Chapter III discusses initiatives to combat sex trafficking in the United States. The issues covered include applicable federal and state legislation. This is followed by a discussion of the law enforcement efforts. Federal and state efforts are discussed separately, and particular emphasis is placed on the role of the various federal agencies as well as evaluations of the law enforcement efforts. These evaluations of government institutions are significant because they highlight weaknesses such as poor record keeping and financial management errors in the execution of sex trafficking programs. The chapter concludes with discussion of the training and education programs available. These programs are designed for both the general public and criminal justice professionals, and can be held via the Internet and classroom.

Chapter IV discusses initiatives to combat sex trafficking in the United Kingdom. The discussion begins with the legislation available to prosecutors, followed by a review of the government legislation. The domestic and international law enforcement efforts of

the government are discussed, followed by evaluations of the law enforcement efforts. Of note, U.K. membership in international organizations throughout the European Union is also discussed. The chapter concludes with a discussion of the training and education opportunities in the United Kingdom, as well as the government's international work.

Chapter V concludes with a summary of both nations' efforts and the common issues prevalent in the efforts to combat trafficking.

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II. SIGNIFICANCE OF SEX TRAFFICKING

While it is undisputed that sex trafficking is a heinous crime, understanding the significance of the problem can be challenging. Because much of sex trafficking is hidden from society as a whole or happens out of sight, grasping the magnitude is difficult. While the definition regarding sex trafficking used by most agencies mirror one another, other information on the scope of the issue may not. Additionally, the ability to compile accurate data is complicated by several factors. Because numerous government and non-government institutions combat sex trafficking, information sharing is complicated. Also, some scholars question the accuracy of published statistics because the numbers are unverifiable, yet the same statistics are considered to be undeniable proof of the significance of sex trafficking. Special interest groups and media also portray sex trafficking in a certain manner to attract attention, and attempts to question the accuracy of reporting are often dismissed. Despite these issues, it remains clear that, to a certain degree, there is a problem.

In Chapter II, my goal is to discuss the significance of sex trafficking in the U.S. and U.K. by addressing the definitions adopted, and the academic arguments and challenges surrounding sex trafficking statistics. The data interpretation is important because the problem is viewed as a critical issue affecting millions. While some scholars argue it is less severe, ultimately, the severity is unknown. Data interpretation also leads to decisions on how to combat sex trafficking. In addition to evaluating the arguments surrounding statistics, I discuss how both nations view sex trafficking. The purpose of this discussion is not intended to be all-encompassing, but rather to highlight some of the measures in place in the U.S. and U.K., setting the foundation for discussion of the country-specific combating strategies, as covered in the following two chapters.

A. DEFINITION OF SEX TRAFFICKING

In this section, the goal is to clarify the definitions associated with trafficking. The justification for this is that some terms are used interchangeably to describe the issue.

Sex trafficking is defined under the larger issue of human trafficking or trafficking in persons. According to the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons:

(a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;

(d) “Child” shall mean any person under eighteen years of age.⁸⁶

Therefore, although the term “sex trafficking” may be used interchangeably with “human trafficking,” the issue of sex trafficking is a subset of the larger human trafficking matter. The Palermo Protocol is significant because the definition adopted by both countries largely resembles it.

Similar to distinguishing between human trafficking and sex trafficking, distinction must be made between human trafficking and human smuggling. An individual who is being trafficked is under duress and being forced against his or her will; an individual who is being smuggled is complicit with the person responsible for the smuggling and is willfully taking part in the act, knowing it is illegal. According to the

⁸⁶ Office of the United Nations High Commissioner for Human Rights: Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, <http://www2.ohchr.org/english/law/protocoltraff.htm>, accessed October 3, 2012.

2000 United Nations Convention against Transnational Organized Crime, smuggling is defined “the procurement, in order to obtain, directly, or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or permanent resident.”⁸⁷ The transition from smuggling to trafficking occurs “once a person who is being smuggled experiences exploitation at any point from recruitment through to arrival at their destination.”⁸⁸

While the definitions provide clarity in understanding details of the specific offenses, they may still be used interchangeably. Additionally, the research conducted over the past two decades raises questions about how significant the problem is. In the next section, I will discuss the academic debate associated with sex-trafficking data based on some of the research available.

B. CHALLENGES IN UNDERSTANDING SEX TRAFFICKING THROUGH DATA AND STATISTICS

Despite educational resources being provided by the federal government for state and local agencies to become better educated on sex trafficking, it is possible that potential trafficking cases will go unnoticed; or, officials may charge trafficking victims with crimes, despite being forced into those circumstances. Additionally, maintaining accurate statistics on the crime is challenging. According to researcher Jo Goodey of the European Union Agency for Fundamental Rights:

accurate data on the extent of trafficking in human beings does not exist. General figures are often given by inter-governmental and non-governmental organizations whose sources and reliability can be difficult to verify. This situation is not unique to data on human trafficking, but is typical of criminal justice data in the area of serious and organized crime, which remains under-reported, under-detected, and, therefore, under-prosecuted.⁸⁹

⁸⁷ Jo Goodey, “Human Trafficking: Sketchy Data and Policy Responses” (*Criminology and Criminal Justice*: 2008), 438.

⁸⁸ *Ibid.*, 422.

⁸⁹ *Ibid.*, 424–425.

The issue of inaccurate statistics should raise several questions: Is the problem larger than anticipated because of its secretive nature and, if so, what more could be done? Or, is the problem not as severe as anticipated and the data are exaggerated in order to justify the resources being dedicated to combating sex trafficking? The arguments surrounding the data are related to the following two chapters because they highlight the difficulty of measuring success or failure of anti-trafficking programs. I intend to show that while the governments agree that sex trafficking affects millions of people, the numbers of trafficking victims interdicted and suspects adjudicated are low compared to the estimates. This could lead to a mentality of continuous efforts until large numbers of victims are accounted for. Also, in lieu of statistics, success or failure may be gauged by other means, such as public opinion of anti-trafficking efforts.

The statistics are also important because they are cited by persons pushing for more aggressive measures to combat trafficking. Despite research indicating sex trafficking may be less severe than indicated by data, some proponents, along with the U.S. and U.K. governments, argue it is. In the U.S., such organizations include Equality Now, California Against Slavery, and Prostitution Research and Education Organization. In the U.K., similar groups include Churches Alert to Sex Trafficking across Europe (CHASTE), Unseen UK, and the Human Trafficking Foundation.

Equality Now is a non-profit organization dedicated to combating violence against women, and especially against teenagers.⁹⁰ They view the media as promoting sexual violence, and work to provide protection to victims.⁹¹ California Against Slavery, formed prior to the 2012 general election, promoted Proposition 35, the state's new anti-trafficking law.⁹² This organization also seeks an end to the sexual exploitation of young females.⁹³ Prostitution Research and Education was created in the mid-1990s by Dr. Melissa Farley, a psychologist and advocate for the abolition of prostitution.⁹⁴ Her

⁹⁰ Equality Now: Sexual Violence, accessed March 7, 2013. <http://www.equalitynow.org/node/365>.

⁹¹ Ibid.

⁹² California Against Slavery, accessed March 7, 2013. <http://californiaagainstsavery.org/>.

⁹³ Ibid.

⁹⁴ Prostitution Research & Education: About Prostitution Research & Education, accessed March 7, 2013. <http://www.prostitutionresearch.com/about.html>.

organization studies the connections between violence perpetuated against women through pornography, and offers assistance to trafficking and prostitution victims.⁹⁵

In the U.K., CHASTE (Churches Against Sex Trafficking in Europe) is involved in assisting trafficking victims and lobbying for anti-trafficking legislation.⁹⁶ CHASTE also conducts public awareness campaigns to inform the public about sex trafficking.⁹⁷ The anti-trafficking charity, Unseen UK, evaluates the government response to sex trafficking as well as the coordination of NGOs and government institutions.⁹⁸ Additionally, they assist victims in the recovery process and in confronting their traffickers.⁹⁹ The Human Trafficking Foundation is involved in lobbying for aggressive punishment of traffickers and informing citizens about trafficking.¹⁰⁰ They also try to work with all the organizations involved in combating trafficking.¹⁰¹ Because these organizations are strongly committed to combating trafficking, trying to convince their members that the problem is less severe than the large numbers indicate is unlikely.

Goodey articulates some of the challenges evident in reporting from the United Nations Office on Drugs and Crime (UNODC) and International Labour Organisation (ILO). In a 2007 report, the number of people being trafficked (no distinction between sexual or labor exploitation) ranged from just over 275,000 to almost 510,000 across and within countries, while another nearly 2.5 million are trafficked worldwide.¹⁰² Goodey also highlights the American estimate that “600,000–800,000 people are trafficked across international borders” annually, despite lesser NGO estimates dating back almost two

⁹⁵ Prostitution Research & Education: About Prostitution Research & Education, accessed March 7, 2013. <http://www.prostitutionresearch.com/about.html>.

⁹⁶ CHASTE: Take Action, accessed March 7, 2013. <http://www.chaste.org.uk/takeaction/>.

⁹⁷ Ibid.

⁹⁸ Unseen UK: Projects-Centre for Social Justice, accessed March 7, 2013. <http://www.unseenuk.org/projects/centre-for-social-justice>.

⁹⁹ Ibid.

¹⁰⁰ Human Trafficking Foundation: About Human Trafficking Foundation, accessed March 7, 2013. <http://www.humantraffickingfoundation.org/about-the-htf/>.

¹⁰¹ Ibid.

¹⁰² Goodey, “Human Trafficking: Sketchy Data,” 426.

decades.¹⁰³ Despite the high numbers, Goodey highlights that the International Organization of Migration (IOM) understood reaching a precise figure on trafficking victims was difficult; nevertheless, she also argued that the published estimates for international and domestic trafficking victims should be considered accurate.¹⁰⁴

In addition to Goodey, other researchers raise questions about the data. Criminologist Jay Albanese repeats a similar figure from the U.S. State Department indicating that trafficking victims worldwide (no distinction between sex or labor trafficking) “have fluctuated widely from year to year between 600,000–900,000...and between 14,500 and 50,000 trafficked into the United States.”¹⁰⁵ However, Albanese also highlights the challenges of arriving at these statistics, including the fact that “they are not based on any actual count and it is not known whether the volume is increasing or decreasing.”¹⁰⁶ Additionally, when he compared the actual number of documented trafficking victims in the United States for the ten years prior to 2000, he uncovered approximately 40 cases involving less than 6,000 women, substantially less than the State Department reports.¹⁰⁷ Albanese examined the human trafficking cases within the United States from 2001 through 2008 and, while the majority of each category (cases filed, defendants, and convictions) did not exceed one hundred, each annual total for the eight-year period was also substantially less than the larger estimates published by the State Department.¹⁰⁸ However, in his evaluation of the U.S. trafficking cases for 2007–2008, Albanese did compile the following information regarding trends in trafficking: over 80% were sex trafficking-related, almost all had five or less victims and suspects, almost 80% of the suspects were male, most of whom were U.S. citizens over 25 years of age, and the

¹⁰³ Ibid.

¹⁰⁴ Ibid., 426.

¹⁰⁵ Jay S. Albanese, *Transnational Crime and the 21st Century: Criminal Enterprise, Corruption, and Opportunity* (New York: Oxford, 2011), 51.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Ibid., 52.

victims were typically females under 25 years of age.¹⁰⁹ Although Albanese and Goodey question the accuracy of the data, other researchers assume it is accurate.

While Albanese repeated the large numbers provided by the U.S. State Department, he also attempted to highlight the disparity between confirmed trafficking cases and the potential victims. This should raise questions about the significance of the problem. Contrary to Albanese, Professor Iris Yen is convinced that the large figures are accurate, despite the disparity of 300,000. Yen describes sex trafficking as “a thriving modern-day slave trade of shocking magnitude and brutality,” in which “over 700,000 people are trafficked across international borders.”¹¹⁰ Additionally, Yen repeats the State Department figures cited by Albanese; however, she fails to articulate the difficulties he cites in arriving at accurate numbers of trafficking victims.¹¹¹ Yen further argues that a female trafficking victim could “cost anywhere from \$14,000 to \$40,000” and “the financial return for purchasing her body is unbelievably lucrative,” with an annual profit ranging from \$75,000 to \$250,000.”¹¹² She indicates “global profits from sex trafficking are estimated to be \$7 to \$12 billion dollars annually” and “still rising.”¹¹³

Although most of the statistics revealed by Yen were published by government institutions, the wide disparities fail to raise concerns about the seriousness of the issue. In describing that male demand for prostitution must be addressed to reduce sex trafficking, Yen briefly mentions some of the challenges associated with the data. On the issue of prostitution, she articulates the challenges in determining whether a victim freely chose to engage in prostitution without intimidation, compared with someone who was “forced into prostitution due to force, coercion, or poverty.”¹¹⁴ Yen briefly highlights that “accurate statistics are difficult to obtain and verify given the clandestine nature of

¹⁰⁹ Ibid., 53.

¹¹⁰ Iris Yen, “Of Vice and Men: A New Approach to Eradicating Sex Trafficking by Reducing Demand Through Educational Programs and Abolitionist Legislation,” *The Journal of Criminal Law and Criminology* 98, no. 2 (2008), 654.

¹¹¹ Ibid., 658.

¹¹² Ibid.

¹¹³ Ibid., 659.

¹¹⁴ Ibid., 667.

buying sex and the different research methodologies and definitions used.”¹¹⁵ Despite discussing the challenges associated with accurate statistics to gauge sex trafficking, Yen inadequately addresses the issue by repeating the government-published data. Yen’s work is not without its critics.

Professor Ronald Weitzer highlights the challenges associated with sex trafficking-related data, indicating there is a need to refine the legislation currently in place. Similar to Albanese and Yen, Weitzer adopts the U.S. government definition of trafficking (listed in the second section); however, he writes, “while no one would claim that sex trafficking is fictional, many of the claims made *about* it are wholly unsubstantiated.”¹¹⁶ Weitzer argues that proponents of anti-sex trafficking legislation are essentially responsible for creating current statistics. He also believes that the “oppression paradigm” adopted by these researchers “depicts all types of sexual commerce as institutionalized subordination of women, regardless of the conditions under which it occurs.”¹¹⁷ According to Weitzer, “many of the leading proponents of the oppression paradigm are affiliated with organizations committed to eradicating the entire sex industry, such as Prostitution Research and Education, Standing Against Global Exploitation (SAGE), Stop Porn Culture, and the Coalition Against Trafficking in Women (CATW).”¹¹⁸

Weitzer argues that “oppression writers” (those who promote this theory) have faced criticism for interpreting sexual-related matters in their own manner without evaluating any other viewpoints.¹¹⁹ Conflicting evidence and opposing viewpoints would still fail to raise concerns with them, and they typically accept each other’s research findings without further verification of the data.¹²⁰ The “oppression” model is based on the premise that “sexual commerce rests on structural inequalities between men and

¹¹⁵ Ibid.

¹¹⁶ Ronald Weitzer, “Sex Trafficking and the Sex Industry: The Need for Evidence-Based Theory and Legislation,” *The Journal of Criminal Law and Criminology* 101, no. 4 (2012), 1337.

¹¹⁷ Ibid., 1338.

¹¹⁸ Ibid., 1339.

¹¹⁹ Ibid.

¹²⁰ Ibid.

women and the male domination is intrinsic to sexual commerce.”¹²¹ In his criticism of Yen, Weitzer first highlights that she “perceives a ‘pandemic of human trafficking’” and her claims “that sex trafficking is ‘appropriately’ described as ‘sexual slavery’ while the individuals involved are ‘essentially slaves’” are false, as he asserts that trafficked persons “are not held in slave-like conditions.”¹²² Weitzer also argues that Yen’s descriptions are biased and over-emotional when she describes the abusive treatment traffickers are subjected to, despite not citing any specific evidence, as well as her claim that prostitutes’ lives have been ruined at the hands of their clients.¹²³ Regarding statistics, Weitzer articulates that most writers on the issue fail to evaluate the quality of sources or how figures were determined, and that they usually repeat inaccurate data rather than investigating it more thoroughly.¹²⁴

In addition to reviewing the statistics provided by government agencies and NGOs, Weitzer highlights a concern of the United Nations Educational, Scientific, and Cultural Organization Bangkok Office: the trafficking in human beings for sexual exploitation is such an emotionally charged issue that people will disregard any evidence indicating it less severe than previously reported.¹²⁵ Figures are subsequently repeated multiple times and are assumed to be accurate, despite any verification from scholars. In one such case, the evaluation of more than 100 journals revealed that information provided by government and international agencies were assumed to be credible, despite revealing the sources of information or the manner in which it was derived.¹²⁶ Additionally, the financial figures indicating that sex trafficking generates almost \$7 billion annually were determined to be inaccurate estimates that later morphed into the \$7 to \$12 billion amount cited by Yen, although some scholars argue the amount is larger.¹²⁷

¹²¹ Ibid., 1340.

¹²² Ibid., 1344.

¹²³ Ibid., 1345.

¹²⁴ Ibid., 1347.

¹²⁵ Ibid., 1354.

¹²⁶ Ibid.

¹²⁷ Ibid., 1356.

In addition to Weitzer, sociologists Galma Jahic and James Finckenauer question the research related to sex trafficking. While asserting that an abundance of literature has been generated by governments and NGOs, they contend that academic literature is lacking. Many policies are based on these reports, even though there has yet to be much rigorous academic engagement on the issue.¹²⁸ Additionally, there is a lack of “criminal justice data,” and attempts to create such have failed.¹²⁹ Despite the problem being present for generations, current significance evolved over the past two decades, with the media presenting stories of young, vulnerable girls who were coerced into prostitution and continuously exploited—news designed to elicit a strong response from the public and the forming of special-interest groups.¹³⁰ Although various studies attempt to identify the seriousness of trafficking, Jahic and Finckenauer also agree many details are still lacking, and “results regularly indicate there is more unknown than known about this phenomenon.”¹³¹ Despite the lack of unquestionable statistics, legislation designed to combat trafficking has passed. Government resources have been established in the form of task forces consisting of law enforcement and border patrol officers, as well as victim service organizations.

The large estimates of money invested in sex trafficking and the numbers of victims published are further criticized by Jahic and Finckenauer. On the issue of trafficking as a \$5 billion to \$7 billion a year industry, this figure was derived from evaluating the number of asylum seekers within Europe; it was determined that because a certain number (220,000 people) typically pay between \$2,000 and \$5,000 to be smuggled (not trafficked, implying that the individual is complicit in the crime and not under duress) totaling \$1 billion for Europe and expanding to \$5 to \$7 billion worldwide.¹³² A second statistic disputed is that of four million people trafficked annually. While this number was first published in a United Nations’ report and has been

¹²⁸ Galma Jahic and James O. Finckenauer, “Representations and Misrepresentations of Human Trafficking,” *Trends in Organized Crime* 8, no.3, Spring 2005, 24–25.

¹²⁹ *Ibid.*, 27.

¹³⁰ *Ibid.*, 26.

¹³¹ *Ibid.*, 27.

¹³² *Ibid.*, 29.

repeated, it is unknown how it was calculated. The range of 600,000 to 900,000 annual trafficking victims was published in government reports although its source information is also unknown.¹³³ A third figure scrutinized is the 50,000 trafficking victims entering the United States annually, a figure derived from a 1999 report that also could not be verified.¹³⁴

Numbers of confirmed sex trafficking cases are drastically smaller than the published estimates generated by the government, which should raise questions on the significance of the problem and other issues, such as information that does not support the magnitude of the government figures being disregarded, officials being accused of not doing enough, and large amounts of resources being allocated to ineffective programs.¹³⁵ The government response to sex trafficking is also a critical issue.

Despite the credibility issues of the statistics, governments have felt obligated to take action. Whether public institutions are taking the appropriate action, however, is questionable. Professor Carole Vance argues that while special interest groups and government agencies say they are addressing the problem, in reality they are not. In her manual, “How to Do Nothing about Trafficking While Pretending To,” Vance highlights twelve strategies officials use to give the appearance of addressing trafficking.¹³⁶ Those strategies include: the use of media to portray the trafficking phenomenon, mainly the sexual exploitation aspect; treating trafficking as a human rights issue; presenting large statistics of trafficking victims and financial costs repetitiously; portraying traffickers as evil individuals and victims as young and innocent, while government institutions are considered heroic for their efforts; and ignoring situations where law enforcement officers and trafficked persons may be complicit in trafficking cases.¹³⁷ Presenting

¹³³ Ibid., 30.

¹³⁴ Ibid.

¹³⁵ Ibid., 31.

¹³⁶ Carole S. Vance, “States of Contradiction: Twelve Ways to Do Nothing About Trafficking While Pretending To,” *Social Research* 78: no. 3: Fall 2011, 935.

¹³⁷ Ibid., 935–940.

trafficking cases over the past decade in this manner, as well as producing movies focused on trafficking, has been “effective in mobilizing public opinion.”¹³⁸

By highlighting the different arguments regarding statistics and how the data is compiled, my intention was to show the complexity in understanding the problem. This is important because it appears as though policymakers agree with scholars such as Goodey and Yen more so than Weitzer, Jahic and Finckenauer. The debate is also significant because when a strategy designed to combat trafficking based on the statistics is ineffective, it can also be costly in terms of manpower and resources, and deflect away from identifying trafficking victims. Media amplification seems to support large statistics, and evidence indicating otherwise can easily be ignored. In the next two sections, I discuss the significance of sex trafficking in each nation. This will set the stage for the discussion of combating strategies in the following two chapters.

C. SIGNIFICANCE OF SEX TRAFFICKING IN THE UNITED STATES

In discussing the significance of trafficking in the United States, this chapter seeks to highlight the information provided by both the federal government as well as several states. The information is presented in this manner to show that sex trafficking is considered a serious offense at the federal and state levels of government, and most states have taken steps to track and combat it. The four states discussed were not chosen for any particular reason; however, they were chosen from different areas in the country to show how an individual state interprets sex trafficking.

According to the U.S. State Department Trafficking in Persons Report for 2011, the United States is a “source, transit, and destination country for men, women, and children—both U.S. citizens and foreign nationals—subjected to forced labor, debt bondage, involuntary servitude, and sex trafficking” and sexual-related businesses typically involved with trafficking, included “brothels, massage parlors, street prostitution, (and) hotel services.”¹³⁹ Despite the exploitation of human trafficking victims in non-sexual settings or businesses, the majority of the incidents in 2011 were

¹³⁸ Ibid., 940–941.

¹³⁹ Trafficking in Persons Report: 2012, 359–360.

sex-related; there is also the possibility that victims are subjected to exploitation on multiple levels (such as a hotel worker who is forced into prostitution while legitimately working as a maid or desk attendant).¹⁴⁰ During the reporting period, data derived from state and federal institutions “indicate more investigations and prosecutions have taken place for sex trafficking than labor trafficking.”¹⁴¹ Many of the international trafficking victims who were identified in the U.S. arrived in country from “Mexico, Philippines, Thailand, Guatemala, Honduras, and India.” It is unclear, however, how many were specifically in relation to sex trafficking.¹⁴²

Information in the State Department reporting primarily deals with cases at the federal level. Major incidents include a multi-national case against traffickers who exploited Central American females in Long Island, New York.¹⁴³ Additionally, cooperation with Mexican officials led to them sentencing three traffickers to prison for nearly forty years, while other notable prosecutions took place in Dallas, Chicago, and Virginia.¹⁴⁴ Information regarding state prosecutions is lacking, as each jurisdiction maintains its own records; however, some state prosecutions dealt with “prostitution of minors, domestic servitude, commercial sexual exploitation of youth—including lesbian, gay, bisexual, and transgender (LGBT) youth.”¹⁴⁵

Despite the lack of state-specific information in the federal report, legislation adopted by individual states generally mirrors that of the federal government. While it would be impractical to evaluate the measures of the entire country, notable state measures include those in New York, California, Washington and Florida. In New York,

¹⁴⁰ Ibid., 360.

¹⁴¹ Ibid.

¹⁴² Ibid.

¹⁴³ Ibid.

¹⁴⁴ Ibid., 361.

¹⁴⁵ Ibid.

the 2008 State Human Trafficking Report presents a broad overview of the issue at the national level; however, no specific distinction is made between sex and labor trafficking and the national statistics are repeated.¹⁴⁶

In Florida, while the State Attorney General's Office neither reveals statistics on the significance of human trafficking within the state, nor distinguishes between sex and labor trafficking, Attorney General Pam Bondi indicates she will create a "zero-tolerance" atmosphere, and legislation has since been re-written to further curtail trafficking.¹⁴⁷ In an interview regarding the changes to state legislation, Bondi highlights that people fail to associate trafficking with Florida because it is a vacation destination; however, the issue is significant because Florida is "a destination for tourists, transients, runaways, migrant workers, and organized crime."¹⁴⁸

California is similar to Florida and New York in its measures. Attorney General Kamala Harris indicated she also takes an interest in combating trafficking, having previously sponsored state legislation raising the crime from a misdemeanor to a felony.¹⁴⁹ Unlike New York and Florida, California does distinguish between sex and labor trafficking, while definitions and statistics are similar to those of the federal government.¹⁵⁰

In Washington State, Attorney General Rob McKenna, a member of the National Association of Attorney General's (NAAG) Human Trafficking Committee, also distinguishes between sex and labor trafficking, and also highlights the vulnerabilities of

¹⁴⁶ New York State Interagency Task Force on Human Trafficking, August 2008, 4–5, accessed October 6, 2012. http://criminaljustice.state.ny.us/pio/humantrafficking/human_trafficking_rpt_aug08.pdf.

¹⁴⁷ "Florida is a Zero-Tolerance State for Human Trafficking," Florida Office of the Attorney General, accessed October 6, 2012. <http://myfloridalegal.com/pages.nsf/Main/AF860EB7606CF92D85257A7D00458CD7>.

¹⁴⁸ Bret Carlson, "Florida is a 'hub' for human traffickers attorney general says," *Sun Sentinel*, September 23, 2012, accessed October 6, 2012. http://articles.sun-sentinel.com/2012-09-23/news/fl-human-trafficking-pam-bondi-20120921_1_human-attorney-general-pam-bondi-south-florida

¹⁴⁹ Office of the Attorney General, Human Trafficking in California, accessed October 6, 2012. <http://oag.ca.gov/human-trafficking>

¹⁵⁰ Office of the Attorney General, Human Trafficking in California, accessed October 6, 2012. <http://oag.ca.gov/human-trafficking/what-is>

the state that contribute to trafficking (bordering Canada, isolated areas, and sea ports).¹⁵¹ Although there have been federal prosecutions, one notable state prosecution involved a Seattle man in his mid-30s forcing two teenage runaway girls into prostitution and maintaining control over them through violence as they lived in his home.¹⁵²

While the purpose of this section was to highlight sex trafficking in a handful of states, it was not all encompassing. Most jurisdictions agree that they have some type of problem, while there are differences in adjudication tactics, law language, and anti-trafficking task force membership. In the next section, I discuss the significance of sex trafficking in the United Kingdom, and the similarity to that of the U.S..

D. SIGNIFICANCE OF SEX TRAFFICKING IN THE UNITED KINGDOM

Before discussing the details of trafficking in the U.K., it is important to highlight some of the differences between the country and the U.S. The U.K. is smaller and comprised of England, Scotland, Wales, and Northern Ireland, with Northern Ireland and Great Britain separated by the Irish Sea. Between the four nations, there are nearly fifty territorial police forces (police agencies with typical law enforcement responsibilities) throughout the region.¹⁵³ The Serious Organized Crime Agency (discussed in further detail in Chapter IV), which operates the Human Trafficking Unit, falls under the National Police Force.¹⁵⁴ While the Human Trafficking Centre maintains most of the data, the individual nations maintain their own records and provide information to the public. Country-specific information is discussed in the next several paragraphs, although a common theme with all four nations is they acknowledge having a human trafficking

¹⁵¹ Washington State Office of the Attorney General: Crime and Safety: Human Trafficking, accessed October 6, 2012. <http://www.atg.wa.gov/HumanTrafficking.aspx>.

¹⁵² Casey McNerthy, "Aurora 'plagued with prostitutes': Police say girls, 13 and 17, were pimped on Aurora Avenue North," SeattlePI.com, September 20, 2009, accessed October 6, 2012. <http://www.seattlepi.com/local/article/Aurora-plagued-with-prostitutes-884655.php>

¹⁵³ Links to Individual UK Police Force websites, accessed November 10, 2012. http://www.police.uk/?view=force_sites.

¹⁵⁴ Serious Organized Crime Agency: Introduction to the UKHTC, accessed November 10, 2012. <http://www.soca.gov.uk/about-soca/about-the-ukhtc>.

problem, highlighting that sex trafficking is more severe. The largest of the four regions is England, where most of the police forces, the SOCA, and the Crown Prosecution Service (CPS) are based.

In Northern Ireland, the government website discusses human trafficking as a component of crime prevention.¹⁵⁵ There is a stronger emphasis on sex trafficking, although the government acknowledges labor trafficking, and indicators are listed and links to agencies involved in combating trafficking are provided, such as the Organized Crime Task Force (which the SOCA falls under) and the Police Service of Northern Ireland.¹⁵⁶

In Wales, there is a similar website designed to spread awareness of trafficking. The definitions provided mirror those of the UN Protocol (listed in the first section), and specific overviews of trafficking in the U.K. as well as Wales are provided.¹⁵⁷ Links to government agencies and NGOs involved in combating trafficking, including the SOCA and CPS, are also provided.¹⁵⁸

In Scotland, online information includes the same information as the other two countries, as well information on the Intra-Departmental Ministerial Group, a group whose members include government leaders and is responsible for creating policies to combat human trafficking.¹⁵⁹ Additionally, details provided also include support mechanisms and victim information, as well as law enforcement operations throughout the region.¹⁶⁰

Similar to America, the United Kingdom deals with domestic trafficking and also serves as a destination for international trafficking victims from other areas of the

¹⁵⁵ “NI Direct: Human Trafficking,” accessed November 9, 2012, <http://www.nidirect.gov.uk/human-trafficking>.

¹⁵⁶ Ibid.

¹⁵⁷ “Stop Human Trafficking Wales,” accessed November 9, 2012. <http://www.human-trafficking.co.uk/about>.

¹⁵⁸ Ibid.

¹⁵⁹ The Scottish Government: Human Trafficking, accessed November 9, 2012. <http://www.scotland.gov.uk/Topics/Justice/crimes/humantraffick>.

¹⁶⁰ Ibid.

European continent, Africa, and Asia, the majority of whom originate from Vietnam, China, and Nigeria according the State Department Trafficking in Persons Report.¹⁶¹ In addition to unaccompanied children who are susceptible within the United Kingdom, there was a rise in trafficked children from Afghanistan and Iraq arriving in Scotland in 2011.¹⁶²

Also similar to the United States, it is unknown precisely how many trafficking victims are either located in the United Kingdom or pass through annually. Government Author Sally Lipscombe noted that, because of the “illegal and hidden nature” of trafficking, “there are no robust statistics” on the precise number of victims in the country, although “various estimates do exist.”¹⁶³ An estimate from the Government Home Office published in 2006 indicated it was possible there were 4,000 trafficking victims associated with prostitution, while a second report published in 2009 estimated 5,000 victims.¹⁶⁴ A third report published by the Association of Chiefs Police Officers (ACPO) in August 2010 indicated the possibility of just over 2,500 trafficking victims working as female prostitutes, the majority of whom (similar to the U.S. State Department reporting) originated in China.¹⁶⁵

Several high-profile sex-trafficking cases transpired over the past several years. In September 2012, nine men pleaded not guilty for involvement in an Oxford sex-trafficking ring that involved six females and are awaiting trial.¹⁶⁶ In a separate case in 2012, nine Middle-Eastern men were convicted in a trafficking ring in which young teenage girls were lured into sex through drugs and alcohol.¹⁶⁷ In this particular case, one

¹⁶¹ Trafficking in Persons Report: 2012, 357.

¹⁶² Ibid.

¹⁶³ Sally Lipscombe, “Human trafficking: UK responses,” House of Commons Library, March 16, 2012, 4.

¹⁶⁴ Ibid., 4–5.

¹⁶⁵ Ibid., 5.

¹⁶⁶ “Oxford sex trafficking inquiry: Nine men plead not guilty,” *BBC News*, September 28, 2012, accessed October 7, 2012. <http://www.bbc.co.uk/news/uk-england-oxfordshire-19757460>.

¹⁶⁷ Cassandra Vinograd, “UK Sex Trafficking: 9 Convicted in Child-Sex Ring,” *Huffington Post*, May 8, 2012, accessed October 7, 2012. http://www.huffingtonpost.com/2012/05/08/uk-sex-trafficking-child-sex-ring_n_1500259.html.

of the victims, a 20-year-old who became part of the ring five years earlier, initially reported a sexual encounter to police immediately after it happened in 2008, but concerns about her credibility prevented charges from being filed.¹⁶⁸ The nature of the crimes led to political protests. Despite public outcry that the case was race related, a police official insisted that was not the case and apologies were offered for failing to prosecute the case after the initial allegation.¹⁶⁹ A third case involved a Romanian father and son, as well as a receptionist, convicted of sex trafficking in January 2011. In this case, the suspects coaxed five younger women, who were considered by authorities to be “immature” and lacking “adult skills,” to travel to England and forced them into prostitution.¹⁷⁰ During a four-year period, the girls worked over twelve hours daily, and generated approximately \$20,000 per month for the suspects; the investigation uncovered a second group of girls who were being exploited as well, but they refused to cooperate with authorities for fear of reprisal and were charged with crimes, while the receptionist passed money earned by the victims to the suspects.¹⁷¹ In Scotland, a boyfriend and girlfriend couple ran a prostitution ring in which 14 women were transported to houses throughout the country.¹⁷² The investigation began when a prostitute in a separate brothel raid revealed the existence of five other brothels, ultimately uncovering over 20 witnesses and prostitutes from the U.K. as well as the African and South American continents.¹⁷³ In discussing the case, a senior investigator said, “This is a landmark conviction for human trafficking in Scotland and represents the success of close working between police and prosecutors across the U.K.”¹⁷⁴

¹⁶⁸ Ibid.

¹⁶⁹ Ibid.

¹⁷⁰ Jonathon Wald, “Romanian sex trafficking crime family convicted in UK,” *CNN World*, January 19, 2011, accessed October 7, 2012, <http://www.cnn.com/2011/WORLD/europe/01/12/uk.romania.sex.traffic/index.html>.

¹⁷¹ Ibid.

¹⁷² “Sex traffickers behind string of brothels are jailed in landmark case,” *Belfast Telegraph*, October 4, 2011.

¹⁷³ Ibid.

¹⁷⁴ Ibid.

Sex trafficking is considered a criminal activity in the U.K.; however, in both nations, trying to stop it is difficult. Although I discuss U.K.-specific combating strategies in Chapter IV, challenges are similar to the U.S. Accurate statistics remains an issue. In addition to the figures discussed earlier, former British Member of Parliament (MP) Denis MacShane highlighted some of the British Media gaps in reporting sex trafficking several years ago, specifically a *Daily Herald* article claiming 25,000 girls were trafficked into the nation annually while a *Guardian* report “came close to arguing trafficking does not exist.”¹⁷⁵ MacShane also argued that most male politicians believed prostitutes chose their lifestyle as opposed to being forced into it, and most attempts to address the “demand” side of prostitution are unsuccessful.¹⁷⁶ Instead, the focus is on the “supply side by interdicting trafficking and punishing pimps and traffickers,” which he feels is an insignificant solution.¹⁷⁷

In addition to the challenges associated with statistics and finding solutions to trafficking, there is an emotional aspect to the problem. Trafficking is presented a certain way in the media to elicit a strong response from the public in the form of support for aggressive anti-sex trafficking strategies, whether it is legislation or a law enforcement initiative. Special interest groups are very vocal in decisions made to combat sex trafficking. In the following two chapters, I discuss instances of public protest when police units combating sex trafficking are either closed or threatened with closure due to budgetary constraints, as well as public criticism when cases fail to adjudicate.

E. CONCLUSION

Sex trafficking is a significant issue to one degree or another. The definition created in international circles resembles that adopted by the United Kingdom and United States. Despite acknowledging there is a problem, American and British observers frequently debate the severity and pervasiveness of the sex trafficking industry. Some of the academic literature has fueled the debate in both nations, ultimately leading to the

¹⁷⁵ Denis MacShane, “Sex Trafficking: a futile war of statistics,” *The Guardian*, October 21, 2009.

¹⁷⁶ Ibid.

¹⁷⁷ Ibid.

creation of policy. The emotional tenor of media reports further complicates sober evaluations of issues related to sex trafficking (even though such reports have often led to the passage of stricter laws). Research failing to support the idea of sex trafficking as an epidemic is often discarded, and strategies failing to combat sex trafficking are discontinued.

Lawmakers in the U.S. and U.K. who acknowledge sex trafficking as a critical issue are increasingly seeking to address it through government channels. While there is a difference in the size and administrative nature of the governments of these two countries, there are similarities found in the respective approaches undertaken in the United States and Britain towards the policing of sex trafficking.

III. COMBATING SEX TRAFFICKING IN THE UNITED STATES

My goal in this chapter is to evaluate how various U.S. government agencies and NGOs contribute to combating trafficking. I do this by evaluating legislation, law enforcement activities, and education and training. Despite the possibility that sex trafficking may be less severe than often portrayed in the media and elsewhere, the United States is strongly dedicated to combating it. Beginning with legislation designed to empower law officers and punish traffickers while protecting victims, the United States government also has a network of law enforcement institutions working to address the issue led by the Presidential Interagency Task Force (PITF) at the federal level. The PITF also impacts the law enforcement capabilities of state and local governments. Additionally, there are public and private online and in-person resources designed to educate both the law enforcement community and the general public about trafficking. In evaluating these three areas, my intention is to prove that, although an anti-trafficking strategy is in place, it is difficult to gauge success or failure based solely on the numbers of trafficking victims and suspects. With the exception of some issues, such as inter-agency communication and training available to law enforcement, the anti-trafficking measures are adequate to the extent that trafficking victims are being identified and suspects prosecuted.

A. LEGISLATION

This section discusses the federal and state laws designed to combat sex trafficking. The legislation aspect is significant because it forms the basis for the law enforcement responses and training programs discussed later in the chapter. My intention in this section is to show that the legislation allows the justice system to bring traffickers to court and to gain convictions with stringent sentences attached. Although the laws were passed in response to the issue of trafficking, an emotional aspect compounds the issue (similar to other crimes, such as domestic violence and firearms-related deaths) with advocates asking for more stringent measures. Beginning with the Federal Trafficking Victims Protection Act (TVPA) in 2000, over thirty states have passed

trafficking-related laws. In addition to the original version of the bill, Congress passed three more renditions of the TVPA between 2003 and 2008. The TVPA is the “first comprehensive federal law to address trafficking in persons,” and it “provides a three-pronged approach that includes prevention, protection, and prosecution.”¹⁷⁸ Similar to the Palermo Protocol definition of trafficking, the law addresses both sex trafficking and labor trafficking. Reauthorizations passed in 2003, 2005, and 2008.¹⁷⁹ Despite being fairly new, the TVPA has its roots in the Mann Act of 1910, a law sponsored by Illinois Representative James Robert Mann designed to prevent Caucasian women from being forced into prostitution (otherwise known as “white slavery”).¹⁸⁰ Although designed to stop “the transportation of a woman across state lines for ‘immoral purposes,’” the law is still active and has been cited by prosecutors recently.¹⁸¹

Prior to the passing of the TVPA, federal prosecutors could charge trafficking-related offenses under various crimes, including kidnapping, conspiracy, and peonage, as well as the Mann Act.¹⁸² In addition to articulating sex trafficking-related criteria, the TVPA also clarified and increased penalties. Persons found guilty of severe trafficking offenses (sexual acts involving minors) could be sentenced to a life term, while individuals guilty of non-severe trafficking carries a potential 40-year sentence.¹⁸³ Other trafficking-related offenses have established mandatory minimum sentences, typically 20 years. Also, circumstances involving the death of a victim are death penalty-eligible, and defendants can be subjected to multiple offenses in one case.¹⁸⁴ While creating the statutes of forced labor, trafficking, and sex trafficking of children, the TVPA also implements asset forfeiture, allowing the seizure of a suspect’s personal property

¹⁷⁸ Polaris Project for a World without Slavery, accessed October 17, 2012.
<http://www.polarisproject.org/resources/state-and-federal-laws>.

¹⁷⁹ Ibid.

¹⁸⁰ John T. Picarelli and Anna Jonsson, “Fostering Imagination in Fighting Trafficking: Comparing Strategies and Policies to Fight Sex Trafficking in the U.S. and Sweden,” *National Criminal Justice Reference Service* (June 2008): 29, accessed October 17, 2012.
<https://www.ncjrs.gov/pdffiles1/nij/grants/223060.pdf>.

¹⁸¹ Ibid.

¹⁸² Ibid., 30.

¹⁸³ Ibid., 31.

¹⁸⁴ Ibid., 32–33.

(including homes and vehicles) and bank accounts, while the 2003 reauthorization incorporated trafficking into organized crime-related RICO statutes, allowing victims to bring civil action against their perpetrators.¹⁸⁵ Although the TVPA provides for adjudication at the federal level, more than thirty states enacted legislation resembling it, allowing for prosecution at the state level. Such states include Washington, New York, Florida, and California. The state legislation is significant because it allows law enforcement agencies within states to prosecute offenders at their level.

In Washington, two laws pertain to sex trafficking: the State Trafficking Statute and the Protecting Sex Trafficking of Minor Statute.¹⁸⁶ Trafficking in the first or second degree is punishable by a life sentence¹⁸⁷ and generally involves forcing someone to participate “in a sexually explicit act, or a commercial sex act.” Additional elements of the crime include the kidnapping and death of an individual.¹⁸⁸ Similarly, the protection of minors aspect deals with adults benefitting financially (pimping) from minors conducting sexual acts and maintaining control over them.¹⁸⁹

In Florida, the Human Trafficking Statute of 2006 is similar to Washington, and highlights the sexual aspect of trafficking by forcing a person through intimidation or coercion to engage in a sexual act for financial gain.¹⁹⁰ Additionally, coercion can include the withholding of important personal documents, such as passports or visas.¹⁹¹ Trafficking in Florida is considered a second-degree felony and is punishable by a prison term not exceeding fifteen years; however, stipulations such as multiple counts or a

¹⁸⁵ Ibid., 31.

¹⁸⁶ Washington State Office of the Attorney General: Human Trafficking, accessed October 18, 2012. <http://www.atg.wa.gov/page.aspx?id=23996>.

¹⁸⁷ Washington State Legislature, RCW 9A.20.021, Maximum sentences for crimes committed July 1, 1984, and after, accessed October 18, 2012. <http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.20.021>.

¹⁸⁸ Washington State Legislature, RCW 9A.40.100, Trafficking, accessed October 18, 2012. <http://apps.leg.wa.gov/rcw/default.aspx?cite=9A.40.100>.

¹⁸⁹ Washington State Legislature, RCW 9.68A.101, Promoting sexual abuse of a minor—penalty, accessed October 18, 2012. <http://apps.leg.wa.gov/RCW/default.aspx?cite=9.68A.101>.

¹⁹⁰ 2011 Florida Statutes, 787.06—Human Trafficking, accessed October 18, 2012. <http://www.flsenate.gov/laws/statutes/2011/787.06>.

¹⁹¹ Ibid.

victim dying during the commission of the offense may increase this sentence, although it is less than the life term found in the Washington State law.¹⁹²

In New York, the state human trafficking law became effective in 2007, and is detailed in discussing applicable penalties and required elements of sex-trafficking offenses.¹⁹³ Offense criteria are similar to Washington and Florida, and a provision for victim services information is also included. Sex trafficking in New York is a Class B felony, punishable by no less than one and no more than 25 years imprisonment, depending on the characteristics of the offender.¹⁹⁴

In California, several state laws were passed since the TVPA beginning in 2005: the California Trafficking Victims Protection Act, Human Trafficking Collaboration and Training Act, Access to Benefits for Human Trafficking and Other Serious Crime Victims Act, the Human Trafficking Property Seizure Bill, and the Abolition of Child Commerce, Exploitation, and Sexual Slavery Act of 2011.¹⁹⁵ Similar to New York, the California law provides information on punishments for the various forms of offenses related to trafficking, as well as the tasks for law enforcement agencies to complete and monetary compensation entitled to victims.¹⁹⁶ Despite the anti-trafficking legislation already in effect, advocates called for an additional law in 2012.

Voters elected to pass California Proposition (PROP) 35 in November 2012. Proponents, including victim advocates and law enforcement officers, recommended the changes because they increase the penalties for sex trafficking. However, other law enforcement officers and advocates oppose the law because they feel it is emotionally driven and sex trafficking-centric. Under PROP 35, an individual convicted of sex

¹⁹² 2011 Florida Statutes, 775.082: Penalties, accessed October 18, 2012, <http://www.flsenate.gov/Laws/Statutes/2011/775.082>.

¹⁹³ LAWS OF NEW YORK, 2007: CHAPTER 74, accessed October 18, 2012, http://criminaljustice.state.ny.us/pio/humantrafficking/humantrafficking_legislation.pdf.

¹⁹⁴ Law Offices of Robert C. Reuland, P.C. New York Sentencing Chart, accessed October 18, 2012, <http://www.reulandlaw.com/useful-info/new-york-sentencing-chart/>.

¹⁹⁵ California Office of the State Attorney General, Human Trafficking Legislation, accessed October 18, 2012, <http://oag.ca.gov/human-trafficking/legislation>.

¹⁹⁶ Assembly Bill No. 22, Chapter 240, accessed October 18, 2012: 1–28, http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_22_bill_20050921_chaptered.pdf.

trafficking a minor through force could be sentenced to life imprisonment, a fine of \$1.5 million, and registration as a sex offender, while the maximum penalties under current law are an eight-year term and a \$100,000 fine.¹⁹⁷ Other stipulations of the law include preventing prosecutors from discussing victims' past sexual experiences in court and "expanding the definition of human trafficking to include creation and distribution of child pornography."¹⁹⁸

While proponents maintain that tougher penalties are necessary to deter sex trafficking, others contend the law is counterproductive. Former San Jose Police Officer John Vanek, an anti-trafficking consultant, argues that emotions are partly responsible for the law and, although victims should be expected to be financially compensated, assets seized are most likely to be given to law enforcement organizations.¹⁹⁹ This is significant because—if victim compensation is a justification for passing the law—the legislature may be passing the law, not knowing victims are unlikely to be compensated and possibly deterring other victims from reporting trafficking events. Another criticism of with the law is that it places too much emphasis on sex trafficking, taking attention away from other forms of exploitation, such as labor trafficking or indentured servitude. According to Loyola Law School Professor Kathleen Kim, proponents were confusing "sexual exploitation through prostitution with the broader, more complex issue of trafficking" and the backers of Proposition 35 "represent a part of the anti-trafficking movement that wants a focus on sex trafficking crimes over labor trafficking."²⁰⁰ In other words, proponents want tougher sentences for sex trafficking as opposed to labor trafficking, implying that labor trafficking is less severe. The argument is significant because, in some cases, the conditions in which labor trafficking victims are held are also

¹⁹⁷ Victoria Kim, "Anti-sex-trafficking Proposition 35 is surprisingly controversial," *Los Angeles Times*, October 30, 2012, accessed November 15, 2012, <http://articles.latimes.com/2012/oct/30/local/la-me-prop35-20121031>.

¹⁹⁸ Ibid.

¹⁹⁹ Ibid.

²⁰⁰ Ibid.

inhumane and the principle from which traffickers benefit is essentially the same: sell a person for a small fee and he/she can be paid the fraction (if that) of a conventional employee.

Despite the opponents, Prop 35 supporters are employed in the same career fields. Alameda County Prosecutor Sharmin Bock, a writer of the proposition and a trafficking prosecutor, believes people who deal with trafficking victims on a daily basis support the law.²⁰¹ This support may be emotionally driven; professionals assisting victims would not want others to be subjected to trafficking. A second supporter, Diane Amato of a Los Angeles-based victim-support organization, feels more is needed and says, “There has to be more deterrent, more bite against trafficking at a younger age.”²⁰² The younger age factor Amato refers to is the fact that teenage girls engage in prostitution and the consequences for pimps seem to be lacking. Another issue is domestic sex trafficking, cases in which American citizens are exploited. LAPD officials indicate “more gangs are using forced prostitution instead of selling drugs as a revenue source,” and the girls are from the state.²⁰³ Lieutenant Andre Dawson, head of the department’s human trafficking unit, also indicated an increase in the number of prostitutes he encountered.²⁰⁴

Although the new laws are designed to give prosecutors more leverage in adjudicating trafficking offenses, not all justice professionals are aware of the laws in their jurisdictions. In evaluating state and local jurisdictions’ efforts to combat trafficking, Farrell discovered “state law enforcement and prosecutors repeatedly cited a lack of precedent and case law on human trafficking as a major deterrent to prosecuting a case using state human trafficking statutes,” and some “were unaware that their state had

²⁰¹ Jens Erik Gould, “California’s Prop 35: Why Some Oppose an Anti-Sex-Trafficking Initiative,” *Time Magazine*, November 5, 2012, accessed November 15, 2012. <http://nation.time.com/2012/11/05/californias-prop-35-why-some-oppose-an-anti-sextrafficking-initiative/>.

²⁰² Ibid.

²⁰³ Ibid.

²⁰⁴ Ibid.

a human trafficking statute.”²⁰⁵ This is a concern because, in the next section, the Bureau of Justice Statistics (BJS) indicates a majority of sex trafficking cases are prosecuted at the state level.

The passing of trafficking legislation at the federal and state levels over the past decade indicates the U.S. is concerned enough about the issue to either reduce or eliminate it. Although the purpose of the legislation is to better enable the pursuit of traffickers, prosecutors retain the discretion of charging them with crimes they feel are more likely to gain convictions, such as kidnapping or prostitution. While there have been successful trafficking convictions, the Farrell Study indicates some prosecutors remain unaware of trafficking statutes, which is an issue discussed in the law enforcement and training sections. Trafficking legislation sets the stage for the discussion of how law enforcement contributes to combating sex trafficking.

B. LAW ENFORCEMENT ACTIVITIES

Within the United States, networks to combat sex trafficking are in place at the federal and state levels. The President’s Interagency Task Force, a cabinet-level group, leads federal enforcement efforts. Federal agencies responsible for border security are also significant in combating trafficking. State efforts to combat trafficking typically center on detection of trafficking victims, prosecuting the suspects, and providing for the victim’s safety both during and after the adjudication. Depending on the size of a local police force, there may be a unit dedicated solely to combating trafficking, while in smaller organizations, the agency may have to rely on outside assistance due to lack of resources or experience. In discussing how trafficking is combated through law enforcement agencies, my intention is to show U.S. law enforcement agencies have an adequate capability to identify trafficking victims and suspects.

²⁰⁵ Amy Farrell, Jack McDevitt, Rebecca Pfeffer, Stephanie Fahy, Colleen Owens, Meredith Dank, and William Adams, “Identifying Challenges to Improve the Investigation and Prosecution of State and Local Human Trafficking Cases Executive Summary” (Northeastern University Institute on Race and Justice and Urban Institute Justice Policy Center: April 2012), 7.

1. Federal Efforts

Federal measures to combat trafficking are a top-down initiative led from the White House. The Presidential Interagency Task Force (PITF) was created with the adoption of the Trafficking Victims Protection Act in 2000 in order to “coordinate federal efforts to combat trafficking in persons,” chaired by the Secretary of State.²⁰⁶ The task force meets annually to assess the on-going progress of goals, with all the federal agencies highlighting their accomplishments in areas such as international outreach, information collection, and trafficker adjudication.²⁰⁷ The individual agencies establish annual goals to meet in their specialties, and both individual and joint accomplishments are highlighted (such as DHS and DOL accomplishing so many investigations into contractors over the course of the previous year).²⁰⁸ In addition to the State Department, representation from other branches includes Justice, Homeland Security, and Defense. Each agency has unique responsibilities in contributing to the sex trafficking efforts.

In addition to being the lead agency within the administration, the State Department also represents the United States in the international realm. The Trafficking in Persons Report, published by the Office to Combat and Monitor Trafficking in Persons, describes the significance of trafficking per nation, both describing the significance and ranking their compliance with international standards to combat trafficking.²⁰⁹ Funding for anti-trafficking programs is provided by the Bureau of Population, Refugees, and Migration (PRM), and Democracy, Human Rights, and Labor (DRL).²¹⁰ The Bureau of Diplomatic Security fulfills a liaison capacity with law

²⁰⁶ U.S. Department of State: U.S. Government Entities Combating Human Trafficking, accessed October 20, 2012.

<http://www.state.gov/j/tip/response/usg/index.htm>.

²⁰⁷ U.S. Department of State: Progress in Combating Trafficking in Persons: The Obama Administration’s Accomplishments (as of February 2012), accessed February 23, 2013. <http://www.state.gov/j/tip/rls/reports/pitf/185971.htm>.

²⁰⁸ Ibid.

²⁰⁹ U.S. Department of State: U.S. Government Entities Combating Human Trafficking: PITF Member and Invited Agencies, accessed October 20, 2012. <http://www.state.gov/j/tip/response/usg/agencies/index.htm>.

²¹⁰ Ibid.

enforcement agencies by conducting investigations while the Office of Global Women's Issues (S/GWI) addresses violence that can lead to the trafficking of women.²¹¹

Within the Justice Department, multiple agencies contribute to combating sex trafficking. Prosecution of high-profile trafficking crimes is accomplished through the Human Trafficking Prosecution Unit, an organization within the Criminal Division that also liaisons with U.S. Attorneys, the FBI, and DHS ICE.²¹² The department also provides funding and training; the Bureau of Justice Assistance is responsible for over forty anti-trafficking task forces comprised of federal, state, and local law enforcement while the Office of Victims of Crime (OVC) finances organizations responsible for victim assistance.²¹³ The National Institute of Justice (NIJ), Bureau of Justice Statistics (BJS), and National Criminal Justice Reference Service (NCJRS) are responsible for conducting research and maintaining data on behalf of the department.²¹⁴

One of the largest contributors to combating sex trafficking is the Department of Homeland Security. Anti-trafficking efforts are coordinated through the DHS Blue Campaign.²¹⁵ Agencies include Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE), Citizenship and Immigration Services, U.S. Coast Guard

²¹¹ Ibid.

²¹² U.S. DOJ: Human Trafficking Prosecution Unit, accessed January 20, 2013. <http://www.justice.gov/crt/about/crm/htpu.php>

²¹³ U.S. DOJ: Bureau of Justice Assistance: Anti-Human Trafficking Task Force Initiative, accessed January 20, 2013. https://www.bja.gov/ProgramDetails.aspx?Program_ID=51.

²¹⁴ Office of Justice Programs, National Institute of Justice: Human Trafficking, accessed January 20, 2013. <http://www.nij.gov/nij/topics/crime/human-trafficking/welcome.htm>; Office of Justice Programs, Bureau of Justice Statistics: Human Trafficking/Trafficking in Persons, accessed January 20, 2013. <http://www.bjs.gov/index.cfm?ty=tp&tid=40>.

²¹⁵ Department of Homeland Security: Blue Campaign, accessed January 20, 2013. <http://www.dhs.gov/blue-campaign>.

(USCG), and Federal Law Enforcement Training Center (FLETC).²¹⁶ ICE Homeland Security Investigations (HSI) investigates all trafficking-related crimes and is the largest investigative arm within the agency.²¹⁷ Most of the other agencies contribute to border security to one degree or another, thus placing frontline agents in positions to identify potential trafficking victims.

CBP is responsible for maintaining control of the borders, monitoring personnel entering and exiting the country, while also ensuring the flow of cargo. With over 60,000 members, CBP jurisdiction extends inland, including ground, air, and water and is concerned with the “illegal entry of people and goods into the United States.”²¹⁸ Personnel are responsible for screening commercial shipping containers for contraband as well as persons of interest. In FY 2011, over 8,000 people were arrested while attempting to enter the U.S., and over 215,000 were denied entry by CBP staff while nearly 350 million travelers were evaluated.²¹⁹ Because they screen such a high volume of people and goods entering the country, CBP personnel are ideal for distinguishing potential trafficking victims who are under duress.

Similar to CBP, ICE is responsible mainly for removing illegal aliens within the country. With just over 20,000 agents, ICE serves two functions: the Homeland Security Initiative (HSI) responsible for conducting criminal investigations of terrorism and trafficking, as well as working with state and local task forces; and the Enforcement and Removal Operations (ERO) responsible for “identifying and apprehending removable

²¹⁶ CBP.gov: About Human Trafficking, accessed January 20, 2013, http://www.cbp.gov/xp/cgov/border_security/human_trafficking/stories_info/overview.xml; U.S. Citizenship and Immigration Services: Victims of Human Trafficking and Other Crimes, accessed January 20, 2013, <http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnextoid=829c3e4d77d73210VgnVCM100000082ca60aRCRD&vgnnextchannel=829c3e4d77d73210VgnVCM100000082ca60aRCRD>; U.S. Coast Guard: Alien Migrant Interdiction, accessed January 20, 2013, <http://www.uscg.mil/hq/cg5/cg531/AMIO/amio.asp>; Federal Law Enforcement Training Center: Human Trafficking Training Program, accessed January 20, 2013, <http://www.fletc.gov/training/programs/human-trafficking-training-program>; U.S. Department of State: U.S. Government Entities Combating Human Trafficking.

²¹⁷ ICE Homeland Security Investigations: Human Trafficking, accessed January 20, 2013, <http://www.ice.gov/human-trafficking/>.

²¹⁸ U.S. Department of Homeland Security: 2013 Budget in Brief: 81, accessed October 20, 2012, <http://www.dhs.gov/xlibrary/assets/mgmt/dhs-budget-in-brief-fy2013.pdf>.

²¹⁹ *Ibid.*, 83.

aliens,” and deporting them if necessary.²²⁰ In FY2011, ICE conducted over 700 human trafficking investigations, “which resulted in more than 900 criminal arrests, 400 indictments, and 270 convictions.” Meanwhile, the “‘Hidden in Plain Sight’ Campaign” (a general-awareness program informing the public about human trafficking) circulated advertisements in a variety of foreign languages in 50 newspapers.²²¹ Additionally, Child Exploitation investigations resulted in over 1,400 arrests and 3,100 investigations while Operation Delago, an exploitation operation directed at the production of child-abuse propaganda, resulted in the indictment of 72 suspects.²²²

At rail stations and airports, TSA employees evaluating passengers are also in a position to identify trafficking victims. In FY 2011, agents at checkpoints “screened approximately 640 million people and carry-on items, and more than 425 million checked bags.”²²³ TSA agents will come into close contact with potential victims at screening stations while asking personal questions, enabling them to determine if someone is under duress. One such incident occurred in Florida on July 5, 2012. At Miami International Airport, TSA “behavior screeners” (agents who are tasked with evaluating the behavior of passengers in order to screen out certain individuals) noticed a 25-year-old woman passenger with facial trauma, who was traveling with four other people.²²⁴ Further inquiry revealed that the woman was vacationing with the group and had been involved in a fight with two of the four persons.²²⁵ Those individuals were arrested for kidnapping as the victim alleged she was being held against her will.²²⁶ Although this is one incident involving an individual whose friends turned on her, it shows the potential exists for TSA agents to intervene in sex trafficking cases if they observe suspicious behavior.

²²⁰ Ibid., 91–92.

²²¹ Ibid., 94–95.

²²² Ibid., 95.

²²³ Ibid., 105.

²²⁴ Mike M. Ahlers and Melanie Whitley, “TSA credits officers with rescuing kidnapped woman,” CNN Travel, August 2, 2012, accessed October 20, 2012.

<http://www.cnn.com/2012/08/01/travel/miami-tsa-airport-incident/index.html>.

²²⁵ Ibid.

²²⁶ Ibid.

While each of the federal agencies has its own responsibilities in combating trafficking, there is also crossover. The Justice Department is mainly responsible for prosecuting cases after they are investigated, by either the FBI or DHS, and coordinating for the care of victims. Research is conducted through the BJA, NIJ, and NCJRS, while BJS compiles data. DHS serves in a frontline capacity, responsible for detecting potential trafficking victims through CBP, ICE, and the Coast Guard, and forwards cases to DOJ for adjudication. DHS and FLETC both provide trafficking-related training via the Internet or classroom to federal and state employees. In addition to the federal efforts, anti-trafficking operations are also prevalent in state organizations.

2. State Efforts

While the federal government leads trafficking efforts through the PITF, states also operate individual task forces. Due to the size of the nation, it would be impractical to describe the measures in place throughout the country; therefore, two particular cases on either coast deserve attention: New York and California. Each has its own task force, and two large-city police forces—the NYPD and LAPD—have human trafficking divisions.

After the anti-trafficking law passed in 2007, New York established its interagency task force on human trafficking. Members of the task force include the Departments of Health and Labor; Offices of Children and Family Services and Alcohol and Substance Abuse; victim assistance agencies; and state police.²²⁷ Goals of the task force are: “recommend interagency protocols and best practices for training and outreach to the law enforcement community and to service providers,” “gather data on the number of victims and the effectiveness of the new law,” and “evaluate approaches to increase public awareness about trafficking and make recommendations on those approaches.”²²⁸ In New York City, Mayor Bloomberg created an anti-trafficking task force chaired by the Mayor’s Office of Criminal Justice Coordinator and composed of NGOs as well as city,

²²⁷ New York State Division of Criminal Justice Services: Human Trafficking, accessed October 30, 2012. <http://criminaljustice.state.ny.us/pio/humantrafficking/humantrafficking.htm>.

²²⁸ Ibid.

state, and federal law enforcement representatives.²²⁹ The group meets quarterly, produces a citywide Human Trafficking Resource Directory, and maintains an informational website.²³⁰ The NYPD also established a human trafficking unit in the fall of 2003.

In California, an effort similar to that of New York was created. In this case, nine task forces cover the state, each led by a law enforcement agency and NGO, while two training centers deal with educating first responders.²³¹ The first six task forces formed in 2004 with USDOJ-provided funding and, by the end of the decade, state funding helped to create the additional three.²³² Similar to New York, a detective unit within the Los Angeles Police Department was created in 2004 to investigate Human Trafficking. In addition to investigating “state and federal crimes involving the sexual exploitation of human beings,” the Human Trafficking Unit also liaisons with other units within the department, as well as the federal agencies responsible for investigating trafficking offenses, and the county district attorney’s office.²³³

Despite the reduction efforts in place, incidents still emerge in the media, and reaction-type initiatives are created in attempts to further inhibit trafficking. In the summer of 2012, New York passed legislation designed to curb the use of taxicabs involved in sex trafficking operations by penalizing drivers while also partnering with major airlines flying into the city.²³⁴ This legislation was drafted after uncovering a sex trafficking ring in which a father and son employed taxi drivers to shuttle victims throughout the region.²³⁵ The estimate to train drivers was \$75,000, although plans

²²⁹ New York City: Criminal Justice, accessed October 31, 2012. <http://www.nyc.gov/html/cjc/html/crime/trafficking.shtml>.

²³⁰ Ibid.

²³¹ Office of the Attorney General: Human Trafficking in California-Fighting Human Trafficking, accessed October 31, 2012. <http://oag.ca.gov/human-trafficking/fighting>.

²³² Ibid.

²³³ LAPD Online, Inside the LAPD, Detective Bureau, Human Trafficking Section, accessed October 31, 2012. http://www.lapdonline.org/detective_bureau/content_basic_view/51926.

²³⁴ Vivian Yee, “City Plans to Target Cabdrivers who Join in Sex Trafficking,” *New York Times*, June 12, 2012, accessed November 1, 2012. http://www.nytimes.com/2012/06/13/nyregion/city-plans-to-target-cabdrivers-who-join-in-sex-trafficking.html?_r=0.

²³⁵ Ibid.

included use of pamphlets and a video for educating en masse, while penalties ranged from loss of license to a \$10,000 fine for disobedient drivers.²³⁶

Incidents of undetected trafficking are not limited to New York. In Los Angeles, despite efforts to inform the public and police officers about trafficking, cases can be mishandled. In 2007, a teenage trafficking victim initially informed a Burbank detective of her situation, although no charges were filed against her perpetrator.²³⁷ She later spoke to a detective within the LAPD human trafficking unit and an investigation ensued, ultimately leading to trafficking and pimping charges. That suspect pled no contest to pimping and pandering teenage girls in the early 1990s, only to serve three years of a five-year sentence in prison.²³⁸

In the above-mentioned cities, successes of the human trafficking units are highlighted in press releases. However, in two cases, efforts to close down the units—due to either budget constraints or low productivity—were countered with public concerns and, in the case of Los Angeles, activists calling for the unit to remain in operation. In early 2004, shortly after the NYPD established its unit, the police leadership contemplated closing it because they “didn’t think it was worthwhile.”²³⁹ The city created the unit two months earlier under the rationale that its large numbers of foreigners are more easily subjected to work in the sex trade.²⁴⁰ A police department spokesman disputed the claim that the unit was closing, a decision praised by both federal officials and local victim advocates.²⁴¹ More recently, Los Angeles officials contemplated something similar.

²³⁶ Ibid.

²³⁷ Susan Abram, “Child sex trafficking in Los Angeles: ‘It happens way too often,’” *Daily News: Los Angeles*, May 6, 2012, accessed November 1, 2012. http://www.dailynews.com/ci_20558028/16-year-old-girl-targeted-by-burbank-pimp.

²³⁸ Ibid.

²³⁹ Anthony M. DeStafano, “Noted NYPD Unit Specializing in Probing Human Trafficking Won’t Be Shut,” *New York Newsday*, January 12, 2004. <http://www.policeone.com/investigations/articles/76462-Noted-NYPD-Unit-Specializing-in-Probing-Human-Trafficking-Wont-Be-Shut/>.

²⁴⁰ Ibid.

²⁴¹ Ibid.

In June 2011, the LAPD planned to “disband its Human Trafficking and Prostitution Vice Unit due to budget cuts.” As a result, online activists expressed concern and called for protest.²⁴² In a letter sent to LAPD Chief Charlie Beck, activists sighted statistics indicating Los Angeles was a hub for human trafficking, including the numbers of trafficked persons annually and the age of entry into prostitution.²⁴³ In closing the letter, activists stated that “Los Angeles is accountable not only to the children of Los Angeles, but to all who are trafficked through L.A. ports,” and that women and children “need the Prostitution/Human Trafficking Vice Unit in place to ensure their safety.”²⁴⁴

3. Recent Cases of Sex Trafficking

Despite negative aspects of the active law enforcement efforts, there have been recent state and federal sex trafficking prosecutions. In January 2013, a 49-year old man from Fort Lauderdale, Florida, was sentenced to life imprisonment for sex trafficking and attempted sex trafficking after a joint investigation between the Fort Lauderdale Police Department and the FBI.²⁴⁵ In this case, the suspect took in six runaway girls, one as young as 12 years old, and forced them into prostitution in exchange for housing at his residence.²⁴⁶ In Indiana, a man pled guilty to charges under the Mann Act for “transporting a woman across state lines for the purpose of having her engage in prostitution” over the course of eight months.²⁴⁷ This case, prosecuted in federal court, was also a joint investigation between the Gary, Indiana, Police Department and the

²⁴² “ACT Now: Stop LAPD from closing Human Trafficking & Prostitution Unit due to Budget Cuts!” Enslaved in America (June 9, 2011), accessed November 14, 2012, <http://enslavedinamerica.com/archives/891>.

²⁴³ Ibid.

²⁴⁴ Kristen R. Lauterbach, “Stop LAPD from closing Human Trafficking & Prostitution Unit due to Budget Cuts,” change.org, accessed November 14, 2012. <http://www.change.org/petitions/stop-lapd-from-closing-human-trafficking-prostitution-unit-due-to-budget-cuts>.

²⁴⁵ Press Release: Federal Bureau of Investigation, “Fort Lauderdale Man Sentenced to Life for Sex Trafficking of Minors,” January 9, 2013, accessed January 10, 2013. <http://www.fbi.gov/miami/press-releases/2013/fort-lauderdale-man-sentenced-to-life-for-sex-trafficking-of-minors>.

²⁴⁶ Ibid.

²⁴⁷ Press Release: Federal Bureau of Investigation, “Chicago Man Pleads Guilty to Transporting Woman Across State Lines for Prostitution,” January 9, 2013, accessed January 10, 2013. <http://www.fbi.gov/indianapolis/press-releases/2013/chicago-man-pleads-guilty-to-transporting-woman-across-state-lines-for-prostitution>.

FBI.²⁴⁸ In Houston, Texas, five men, ranging in age from 42 to 51, pled guilty to sex trafficking charges, with three of them being sentenced to eight years in federal prison.²⁴⁹ The men were responsible for recruiting young women to work as prostitutes and transporting them out of state to serve clients while maintaining stringent control over them.²⁵⁰ This case was the result of Operation Total Exposure, a joint investigation conducted by the Houston Police Department, the FBI, and the Innocence Lost Task Force, a multi-agency federal task force formed in 2003, designed to combat aspects of sex trafficking directly related to children.²⁵¹ In New York City, enforcement strategies changed in 2012 when the NYPD began a crackdown, Operation Losing Proposition,” in which police place more emphasis on prosecuting male customers of prostitutes and treating the females as trafficking victims.²⁵² As a result of this strategy, “charges of patronizing a prostitute have increased,” while prostitution decreased.²⁵³ The shift in strategy was beginning to show an impact. Since the law passed in 2007, almost half of the 150 cases filed remain open, and there were “13 convictions on the sex trafficking charge,” and “33 convictions on charges other than sex trafficking.”²⁵⁴ Additionally, the number of arrests in New York City for the first quarter of calendar year 2012 nearly equaled the total for 2011.²⁵⁵

Although state and federal prosecutors have a variety of options at their disposal in pursuing trafficking suspects, these recent cases show that, despite the passage of new state laws since 2000, sex trafficking is being adjudicated at both levels, and in some cases with legislation available since the early 1900s. Creative strategies to combat

²⁴⁸ Ibid.

²⁴⁹ Press Release: Federal Bureau of Investigation, “Three Sentenced in Massive Domestic Sex Trafficking Case,” January 7, 2013, accessed January 10, 2013. <http://www.fbi.gov/houston/press-releases/2013/three-sentenced-in-massive-domestic-sex-trafficking-case>.

²⁵⁰ Ibid.

²⁵¹ Ibid.

²⁵² Russ Buettner, “Prosecutors Focus on Pimps and Clients, Instead of Prostitutes,” *New York Times*: May 2, 2012, accessed January 8, 2013. <http://www.nytimes.com/2012/05/03/nyregion/manhattan-prosecutors-focus-on-pimps-instead-of-prostitutes.html>.

²⁵³ Ibid.

²⁵⁴ Ibid.

²⁵⁵ Ibid.

trafficking at the local level, such as in New York City, may be more focused on satisfying public demand for more aggressive measures in the hopes of lowering trafficking. Additionally, the involvement of the FBI in joint anti-trafficking operations could indicate that state and local agency heads, despite having a reach-back capability to federal authorities for guidance, may still feel insecure about pursuing sex traffickers. A more thorough evaluation of the law enforcement efforts is conducted in the next section.

4. Evaluation of Law Enforcement Efforts

Since the inception of the federal programs to combat trafficking, several evaluations have taken place to determine the overall effectiveness of the state and federal agencies and NGOs. Evaluations conducted by the United States Government Accountability Office (GAO) in 2006, and the U.S. Justice Department Office of the Inspector General Audit Division in 2008 revealed some correctable weaknesses in those programs.

While the GAO report focused on how America contributes to combating trafficking abroad, some of the issues raised in the report were significant for the domestic issues. Issues raised included the estimates of people trafficked, data collection, and the establishment of a long-term strategy. The GAO indicated that the estimate of victims trafficked annually raised doubt because the information was produced by one researcher and may have been based on previous unreliable data.²⁵⁶ This situation was amplified when it was discovered that the numbers of confirmed trafficking victims falls below the numbers expected.²⁵⁷ Additionally, there were statistical differences between the three agencies that gathered trafficking-related information (U.S. Government, ILO, UNODC, and IOM), such as high percentage disparities and sourcing information.²⁵⁸ Foreign countries gathering information also create challenges by using terms interchangeably (such as smuggling and trafficking) and not accounting for specific age

²⁵⁶ U.S. Government Accountability Office, Human Trafficking: “Better Data, Strategy, and Reporting Needed to Enhance U.S. Antitrafficking Efforts Abroad”: July 2006, 10.

²⁵⁷ Ibid., 17.

²⁵⁸ Ibid., 11–13.

categories when describing victims.²⁵⁹ U.S. agencies failed to share information with each other, in some cases lacked the manpower to thoroughly review information on file, and it was unclear which anti-trafficking efforts were effective.²⁶⁰

GAO recommendations to the State Department included: “work closely with relevant agencies as they implement U.S. law calling for research into the creation of an effective mechanism to develop a global estimate of trafficking,” as well as reducing duplication of effort between agencies, and establishing goals and criteria to determine progress.²⁶¹ In response, the State Department highlighted the importance of providing more research to front-line personnel combating trafficking as well as “research providing information on the comparative severity of trafficking in particular regions, countries, or localities” in addition to traffickers’ methods, which can be compiled and assessed.²⁶² Regarding the de-confliction of “roles and responsibilities” in order to reduce duplication of effort, the State Department felt this task was already complete, noting the Senior Policy Operating Group (SPOG), along with the PITF, provides “an active forum where interagency representatives work together to identify strengths and weaknesses of the U.S. approach to combat trafficking.” Furthermore, several federal agencies were working together to “develop common performance measures.”²⁶³ Common areas in which both the GAO and State Department agreed included: more research into the effectiveness of established anti-trafficking programs and “the extent to which different types of efforts impact the level of trafficking”; the need for “interagency communication on research” into trafficking; and the “need for better performance measures.”²⁶⁴ Issues that remained unresolved included better agency coordination to prevent duplication of effort and the sharing of information.²⁶⁵

²⁵⁹ Ibid., 16.

²⁶⁰ Ibid., 19; 25.

²⁶¹ Ibid., 37.

²⁶² Ibid., 52–53.

²⁶³ Ibid., 53–54.

²⁶⁴ Ibid., 60–61.

²⁶⁵ Ibid.

Two years later, the Department of Justice's Office of the Inspector General (OIG) released results of a 2003–2007 audit of the Office of Justice Programs' (OJP) Grant Programs for Trafficking Victims. Some findings of that report included inaccurate data regarding trafficking victims assisted, trafficking victims identified, law enforcement officers trained, and awareness presentations to the public. Seven agencies were evaluated; of their combined total, the number of victims served in the four-year period was overstated by just over 50 percent.²⁶⁶ Although the analysis was limited to a small group of service providers, the total was overstated by almost 250 victims (684 vice 435).²⁶⁷

In addition to the victim service providers, trafficking victims identified by eleven law enforcement task forces throughout the country were evaluated from January 2005 to June 2007. While some task forces understated their total numbers of victims for this timeframe, the overall total was overstated by almost 260 percent (620 vice 234).²⁶⁸ Reasons for inaccuracy included human errors entering data, lack of communication within task forces or with federal and state agents, and incorrectly reporting persons from other organizations.²⁶⁹ As a result of these findings, eleven recommendations were made to the OJP, such as ensuring that task forces maintain better records and that OVC agencies report victims only under the appropriate criteria.²⁷⁰

The final group of areas evaluated covered the effectiveness of grant programs by evaluating the number of officials trained to identify trafficking victims and awareness presentations made to the public, as well as an evaluation of the direct assistance offered to victims and the overall views on the OJP grant programs. Similar to the previous items discussed, the audit uncovered that the information provided by the task forces was overstated. In the case of law enforcement officers trained in trafficking, the number was

²⁶⁶ U.S. Department of Justice Office of the Inspector General Audit Division: Management of the Office of Justice Programs' Grant Programs for Trafficking Victims: July 2008, 21.

²⁶⁷ *Ibid.*, 25.

²⁶⁸ *Ibid.*, 32.

²⁶⁹ *Ibid.*, 32–35.

²⁷⁰ *Ibid.*, 36–37.

overstated by almost 40 percent (26,529 vice 19,269).²⁷¹ The total public awareness presentations was also overstated by almost 200 percent (271 vice 93); reasons for these discrepancies included clerical errors and not maintaining records.²⁷²

The seven OVC agencies were evaluated to determine how effectively they provided “direct assistance” to trafficking victims in the form of “food, clothing, shelter, medical and dental care, and transportation.”²⁷³ The results indicated about 10 percent of funds were used for to benefit the victims (\$922,000 out of almost \$8.5 million); when questioned, service providers indicated that the funds were used for “community outreach and training, and not direct assistance to victims.”²⁷⁴

Feedback provided to the OIG from service providers and task force members regarding the OJP grant programs included too much emphasis on foreign victims vice domestic victims, poor communication with federal and state law enforcement, and public refusal to participate.²⁷⁵ Similar to the issues of accounting for victims, OIG provided three additional recommendations to OJP requesting service providers and task forces maintain better control over funding and record keeping.²⁷⁶ Subsequent dialogue between the OJP and OIG indicated agreement with the recommendations as well as establishment of criteria to fulfill the OJP recommendations for improvement of the programs.²⁷⁷

After the Justice Department released its report describing the management of grant programs, the BJS released a report in 2011 describing the investigation of trafficking cases that transpired from January 2008 to June 2010. Information was derived from the Human Trafficking Reporting System (HTRS) and, in addition to highlighting the total number of trafficking cases opened by federally funded task forces,

²⁷¹ Ibid., 65–66.

²⁷² Ibid., 66–69.

²⁷³ Ibid., 72.

²⁷⁴ Ibid., 73.

²⁷⁵ Ibid., 73–74.

²⁷⁶ Ibid., 75–76.

²⁷⁷ Ibid., 100–110; 114–124.

the report described other case features. Approximately 2,500 incident reports were opened during the time period and just over 80 percent of the cases were sex trafficking-related.²⁷⁸ Additionally, in over 90 percent of those cases, a state or local law enforcement agency, rather than a federal agency, headed the investigation.²⁷⁹ Of the cases examined, most were investigated for nearly two years and typically involved female domestic sex trafficking victims, although only 459 were identified.²⁸⁰ Despite the high number of initial incidents, slightly less than 200 were confirmed to be sex trafficking after a year of investigation.²⁸¹ From the time an incident was first reported until the time it was adjudicated, it may have been determined to not be a trafficking incident. Although the information was detailed, the system was relatively new, and the participating task forces did not cover the entire nation; in some cases, pertinent case information was lacking.²⁸²

Because state and local law enforcement agencies and prosecutors typically investigate and adjudicate sex trafficking cases, more emphasis should be placed on the capabilities within these types of agencies. Farrell's study covers trafficking cases handled at the state and local level and the challenges and difficulties faced by the investigators and prosecutors. The study was limited in that it "analyzed data from 140 closed case files" throughout the country and, therefore, "should not be used to draw conclusions about nationwide patterns of human trafficking prosecutions."²⁸³ Similar to the BJS report from 2011, this study revealed the majority of sex trafficking victims were American females with male suspects, and nearly 90 percent of the cases involved sex trafficking.²⁸⁴ Despite the presence of anti-trafficking legislation, prosecutors usually

²⁷⁸ Duren Banks and Tracey Kyckelhahn, "Characteristics of Suspected Human Trafficking Incidents, 2008–2010," U.S. Department of Justice, Office of Justice Programs Bureau of Justice Statistics: Special Report, April 2011, 3.

²⁷⁹ *Ibid.*, 4.

²⁸⁰ *Ibid.*, 6; 8.

²⁸¹ *Ibid.*, 8.

²⁸² *Ibid.*, 10.

²⁸³ Farrell et al., "Identifying Challenges to Improve the Investigation and Prosecution of State and Local Human Trafficking Cases," 3.

²⁸⁴ *Ibid.*

opted to charge suspects with other offenses such as “compelling or promoting prostitution,” and suspects were most likely to be charged when it could be proved they “benefitted financially from human trafficking” or when a minor was the victim.²⁸⁵ Several reasons these cases were pursued with charges besides trafficking included: concerns by prosecutors they would be unable to obtain a conviction; lack of familiarity with sex trafficking cases on the part of judges and prosecutors; “lack of state-specific training in how to investigate and litigate human trafficking cases”; and victims’ refusal to participate in the case.²⁸⁶

Despite the law enforcement efforts in place, Farrell arrived at the following conclusions: there is a “lack of awareness among practitioners and the broader community,” meaning police and prosecutors fail to understand sex trafficking; there is a “reliance on reactive identification strategies,” such as police responding to either tips or victim complaints despite victims not coming forward due to fears for their safety; victims fail to receive appropriate care after they are identified; little knowledge about state trafficking legislation; and prosecutors lacking interest in adjudicating trafficking cases.²⁸⁷ Suggestions for improvement included broad programs designed to inform the public and law enforcement professionals about human trafficking; providing trafficking victims with resources they need to recover from the ordeal while assisting with the prosecution; and more robust training for law enforcement professionals (which is discussed in the Training and Education section).²⁸⁸

Although there are multiple agencies combating sex trafficking at the state and federal levels, the evaluations by the GAO and OIG indicated there were flaws in the systems that could be improved to strengthen anti-trafficking operations. Some common themes included improving coordination between agencies and better record keeping. The financial discrepancies revealed by the OIG report could either be isolated to the agencies evaluated, or part of a larger trend throughout the nation. The prevalence of the

²⁸⁵ Ibid., 4–5.

²⁸⁶ Ibid., 8–10.

²⁸⁷ Ibid., 11–12.

²⁸⁸ Ibid., 12–14.

FBI in prosecuting some of the recent sex trafficking cases, despite research indicating the majority of these crimes are prosecuted at state and local levels, should indicate there is still room for improvement. Additionally, Farrell's findings last year could indicate a larger trend of state and local agencies lacking the necessary training or awareness to pursue sex trafficking cases independently. Although this creates a duplication of effort, it should also increase the likelihood of prosecution due to the multiple layers of prosecution. An outlying problem with the data is that the federal government has yet to conduct a thorough review of all programs nationwide, as the OIG report examined only some of the programs. The next section discusses the proactive measures taken to inform the general public as well as law enforcement officers about combating trafficking.

C. TRAINING AND EDUCATION

In order to inform the public of the significance of sex trafficking and the efforts in place to combat it, government organizations and NGOs have different tools at their disposal. The Internet is a valuable asset in publishing several "how to" spreadsheets. Subject matter experts provide lectures at national training centers such as FLETC in Glynco, Georgia, and also provide on-site training to large audiences upon request. In this section, my intention is to show that the U.S. has several informative anti-trafficking training programs designed for both the general public and law enforcement professionals, thus contributing to the anti-trafficking strategy. Organizations providing detailed training through the Internet and in-person include the Polaris Project to Prevent Slavery, the Department of Homeland Security, and the International Association of Chiefs of Police.

1. Polaris Project to Combat Slavery

The Polaris Project to Combat Slavery provides online and instructor-based training on topics covering the significance of trafficking in the United States and what is being done to combat it, as well as the services available to victims once they are

identified and law-related information.²⁸⁹ Additionally, individual types of training are divided to include online tutorials, interviews over the phone or in-person, and guest speakers.²⁹⁰ In the event of in-person interaction, detailed request forms allow an individual to articulate the subject matter as well as the type of audience expected.²⁹¹

Online tutorials include a combination of pre-recorded voiceover presentations covering subjects including the National Human Trafficking Resource Center and NGOs, as well as over 25 “webinars” discussing a range of topics including outreach, runaway youth, and victim assistance.²⁹² Specific content within these sessions include how to identify victims of trafficking, such as distinguishing physical characteristics and behaviors, agencies to report suspected trafficking incidents, and how victims are assisted, including shelter and medical care, during the adjudication of their cases.²⁹³ Online handouts cover information regarding domestic sex trafficking, such as how traffickers maintain control over their victims; locations where trafficking victims are exploited, such as massage parlors and truck stops; and segments of the population likely to be trafficking victims, such as runaway teenagers.²⁹⁴ While the online training is free, it requires web browser specifications and, in the event guest speakers must travel outside of Washington D.C., they usually expect reimbursement.²⁹⁵ Although the Polaris Project is an NGO, training is also provided by DHS.

²⁸⁹ Polaris Project For a World Without Slavery: Access Training, accessed October 27, 2012. http://www.polarisproject.org/what-we-do/national-human-trafficking-hotline/access-training/#types_of_training.

²⁹⁰ Ibid.

²⁹¹ Polaris Project: Access Training Request, accessed October 27, 2012. <http://www.polarisproject.org/what-we-do/national-human-trafficking-hotline/access-training/request-a-training>.

²⁹² Polaris Project: Online Training, accessed October 27, 2012. <http://www.polarisproject.org/what-we-do/national-human-trafficking-hotline/access-training/online-training>.

²⁹³ Ibid.

²⁹⁴ Polaris Project: Resources by Topic: Sex Trafficking, accessed January 19, 2012. <http://www.polarisproject.org/resources/resources-by-topic/sex-trafficking>.

²⁹⁵ Ibid.

2. Department of Homeland Security

DHS provides online training through its website as well as links to request sessions held by FLETC. General human-trafficking awareness training includes informational posters as well as interactive videos catered to individuals, businesses, first responders, law enforcement, and federal employees.²⁹⁶ Information and links in the law enforcement portal cover a range of topics related to trafficking, including the temporary immigration options available to victims, effective strategies to interview a victim, public awareness posters, and links to other agencies involved in combating trafficking.²⁹⁷ Additionally, training modules are separated in the following categories for the viewing audience to better suit the particular needs of a trainee: victims, individuals, law enforcement, NGOs, business, and lawyers and judges.²⁹⁸

While the tutorials are interactive, the “Coffee Break” training session is an informational sheet listing victim criteria, behavior patterns to observe, and questions to ask. Questions include:

- Was the victim forced to engage in sexual acts?
- Has he/she has any contact with family members?
- Has he/she has been threatened or previously instructed to lie to police about aspects of his/her job?²⁹⁹

Victim criteria includes persons with “limited English proficiency” and little ability to independently provide for oneself; behaviors to observe include whether the victim speaks on his or her own behalf, is permitted freedom of movement, appears to be suffering from physical abuse, or appears threatened.³⁰⁰ In the event a potential victim

²⁹⁶ DHS Human Trafficking Awareness, accessed October 27, 2012. <http://www.dhs.gov/human-trafficking-awareness-training#1>.

²⁹⁷ DHS: “Anti-Human Trafficking Resources: Law Enforcement,” accessed October 27, 2012. <http://www.dhs.gov/anti-human-trafficking-resources-law-enforcement>.

²⁹⁸ Ibid.

²⁹⁹ DHS: “Human Trafficking Tip Card” accessed January 19, 2013. http://www.dhs.gov/xlibrary/assets/ht_ice_tipcard.pdf.

³⁰⁰ DHS Blue Campaign: “Human Trafficking ‘Coffee Break’ Training,” accessed October 27, 2012. <http://www.dhs.gov/xlibrary/assets/blue-campaign/ht-blue-campaign-coffee-break-training.pdf>.

meets the above criteria, the individual is advised to contact the Homeland Security Investigations tip line or follow a website link to report online.³⁰¹

The DHS information and training modules are significant in that they are catered to both the general public and the law enforcement community. While some modules provide general information, such as indicators of trafficking victims, law enforcement-specific information is also included, such as relevant case law and contacts/training links for judges and prosecutors.

3. International Association of Chiefs of Police (IACP)

IACP trafficking-related training includes a 20-page manual designed for law enforcement officers and a three-part video training session discussing the significance of trafficking as well as effective investigation techniques. Although designed for law enforcement professionals, the information is accessible online for public viewing. More than 20,000 law enforcement officers throughout the world are members of the IACP; however, it is unclear if there are mandated requirements for law enforcement practitioners to view the material.³⁰² Information in the written manual includes a summary of trafficking-related legislation, distinction between trafficking and smuggling, characteristics to look for in trafficking victims, and some of the protective mechanisms available, such as temporary visas for international victims.³⁰³ Additionally, myths and misconceptions about human trafficking are provided, as well as strategies for identifying possible cases and checklists for successful interviews.³⁰⁴ The manual concludes by listing contact information for government agencies and NGOs involved in anti-trafficking.³⁰⁵

³⁰¹ Ibid.

³⁰² International Association of Chiefs of Police: Membership, accessed January 19, 2013.
<https://www.theiacp.org/Membership/tabid/62/Default.aspx>.

³⁰³ International Association of Chiefs of Police, "The Crime of Human Trafficking: A Law Enforcement Guide to Identification and Investigation," (NOV 2006), accessed November 16, 2012.
<http://www.theiacp.org/LinkClick.aspx?fileticket=W7b9hV6wn%2bA%3d&tabid=87>.

³⁰⁴ Ibid., 4-5, 11.

³⁰⁵ Ibid, 20.

The three videos are also informative and easily accessible. Each segment runs approximately ten minutes, and segments are divided between “defining the crime,” “identifying and responding,” and “investigating and interviewing.”³⁰⁶ The videos present stories of individual trafficking victims as well as the government employees, to include law enforcement officers as well as prosecutors, and NGO activists engaged in combating trafficking.³⁰⁷ As with the manual, each video segment concludes with a summary and contact information for the agency.³⁰⁸

4. Challenges Associated with Training and Education

With the advent of the Internet, divulging educational material to a large population in a short amount of time has drastically decreased, and thus enhanced, public information campaigns discussing the significance of sex trafficking and ways to combat it. While the medium is available to disseminate as quickly as possible, it remains unknown how many people actually view the websites and comprehend it. Interactive tutorials, while informative by allowing a participant to listen to what they are being told as well as read the information, are also be time-consuming. Additionally, depending on a person’s level of interest, memory retention may be an issue if the information is viewed only once or twice. In the event he or she has further questions that arise after viewing a training session, a presenter is unable to answer on the spot and further research must be conducted.

Training within the law enforcement field is also significant. Farrell indicated that some officials in her project received some sort of government-sponsored trafficking “awareness-raising” training, but (despite the information covered on the DHS pages) the respondents also indicated the sessions “would have been more helpful if they had included strategies for prosecuting cases under state statutes.”³⁰⁹ Improved training should include:

³⁰⁶ Ibid.

³⁰⁷ Ibid.

³⁰⁸ Ibid.

³⁰⁹ Farrell et al., “Identifying Challenges to Improve the Investigation and Prosecution of State and Local Human Trafficking Cases,” 13.

- Information about state human trafficking statutes including summaries of human trafficking case law and legal strategies that have been effective in securing prosecutions in other jurisdictions.
- Best practices for acquiring and utilizing corroborating evidence in human trafficking cases, including better techniques for interviewing human trafficking victims.
- Information about the impact of trauma and violence on victim behavior, including criminal behavior and testimony and techniques for presenting evidence at trial, even with a victim who may be perceived as less credible.³¹⁰

Although guest lectures are resourceful, they are difficult to accomplish because of the resources required to assemble an audience for a meaningful presentation. Depending on the presenter's proficiency, information may not be retained unless additional mediums are also used, such as handouts or short interactive videos. In the case of mandatory training requirements designed for federal employees and military members, it usually takes two hours for an individual to view an interactive movie and satisfactorily complete an evaluation test at the end of the lecture. Although the evaluation requires participants to achieve a minimum score, the test can be conducted several times until it is passed. However, rather than retain the information in the session, individuals may instead choose to complete the exercise as quickly as possible solely to satisfy the training requirement.

Academic research on the effectiveness of computer-based instruction is lacking, although an article published dealing with the use of the Internet in criminal justice classes highlighted some of the advantages and disadvantages. Advantages were: "immediate and individualized instruction"; students progressing through the material at their own speed; and ability to contact a professor for clarification. However, while there were disadvantages, they were mainly faculty-centered and dealt with concerns about using the Internet rather than a conventional classroom teaching style.³¹¹ Despite these concerns, online education expanded with the use of the Internet.

³¹⁰ Ibid., 14.

³¹¹ Frances Bernat and Christine C. Iijima Hall, "Teaching on the Internet: Lessons Learned from a Substantive Criminal Law Class," *Journal of Criminal Justice Education*; Fall 2000, 296–297.

Although not directly related to sex-trafficking training, a Navy Inspector General Report in 2009 evaluated the effectiveness of computer-based training after modifications were made to Navy accession training. The changes involved less instructor-led training of large groups of students in lieu of more facilitator-driven computer-based training modules in which students proceeded at their own pace.³¹² While the goal of the changes was to educate a large group of people in a short amount of time, the negative aspects of the program included a lack of interaction between students and instructors and, in some cases, necessary hands-on training.³¹³ The findings of the report indicated the ideal instruction included a combination of computer-based modules used with hands-on and instructor training.³¹⁴

Despite retention issues associated with online education, the Polaris Project, DHS, and IACP fulfill the goals of informing both the general public and law enforcement-related audiences about the significance of trafficking and the resources available for victims with the materials provided over the Internet. Further detailed seminars for victims should entail a combination of guest presentations with handouts.

D. CONCLUSION

In combating sex trafficking through legislation, law enforcement activities, and education and training, the U.S. system, although making an impact, is not flawless. Federal and state legislation provides the law enforcement community the authority to investigate trafficking incidents and prosecute suspects. Multi-agency task forces and NGOs operate throughout the country to ensure victims are identified and traffickers prosecuted. Although the two government inquiries and the Farrell report uncovered areas for improvement—such as better inter-agency communication, improved record keeping, and better training opportunities for law enforcement—trafficking cases continue to be adjudicated. The public education and training campaign, through the Internet as well as classrooms, affords citizens the opportunity to learn about trafficking

³¹² Navy Inspector General Report to the Secretary of the Navy, “Computer Based Training” (March 2009), 7–9.

³¹³ *Ibid.*, 13–14.

³¹⁴ *Ibid.*

indicators and who to contact if one comes into contact with a trafficking victim. Law enforcement officers also have the means available to learn the behaviors exhibited by trafficking victims as well as suspects. Through the information campaign, the American public has more resources available to help identify and discern trafficking victims and the appropriate steps to take. However, similar to other crimes that occur outside the public view, such as domestic violence or simple assault between two people, some trafficking cases may not be detected. It is unlikely that all sex trafficking cases will be detected. Based on the arguments surrounding statistics in Chapter II, determining the success or failure of the programs by the numbers of people encountered is difficult. The next chapter evaluates the same criteria for combating trafficking as they are employed in the United Kingdom.

IV. COMBATING SEX TRAFFICKING IN THE UNITED KINGDOM

My goal in Chapter IV is to evaluate how U.K. government agencies and NGOs contribute to combating sex trafficking. While examining the same three areas, it is important to highlight that the entire size of the kingdom is significantly smaller than the United States, and the four nations comprising the kingdom have a total of 55 police forces between them. Beginning with legislation designed to empower prosecutors, followed by the law enforcement practices in place in the national and international arenas, and the training and education opportunities, I intend to show the four nations of the United Kingdom are actively engaged in combating sex trafficking.

A. LEGISLATION

Within the United Kingdom, several laws designed to combat sex trafficking came into effect beginning in 2003. Similar to the TVPA, the U.K. legislation was the result of the Palermo Protocol. These laws include the Sexual Offences Act of 2003, the Asylum and Immigration Act of 2004, and the Scottish Criminal Justice Act and Criminal Justice and Licensing Act of 2010.

Within the Sexual Offenses Act of 2003, sections 57–60 pertain to sex trafficking offenses. Section 57 deals with victims who are trafficked into the U.K. specifically for the purpose of sexual exploitation. According to this charge:

it an arrestable offence for a person (A) intentionally to arrange or facilitate the arrival into the UK of a person (B), where A intends to do anything that would result in the commission of a relevant offence involving B, or believes that another person is likely to do something to, or in respect of, B that would result in the commission of a relevant offence involving B. In both cases, the relevant offence must take place during or after B's arrival in the UK but may take place anywhere in the world.³¹⁵ According to

³¹⁵ Serious Organized Crime Agency (SOCA), Sexual Offences Act 2003, accessed January 31, 2013. <http://www.soca.gov.uk/about-soca/about-the-ukhtc/relevant-legislation/sexual-offences-act-2003>.

the Police National Legal Database (PNLD), the criteria to prove this charge focuses on a suspect's intentions, his knowledge of what would happen to the victim, as well as the location and timeframe the crime occurred.³¹⁶

While section 57 deals with victims who are transported into the kingdom, section 58 covers domestic trafficking. The main difference with this offense is that it covers travel within the U.K. and can apply to both "UK nationals who are moved from one place to another within the U.K. to be sexually exploited as well as to others including foreign nationals," such as people transported from Asia or Africa and exploited at multiple locations within the kingdom.³¹⁷ The only change to the criteria of proof is the "travel within the UK" aspect.³¹⁸

Section 59 covers trafficking outside of the United Kingdom. Under these circumstances, a person is guilty if he transports someone out of the U.K. for the purposes of sexual exploitation.³¹⁹ This offense is significant because it allows the Crown Prosecution Service (CPS) to charge an individual if exploitation transpires outside the U.K., but the person was previously in the kingdom. The charge is beneficial because of the joint operations between the U.K. government and other European nations. Information clarifying the chargeable offenses is covered in section 60.³²⁰

Similar to the Sexual Offences Act, the Asylum and Immigration Act of 2004 covers trafficking into, within, and out of the U.K. and clarifies the burden of proof and what is considered exploitation. Although designed to combat labor trafficking and servitude, this law can also apply to sex trafficking in coerced labor cases involving forced prostitution. In the three sections, an individual is culpable if he or someone else brings a person into the U.K. to be exploited, takes a person out of the U.K. to be

³¹⁶ Serious Organized Crime Agency (SOCA), Sexual Offences Act 2003, accessed January 31, 2013. <http://www.soca.gov.uk/about-soca/about-the-ukhtc/relevant-legislation/sexual-offences-act-2003>.

³¹⁷ Ibid.

³¹⁸ Ibid.

³¹⁹ Ibid.

³²⁰ Ibid.

exploited, or exploits a person while they are within the confines of the kingdom.³²¹ The definition of exploitation includes using “force, threats or deception” so a person will:

- provide services of any kind
- provide another person with benefits of any kind, or
- enable another person to acquire benefits of any kind.³²²

Deliberately targeting mentally and physically impaired individuals, as well as minors, is also highlighted, as these groups are more susceptible.³²³

The final two pieces of sex trafficking legislation are unique to Scotland. Although the three previous laws are applicable to all four nations of the kingdom, the Scottish government took additional steps to criminalize trafficking. The first law is section 22 of the Criminal Justice Act (Scotland) 2003—Traffic in Prostitution. Section 22 is similar to the Sexual Offenses Act of 2003 in that it describes a suspect’s actions in transporting a person into or out of the U.K., or maintaining control of a person within the U.K. for the purposes of forced prostitution; it also articulates that an individual is guilty if he/she knows a third party will exercise control over a victim.³²⁴

The second law is section 47 of the Criminal Justice and Licensing Act (Scotland) 2010, designed to address individuals who are being held against their will and “held in slavery or servitude” or “perform(ing) forced or compulsory labour” with the actor knowingly holding the persons against their will.³²⁵ Although the term *actor* is typically meant to include a male trafficker, pimp, or prostitution customer, the possibility exists for female suspects or trafficking victims who are misidentified by law enforcement officers as complicit in crimes to be prosecuted. The maximum sentence for all sex

³²¹ SOCA, Asylum and Immigration Act 2004, accessed January 31, 2013. <http://www.soca.gov.uk/about-soca/about-the-ukhtc/relevant-legislation/asylum-and-immigration-act-2004>.

³²² Ibid.

³²³ Ibid.

³²⁴ SOCA, Scottish Legislation, accessed January 31, 2012. <http://www.soca.gov.uk/about-soca/about-the-ukhtc/relevant-legislation/scottish-legislation>.

³²⁵ Ibid.

trafficking-related offenses is 14 years imprisonment with a stipulation that some crimes may include forfeiture of assets under the Proceeds of Crime Act.³²⁶

1. Prosecution Agencies within the United Kingdom

While the U.S. is composed of federal and state prosecutors with overlapping jurisdictions, the four nations comprising the U.K. have separate prosecution offices. In England and Wales, CPS serves as the prosecution agency. Although prosecutors work closely with the law enforcement officers, the CPS and police forces are separate entities. The prosecutors “cannot direct the police or other investigators,” although they are responsible for conducting an investigation that will be presented to the CPS.³²⁷ While the authority to determine if a case is investigated and forwarded to the CPS rests with the police, prosecutors retain the right to not pursue the case in court, similar to the U.S.³²⁸ From 2009–2011, there were nearly 50 human trafficking convictions in England and Wales, 41 of which were sex trafficking-related.³²⁹

In Scotland, sex trafficking cases are prosecuted by the Crown Office and Procurator Fiscal Service (COPFS) National Sex Crimes Unit (NSCU), a unit composed of specially trained staff responsible for adjudicating human trafficking offenses.³³⁰ While England and Wales had just over 40 sex trafficking convictions from 2009–2011, Scotland had two.³³¹

In Northern Ireland, the Public Prosecution Service (PPS) is the agency responsible for adjudicating cases, and attorneys assigned to sex trafficking matters “are qualified lawyers of appropriate seniority and experience.”³³² Additionally, complicated trafficking cases are addressed by members of the “Central Prosecutions Section.” The

³²⁶ SOCA, Scottish Legislation, accessed January 31, 2012. <http://www.soca.gov.uk/about-soca/about-the-ukhtc/relevant-legislation/scottish-legislation>.

³²⁷ HM Government, “First annual report of the Inter-Departmental Ministerial Group on Human Trafficking,” October 2012, 31.

³²⁸ Ibid.

³²⁹ Ibid., 35.

³³⁰ Ibid., 31.

³³¹ Ibid., 34.

³³² Ibid., 32.

service also ensures all lawyers dealing with the cases are well trained to deal in the subject matter and that the same person follows through with a case.³³³ Unlike England, Wales, and Scotland, Northern Ireland did not have any sex trafficking convictions from 2009–2011, although there were four trafficking cases pending resolution as of October 2012.³³⁴

2. Evaluation of Sex Trafficking Legislation

Because sex trafficking in the U.K. is viewed as a criminal issue as well as an immigration issue, the laws to combat it address both issues. In evaluating the overall strategy to combat trafficking, the government conducted an internal review of trafficking legislation to determine whether additional laws were necessary. In his opening statement, Minister of State for Immigration Damien Green highlighted “tough legislation in itself is not the answer” and said the government strategy must address the demand for trafficking while also assisting the victims.³³⁵ Greene further highlighted the laws allow the government to charge suspects regardless of where the trafficking offenses occur. The government, he noted, is working with other nations and has joined the European Union directive on human trafficking.³³⁶ In closing, Green indicated:

the human trafficking legislation we already have in place in England and Wales is effective, and supports and complements other legislation used to convict perpetrators of similar serious offences. Introducing a bespoke human trafficking bill is, therefore, not required because it would simply reinvent existing legislation.³³⁷

Although a human trafficking bill might have been “administratively neater,” the CPS felt the legislation in place was effective. Furthermore, similar to law in the U.S., prosecutors have the option of charging suspects with a range of offenses other than

³³³ Ibid., 32.

³³⁴ Ibid.

³³⁵ HM Government, “Report on the Internal Review of Human Trafficking Legislation,” May 2012, 3.

³³⁶ Ibid.

³³⁷ Ibid.

trafficking, including “rape, kidnapping, (or) false imprisonment.”³³⁸ The review highlighted that suspects are often charged with offenses other than trafficking and, therefore, would “not appear on national statistics as convictions for human trafficking offenses.”³³⁹ In this case, he explained, the appearance of low convictions for trafficking should not be misunderstood as offenses that are not being adjudicated.³⁴⁰

Although reviewing the legislation was the main purpose of the study, benefits of other law enforcement strategies were evaluated, such as addressing the financial aspect of trafficking. The benefits of taxation and asset forfeiture were viewed as alternative means to combat trafficking. Her Majesty’s Revenue and Customs (HMRC) has the ability to work with law enforcement to attack the finances of trafficking operations masking as legitimate businesses. Also, the POCA gives the government “various means to recover the financial benefits made through any crime,” such as seizing proceeds and paying restitution to victims.³⁴¹

Another legislation-related issue reviewed was the penalty length associated with trafficking. While the maximum sentence in the United States is life imprisonment, the maximum sentence in the U.K. is 14 years. The EU directive “stipulates that Member States should have as a maximum penalty” of a ten-year minimum sentence. Other EU nations have similar sentences: Germany and Sweden—10 years; Romania—15 years; Netherlands—18 years.³⁴² Although these are the maximum terms that can be imposed, traffickers usually receive lighter sentences. Rather than create new laws altogether, the government plans to revise its sentencing guidelines in hopes of “send(ing) out a strong signal that the U.K. is not a soft touch on traffickers and will ensure traffickers receive the serious penalties they quite rightly deserve.”³⁴³

³³⁸ Ibid., 6–7.

³³⁹ Ibid., 8.

³⁴⁰ Ibid.

³⁴¹ Ibid., 10.

³⁴² Ibid., 11.

³⁴³ Ibid., 11–12.

Within the U.K., there is ample legislation available to prosecute sex traffickers. Similar to the U.S., government leaders acknowledge the discretion of prosecutors in charging traffickers with offenses that would punish the trafficker, but would not be articulated as a trafficking conviction. The data provided by the prosecution agencies indicate that traffickers are being adjudicated, but not to large levels of traffickers annually. This disparity could indicate that either the traffickers are being sentenced for crimes other than trafficking, that traffickers are eluding capture, or that sex trafficking, although a problem, is not as severe as anticipated.

B. LAW ENFORCEMENT EFFORTS

As a significantly smaller state than the U.S., there is a system designed to combat trafficking in the U.K. Within the U.K., the UKHTC serves as a central repository of trafficking-related information. Upon discovery, trafficking victims are enrolled in the National Referral Mechanism (NRM), a system designed to assist victims during the investigation while allowing prosecutors to build a case against traffickers. The law enforcement agencies taking part in counter-trafficking include the 55 police forces throughout the four nations, the U.K. Border Agency (UKBA), and the prosecution agencies. The U.K. participates in the international arena through its membership in the European Union (EU) and the Organization for Security and Cooperation in Europe (OSCE). Although data compilation of the law enforcement agencies has led to further understanding about trafficking victim characteristics, common themes have included the need for further research, difficulty describing the severity of sex trafficking, and needs for better agency coordination.

1. United Kingdom Human Trafficking Centre (UKHTC)

The UKHTC is comprised of multiple agencies under the Serious Organized Crime Agency (SOCA), an organization similar to the Federal Bureau of Investigation. The UKHTC website “provides a ‘one-stop-shop’ for those whose work brings them into contact either directly or indirectly with the response to human trafficking.”³⁴⁴

³⁴⁴ Serious Organized Crime Agency, Introduction to UKHTC, accessed February 4, 2013. <http://www.soca.gov.uk/about-soca/about-the-ukhtc>.

Information related to sex trafficking on the UKHTC website includes agency contact information, an overview of trafficking and the how the governments are engaged in combating it.

In the summer 2012, the UKHTC provided a baseline intelligence assessment on trafficking based on information gathered from calendar year 2011. According to this assessment: 2,077 potential trafficking victims were encountered during the calendar year, the majority of whom were adult females; of those 2,077, 946 were referred to the NRM, with approximately 660 confirmed; and more than 1,900 victims were “recorded on the UKHTC intelligence database.”³⁴⁵ Of the total number of victims, 639 were sexually exploited—approximately 31%.³⁴⁶ More than 90% of the sexual exploitation victims were female. The five “most prevalent countries of origin” for trafficking victims were Nigeria, Romania, the U.K., Hungary, and the Czech Republic.³⁴⁷ Once potential victims are identified, the next step is to begin the NRM process. The victim demographics are significant because they form a basis for the outreach programs that are discussed in the training and education section.

2. National Referral Mechanism (NRM)

The NRM is the kingdom-wide system in which trafficking victims are identified by various frontline agencies, both government and NGO. Agencies include local police forces, healthcare providers, and the UKBA. The NRM was created in 2009 to centralize all information regarding U.K. trafficking victims.³⁴⁸ In the referral process, first responders document trafficking victims and refer their information to “competent authorities” (CA)—the UKHTC or UKBA, organizations whose staff members are trained in trafficking matters and determine whether a case should progress through

³⁴⁵ SOCA, “UKHTC: A Baseline Assessment on the Nature and Scale of Human Trafficking in 2011,” August 2012, 6.

³⁴⁶ Ibid., 8.

³⁴⁷ Ibid., 9.

³⁴⁸ SOCA, National Referral Mechanism, accessed February 4, 2013. <http://www.soca.gov.uk/about-soca/about-the-ukhtc/national-referral-mechanism>.

investigation and prosecution.³⁴⁹ There are established timelines the CA must meet in proceeding with a trafficking investigation. If a person is identified as a potential trafficking victim, the CA will assist in the investigation process (if the victim desires to pursue the case) and ensure he/she has adequate housing.³⁵⁰ In instances where foreign national victims are deemed not to be trafficked, or choose not to pursue their cases, they may remain in the kingdom for a timeframe to be determined by the UKBA, or be returned to their native country.³⁵¹

Similar to the UKHTC, the NRM provided annual statistics gathered in order to present a clear picture of trafficking victim characteristics. In 2012, there were 1,186 referrals of suspected trafficking victims from over 90 countries of origin.³⁵² The majority of the victims were females who had been sexually exploited, and almost 90% of the referrals originated in England. The five main kingdom-wide countries of origin for victims were Nigeria, Vietnam, Albania, Romania, and China.³⁵³ This information is significant because the U.K. is involved in multinational efforts to combat trafficking with these nations. Detailed information was also provided for Northern Ireland, Scotland, and Wales.

3. Border Security

Similar to the DHS in America, the UKBA is involved in combating sex trafficking throughout the U.K. Screening passengers and verifying immigration statuses places border agency staff in the position of identifying trafficking victims and suspects. Source country information already established from the UKHTC and NRM statistics allows UKBA to know which types of travelers are more likely to be trafficked based on nationality. UKBA staff at domestic points of entry as well as abroad are educated in the characteristics of traffickers and victims.³⁵⁴ Potential victims entering the U.K. are

³⁴⁹ Ibid.

³⁵⁰ Ibid.

³⁵¹ Ibid.

³⁵² SOCA, "United Kingdom National Referral Mechanism Provisional Statistics 2012," 1.

³⁵³ Ibid., 2.

³⁵⁴ HM Government, "Human Trafficking: The Government's Strategy," 17–18.

screened by UKBA staff to begin the NRM process, and trafficking suspects are denied entry if their passports indicate a criminal background.³⁵⁵

Border Authority staff use multiple programs to better enable them to screen passengers. E-Borders is an electronic system that gathers information from “carriers (including airlines, ferries, and rail companies) about passengers who intend to travel to or from the U.K. before they travel,” giving UKBA advance notice to pay closer attention to certain people.³⁵⁶ Of the more than 275 million passengers evaluated from spring 2005 to the end of 2010, almost 8,000 were arrested for “crimes including murder, rape, assault, and facilitation.”³⁵⁷

“Juxtaposed controls” refers to the UKBA staff working outside the U.K. in neighboring nations, particularly France and Belgium, screening passengers before they start traveling.³⁵⁸ From Spring 2008 to Spring 2009, border authority staff examined over “a million freight vehicles for illegal immigrants at the juxtaposed controls” and stopped more than “30,000 individual attempts by people to cross the Channel illegally.”³⁵⁹ The border security aspect in combating sex trafficking is significant because of trafficking victims entering through air and seaports. In addition to emphasis at the border, law enforcement operations also take place both within the U.K. and outside.

4. Domestic Efforts

Agencies taking part in combating trafficking within the U.K. include both local police forces and the larger over-arching government institutions such as the UKBA. Before delving in to the specifics of combating sex trafficking, it is important to highlight that the phenomenon of organized crime is fairly new to the U.K., as is combating sex trafficking. Police felt obligated to respond to needs in their individual districts and changes in the late 1980s/early 1990s, pushing for a nationwide force in light of

³⁵⁵ Ibid., 18.

³⁵⁶ Ibid., 19.

³⁵⁷ Ibid.

³⁵⁸ Ibid., 20.

³⁵⁹ Ibid.

increasing issues with drugs and frauds.³⁶⁰ These changes were met with opposition from police forces.³⁶¹ Regardless of opposition, changes in policing were implemented. Also, in order to merge efforts, the Organized Crime Strategy Group was created in the early 1990s to deal primarily with drug trafficking, “organised immigration crime,” and the monetary aspect associated with these issues.³⁶² In 1992, the “National Criminal Intelligence Service (NCIS)” was created to support law enforcement operations with critical information.³⁶³ NCIS later formed a “National Crime Squad” (with objectives including the tackling of sex trafficking). Ultimately, both agencies merged to form what is now the SOCA.³⁶⁴

In 2004, Levi highlighted “the impact of anti-organized crime measures on *outcomes* in the United Kingdom and elsewhere remains insufficiently analysed, since there are little reliable data on the ‘before’ or ‘after’ (a) levels or (b) organization of drugs and people trafficking,” and efforts to inhibit traffickers’ finances or gauge severity based on victim testimony failed to yield results.³⁶⁵ This is significant because the evaluations of law enforcement efforts also indicated the need for more data. Despite these issues, public pressure on the government to take action against sex trafficking led to law enforcement efforts.

Similar to the larger police departments in the U.S., some U.K. police agencies established units dedicated to combating human trafficking. In England, the Trafficking and Prostitution Unit within the London Metropolitan Police Service (MPS) Specialist and Economic Crime Command is the “lead for all human trafficking and prostitution issues” in London.³⁶⁶ The unit currently in operation is the third created within the MPS

³⁶⁰ Michael Levi, “The Making of the United Kingdom’s Organized Crime Control Policies,” Cyrille Fijnaut and Letizia Paoli, eds., *Organised Crime in Europe* (Netherlands: Springer, 2004), 826–827.

³⁶¹ Ibid.

³⁶² Ibid., 831.

³⁶³ Ibid., 832–833.

³⁶⁴ Ibid., 838–839.

³⁶⁵ Ibid., 847.

³⁶⁶ Metropolitan Police: Specialist Crime-Specialist and Economic Crime Command, accessed February 9, 2012. http://www.met.police.uk/sco/specialist_units/economic_specialist_crime.htm.

since 2007. The first MPS human trafficking unit was originally established in March 2007, but closed two years later due to a lack of funding.³⁶⁷ The department created a Human Exploitation and Organized Crime Command in 2010 for the purpose of investigating all trafficking offenses.³⁶⁸ This command was comprised of four specific groups: the Clubs and Vice Unit, the Human Trafficking Team, and Operations Swale and Maxim, two multi-agency endeavors designed to address human trafficking and illegal immigration.³⁶⁹ The Human Exploitation and Organized Crime Command transitioned to the Specialist and Economic Crime Command. A specialized trafficking unit is lacking in Wales; however, in all police forces throughout the U.K., “a responsible senior police officer for human trafficking has been identified, with the intention of a network of single points of contact (SPOC) being identified within each force.”³⁷⁰ Additionally, law enforcement officers can contact the SOCA for assistance.

In Northern Ireland, the Police Service of Northern Ireland (PSNI) recently joined the health and justice departments to establish a human trafficking coordination group in order to better manage resources in combating trafficking.³⁷¹ This group allows police officers to work with NGOs to address the needs of victims while also pursuing suspects.³⁷² PSNI leadership agreed that cooperation between the public and police is critical to combating trafficking and an “Amnesty International Northern Ireland campaigner said: ‘By working jointly we can avoid duplication, share information, establish best practice, assess emerging trends and establish effective prevention

³⁶⁷ Rachel Williams, “Human trafficking police unit to close,” the guardian, November 10, 2008, accessed February 9, 2013. <http://www.guardian.co.uk/world/2008/nov/10/human-trafficking-police-prostitution>.

³⁶⁸ Metropolitan Police: “*New Human Exploitation and Organized Crime Command*,” accessed July 29, 2012. <http://content.met.police.uk/News/New-Human-Exploitation-and-Organised-Crime-Command/1260267476112/1257246745756>.

³⁶⁹ Ibid.

³⁷⁰ HM Government, “First annual report of the Inter-Departmental Ministerial Group on Human Trafficking,” October 2012, 51.

³⁷¹ *Belfast Telegraph*, “New anti-trafficking group set up,” October 18, 2012, accessed February 9, 2013. <http://www.belfasttelegraph.co.uk/news/local-national/northern-ireland/new-antitrafficking-group-set-up-28875731.html>.

³⁷² Ibid.

measures.”³⁷³ In Scotland, although police forces do not have individual units dedicated to sex trafficking issues, sex trafficking is monitored by the SCDEA.

In addition to creating networks for police forces to share knowledge, there were anti-trafficking operations. Over the past several years, several kingdom-wide anti-trafficking operations have taken place in efforts to identify victims and suspects. Two significant operations were Pentameter I and II in 2006 and 2007, respectively. Operation Pentameter I began on February 21, 2006, and was the “largest co-ordinated policing operation ever carried out” in the U.K. involving all the police forces in the four nations, as well as the United Kingdom Immigration Service (the precursor to the UKBA), the SOCA, and the CPS.³⁷⁴ In addition to rescuing trafficking victims and identifying suspects, other goals of the operation included improving the coordination of agencies involved in trafficking and “raising national awareness of the issue of trafficking.”³⁷⁵ Over the course of three months, more than 230 people were arrested, and over 130 of those charged with “a variety of offences.” Some 85 female victims were identified, while enforcement officers singled out men using prostitutes, telling them they could be liable to criminal charges if their prostitutes were “trafficked women who were being forced to work through fear or intimidation.”³⁷⁶

In October 2007, Operation Pentameter II began, described by the Association of Chief Police Officers (ACPO) as centering on the needs of victims.³⁷⁷ In Pentameter II, 167 victims were identified, 13 of whom were children, and more than 500 people were arrested.³⁷⁸ Of the total number of buildings searched, some 600 were homes and more than 150 were “massage parlours and saunas.”³⁷⁹ Victims recovered in Pentameter II

³⁷³ Ibid.

³⁷⁴ Lipscombe, “Human trafficking: UK Responses,” 18.

³⁷⁵ Ibid.

³⁷⁶ Ibid.

³⁷⁷ Ibid., 19.

³⁷⁸ Ibid.

³⁷⁹ Ibid.

were from Asian nations and Eastern Europe, a trend similar to the data reflected by the UKHTC.³⁸⁰

In 2009, an investigation by the U.K. Guardian revealed the information released regarding Pentameter II was fabricated. Specifically, ten of the fifty-five police forces made no arrests, while the majority of the arrests were for non-trafficking offenses, and in some cases, suspects were released before the conclusion of the operation.³⁸¹ Of the fifteen people who were convicted of trafficking, ten were “men and women who were jailed on the basis of that there was no evidence of their coercing the prostitutes they had worked with.” Of the five men who were convicted, two were already in police custody before Pentameter began, while the remaining three were arrested due to a separate operation having no connection with Pentameter II.³⁸² Then head of UKHTC Grahame Maxwell indicated the statistics could not be disputed, but he also stated that he “commissioned fresh research from regional intelligence units to try to get a clearer picture of the scale of sex trafficking” and also argued more people were subjected to labor trafficking.³⁸³ While not disputing the Pentameter data, a Poppy Project manager indicated the difficulty of creating baseline data because of the covert nature of trafficking and unwillingness of victims to lodge complaints.³⁸⁴

5. International Efforts

The U.K. is a member of the several state organizations and, as such, contributes to combating trafficking at the international level. Those organizations include the European Union (EU), EUROPOL (the EU Law enforcement agency), and the Organization for Security and Co-operation in Europe (OSCE). EUROPOL’s primary responsibility is addressing “serious international crime and terrorism,” an area of which

³⁸⁰ Ibid.

³⁸¹ Nick Davies, “*Inquiry fails to find single trafficker who forced anybody into prostitution*,” U.K. Guardian, October 19, 2009, accessed February 9, 2013.
<http://www.guardian.co.uk/uk/2009/oct/20/government-trafficking-enquiry-fails>.

³⁸² Ibid.

³⁸³ Ibid.

³⁸⁴ Ibid.

is sex trafficking.³⁸⁵ EUROPOL liaison officers provide assistance with complex operations, cross-border coordination, and training to the law enforcement officers in the region.³⁸⁶ EUROPOL assists the four national police forces within the U.K., the SOCA, and the Scottish Crime and Drug Enforcement Agency (SCDEA).³⁸⁷

Once such operation EUROPOL coordinated was Operation Golf, a joint investigation between the Romanian National Police and the London MPS, which transpired from 2007 to 2010. As a result of this operation, almost thirty juveniles were rescued from a Romanian organized crime group responsible for “trafficking and exploiting children” from the Romanian community.³⁸⁸ The goal of the “Joint Investigation Team (JIT)” was to remove trafficking victims from over fifteen places in Ilford, Essex, and move them to safe locations for medical treatment and psychological screenings.³⁸⁹ This operation involved police participation from both nations, leading to the arrests of almost 130 suspects for charges of “trafficking human beings (including internal trafficking in the U.K.), money laundering, benefit theft, child neglect, perverting the course of justice, theft and handling stolen goods.”³⁹⁰ Suspects were prosecuted and imprisoned in both the U.K. and Romania.³⁹¹

Although Operation Golf was conducted with the Romanian Government, another joint anti-trafficking operation was conducted along the border between Northern Ireland and Ireland. In May 2012, Operation Quest, a joint operation to combat “organised prostitution” was executed by the PSNI and the Ireland National Police Service, An

³⁸⁵ EUROPOL: About Us, accessed February 26, 2013.
<https://www.europol.europa.eu/content/page/about-us>

³⁸⁶ EUROPOL: Member States, accessed February 26, 2013.
<https://www.europol.europa.eu/content/page/member-states-131>.

³⁸⁷ EUROPOL: Member States: United Kingdom, accessed February 26, 2013.
<https://www.europol.europa.eu/content/memberpage/united-kingdom-817>.

³⁸⁸ EUROPOL, Operational Successes, accessed February 8, 2013.
<https://www.europol.europa.eu/content/page/operational-successes-127>.

³⁸⁹ Ibid.

³⁹⁰ EUROPOL, Operational Successes, accessed February 8, 2013.
<https://www.europol.europa.eu/content/page/operational-successes-127>.

³⁹¹ Robert Booth, “Suspected member of child trafficking gang jailed for £800,000 benefits fraud,” *UK Guardian*, May 17, 2011, accessed March 2, 2013.
<http://www.guardian.co.uk/uk/2011/may/17/trafficking-gang-masterminding-benefits-fraud>.

Garda Siochana (AGS).³⁹² In the beginning of the operation, PSNI officers searched over 20 locations throughout the nation under the rationale some were being used for prostitution, while AGS officers simultaneously “conducted a series of searches in three phases of operational activity.”³⁹³ Immediately after the operation, initial information revealed five people were arrested and three victims identified, while recovered property included “significant numbers of documents, phones and computers.”³⁹⁴ At the end of the operation, eight people from both nations were arrested for prostitution-related charges as well as obstruction, and police searched “more than 120 houses, apartments, and flats on both sides of the border.”³⁹⁵ Representatives of both agencies indicated the nature of trafficking required international law enforcement coordination because trafficking victims were frequently re-located.³⁹⁶

Although Operation Quest was recent, it was not the first joint PSNI/AGS anti-trafficking operation. In December 2008, both agencies conducted a similar operation in which six people were arrested in Ireland on prostitution-related charges, while two were arrested in Wales.³⁹⁷ In this operation, law enforcement leaders in both nations acknowledged the goal of disturbing “gangs believed to be involved in human trafficking and prostitution” and highlighted some of the trafficking victims were forced into their predicaments because of vulnerabilities.³⁹⁸

In June 2012, the EU released its “Strategy towards the Eradication of Trafficking in Human Beings 2012–2016,” a document designed to guide member states over the

³⁹² Press Release: PSNI, “PSNI/AGS operation into organised prostitution,” May 30, 2012, accessed February 14, 2013. http://www.psni.police.uk/index/news-archive/news-2012/may-2012/psni_aggs_operation_into_organised_prostitution_290512.htm.

³⁹³ Ibid.

³⁹⁴ Ibid.

³⁹⁵ Henry McDonald, “Two women charged with brothel-keeping after Gardai/PSNI Raids,” *The Guardian*, May 30, 2012, accessed February 14, 2013. <http://www.guardian.co.uk/uk/2012/may/30/gardai-psni-raid-brothels>.

³⁹⁶ Ibid.

³⁹⁷ Northern Ireland News, “Arrests Follow Human Trafficking Raids,” 4NI.co.uk December 3, 2008, accessed February 14, 2013. http://www.4ni.co.uk/northern_ireland_news.asp?id=86487.

³⁹⁸ Ibid.

four years in eradication methods.³⁹⁹ Information indicated that most victims were sex trafficking-related, with the majority of EU-centric victims originating from Romania, Bulgaria, Poland and Hungary, while non-EU victims came from Nigeria, Vietnam, Ukraine, Russia, and China.⁴⁰⁰ The commission highlighted work based on the “Palermo Protocol on Trafficking in Persons” and the “Council of Europe Convention on Actions against Trafficking in Human Beings,” but also indicated that member states were obligated to take action within their jurisdictions.⁴⁰¹ The strategy is based on the following five priorities:

- A. Identifying, protecting and assisting victims of trafficking
- B. Stepping up the prevention of trafficking in human beings
- C. Increased prosecution of traffickers
- D. Enhanced coordination and cooperation among key actors and policy coherence
- E. Increased knowledge of and effective response to emerging concerns related to all forms of trafficking in human beings.⁴⁰²

The commission highlighted that the strategy required the cooperation of members within the criminal justice community as well as other fields such as medical, labor, and social services.⁴⁰³ Some of the tasks imbedded within the strategy included the creation of “referral mechanisms,” informing the general public, creating special police units, “cross-border coordination,” and creating victim profiles.⁴⁰⁴ Regarding strategy compliance, the commission planned “to establish effective monitoring and evaluation procedures that do not create repetitive reporting mechanisms,” but felt states should “do

³⁹⁹ European Commission, “The EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016,” June 19, 2012, 2–3.

⁴⁰⁰ Ibid.

⁴⁰¹ Ibid., 4–5.

⁴⁰² Ibid., 5.

⁴⁰³ European Commission, “The EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016,” June 19, 2012, 5–6.

⁴⁰⁴ Ibid., 6–14.

their own evaluation and monitoring of national strategies and activities aimed at addressing human trafficking.”⁴⁰⁵

In addition to being a member of the EU, the U.K. is also part of the Organization for Security and Cooperation in Europe (OSCE), an organization covering three continents, and which “offers a forum for political negotiations and decision-making in the fields of early warning, conflict prevention, crisis management and post-conflict rehabilitation, and puts the political will of its participating States into practice through its unique network of field missions.”⁴⁰⁶ OSCE is involved in anti-trafficking through both the Office of Democratic Institutions and Human Rights (ODIHR)⁴⁰⁷ and the Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Dr. Maria Grazia Giammarino.⁴⁰⁸ The coordinator is responsible for “development and implementation of anti-trafficking policies in OSCE participating States,” and information provided includes press releases pertaining to trafficking throughout the region as well as educational materials designed to combat trafficking.⁴⁰⁹ Additionally, OSCE operates the *Alliance Against Trafficking in Persons*, “a broad forum” in which NGOs, international organizations, and government bodies join bi-annually to create “anti-trafficking strategies.”⁴¹⁰ Member organizations include EUROPOL, IOM, ILO, and NATO.⁴¹¹

While the office of the coordinator is responsible for policy-related issues, ODIHR helps to protect the rights of trafficking victims through a three-pronged approach:

- Implementing a human-rights approach

⁴⁰⁵ Ibid., 15.

⁴⁰⁶ Organization for Security and Cooperation in Europe (OSCE): Who we are, accessed February 26, 2013. <http://www.osce.org/who>

⁴⁰⁷ OSCE: Office for Democratic Institutions and Human Rights: Anti-trafficking, accessed February 26, 2013. <http://www.osce.org/odihr/43658>.

⁴⁰⁸ OSCE: Secretariat - Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, accessed February 26, 2013. <http://www.osce.org/cthb>.

⁴⁰⁹ Ibid.

⁴¹⁰ Ibid.

⁴¹¹ Ibid.

- National Referral Mechanisms
- Access to remedies and rights.⁴¹²

ODIHR understands that trafficking victims typically suffer from human rights violations and emphasizes the need for anti-trafficking measures to take that into account.⁴¹³ Protection of trafficking victims' rights was a justification for the NRMs in addition to preventing "overly repressive strategies that focus on combating crime at the expense of respecting the rights of trafficked persons."⁴¹⁴ The "access to rights" aspect deals with situations in which trafficking victims are prosecuted for offenses such as immigration-related crimes rather than assisted through the ordeal and afforded "legal assistance, representation, or witness protection," circumstances that can be avoided by evaluating "identification and assistance strategies and mechanisms."⁴¹⁵

6. Evaluation of Law Enforcement Efforts

U.K. law enforcement efforts to combat sex trafficking have been reviewed by both government institutions and scholars. In addition to the media criticism of Pentameter II, there has been both praise and criticism about the MPS sex trafficking units over the past several years. Issues of relaxed border security and a trafficking strategy that has been considered too immigration-centric have also been debated, as well as the roles of the UKBA and police forces.

In 2006, Munro conducted a comparative study of several nations' responses to the trafficking of women for prostitution. On the issue of traffickers using force, Munro highlighted disparities in two of the trafficking laws in the U.K.: "trafficking for the purposes of providing services/benefits under s. 4 of the 2004 Act will require the use of force, threat or deception, whilst trafficking for sexual purposes under the 2003 Act appears to impose no such restrictions."⁴¹⁶ This is a significant argument because the

⁴¹² ODIHR: Anti-trafficking, accessed February 26, 2013. <http://www.osce.org/odihr/43658>.

⁴¹³ Ibid.

⁴¹⁴ Ibid.

⁴¹⁵ Ibid.

⁴¹⁶ Vanessa E. Munro, "Stopping Traffic? A comparative Study of Responses to the Trafficking in Women for Prostitution," *British Journal of Criminology* 46, II, March 2006, 321.

issue of force is tied to consent and under what circumstances a trafficking victim has any control over her situation. In ambiguous situations such as these, trafficking is either confused with smuggling or, in the case of a deceptive victim who lies to authorities, it is smuggling. Munro articulated the challenges in deciphering these scenarios, but also incorporated the opinions of frontline law enforcement officers. Munro quoted one senior U.K. police officer as saying, “I certainly haven’t seen much evidence of the girls being forcibly trafficked,” and foreign females working in the U.K. sex industry may be doing so to provide for family members.⁴¹⁷ Although these individuals may be working in unpleasant conditions, a witness account such as this does not resemble the story of brutality endured by trafficking victims. Another U.K. police officer “explained, ‘I’ve never found women chained up...but there are a whole series of other control factors, which mean that escape or running away isn’t really an option.’”⁴¹⁸ This argument raises concerns about who constitutes a victim and if she consented to an act in the beginning, should she be considered a willing participant? The stipulation that consent was invalid if gained through “threat, coercion, fraud” or other intimidating tactics was also highlighted; however, the burden of proof rests with the victim (unless a suspect admits he forced a victim), and it can be very subjective depending on her credibility.⁴¹⁹

The argument of whether victims are legitimately coerced, as opposed to complicit with smugglers, sets the stage for discussion of whether they receive support from the government. In 2006, victim resources were less bountiful than today, and Munro highlighted that a sex-trafficking victim would essentially have to convince government officials she was credible in order to secure help.⁴²⁰ Another police officer indicated:

The true victim who has been trafficked and coerced and intimidated is there doing something they don’t want to do should have all the support and help we can give them...but there’s an awful lot of people that don’t fit that category, that are victims to a degree, but I think they have to take

⁴¹⁷ Ibid., 328.

⁴¹⁸ Ibid.

⁴¹⁹ Ibid., 330.

⁴²⁰ Ibid., 331.

responsibility for them being in that position themselves, and at the time they wanted to come here.⁴²¹

In other words, frontline officers must distinguish between the two scenarios that, based on the victims' behavior, can determine how a sex-trafficking case proceeds.

In 2008, Chou discussed trafficking within the EU from the standpoint of migration, arguing that some of the measures in place to combat sex trafficking contributed to it. Chou highlighted that migrants were considered sex trafficking victims when they were "exploited...through one of the following ways: coercion, force, threat, and abduction."⁴²² Once victims convince authorities they are trafficking victims, they become eligible for assistance, but how the EU states provide that assistance to victims may promote trafficking. Chou argued because the EU Commission stated that "the victims of trafficking directive is 'not a victim protection or witness protection measure,'" the incentive for victims to come forward is lost along with the states' ability to pursue traffickers.⁴²³ Victims not convinced they will receive help are therefore unlikely to approach authorities. Before providing a solution to the migration-trafficking issue, Chou articulated that "unless all countries and state agents are willing to co-operate fully, and with appropriate measures, in the fight against human trafficking, the phenomenon will continue and even grow in proportion."⁴²⁴ This is significant because there are disparities in how states view and combat sex trafficking.

Chou's solution to combating sex trafficking is "circular migration," the idea of allowing certain groups of people to move freely between nations. He used the example of "third country nationals" residing in their host nations as well as the EU.⁴²⁵ Similar to the testimonies of U.K. police officers, Chou highlighted that "not all migrants who use the services of traffickers are coerced or tricked" and in some cases women desire to be trafficked for a better future, one of the false promises used to indicate negative aspects

⁴²¹ Ibid.

⁴²² Meng-Hsuan Chou, "The European Union and the Fight against Human Trafficking: Comprehensive or Contradicting?" *Stair 4:1* (2008), 78.

⁴²³ Ibid., 80–81.

⁴²⁴ Ibid., 86–87.

⁴²⁵ Ibid., 87.

of trafficking.⁴²⁶ While his argument may have merit, he takes it a step further stating: “It might be more useful to consider traffickers as providers of services, i.e., traffickers aid migrants—for profit—in entering a third country where the entry, movement, employment, and residence may or may not be illegal”—a statement that would most likely draw criticism from anti-trafficking advocates worldwide.⁴²⁷ Nevertheless, Chou feels EU nations are preventing legitimate transactions between traffickers and victims, a situation better described as smuggling vice trafficking.⁴²⁸

In May 2009, the Home Affairs Committee published a report on human trafficking. This was intended to evaluate all areas of the anti-trafficking movement within the U.K. and did so through oral testimony and written evidence from both government organizations and NGOs working in the U.K.⁴²⁹ The report describes the operations within the UKHTC and its interactions with the agencies involved in trafficking. The Home Office indicated UKHTC was highly regarded as a successful institution worldwide and the report “provides an analysis of how well the UKHTC is doing in meeting the expectations set out in the Government’s Action Plan.”⁴³⁰

Regarding the statistics on sex trafficking, the data was similar to the most recent NRM statistics revealing the majority of sex trafficked victims were females from Eastern Europe, Africa, and Asia, and those within the “EU Member States normally travelled with their own, valid documents,” while others were issued forged information.⁴³¹ The committee concluded, “There is no agreed estimate of the scale of sex trafficking into the UK,” although there were estimates suggesting less than 10,000 involved in “off-street prostitution in London,” while just over 900 potential trafficking victims were referred for assistance from March 2003 to March 2008.⁴³² While

⁴²⁶ Ibid., 88.

⁴²⁷ Ibid.

⁴²⁸ Ibid.

⁴²⁹ U.K. House of Commons, “The Trade in Human Beings: Human Trafficking in the UK,” Volume I, May 2009, 4.

⁴³⁰ Ibid., 6–7.

⁴³¹ Ibid., 12–13.

⁴³² Ibid., 15.

acknowledging the challenges in arriving at accurate data, they also highlighted public pressure in dealing with sex trafficking as “victim support organizations have been calling for better data on the scale of trafficking for years.”⁴³³ Consequently, they felt the UKHTC should have the capability to provide more concise trafficking-related information.⁴³⁴

Regarding the organizations involved in trafficking, witness testimony revealed a lack of coordination between NGOs and government forces; although police were praised for “having a greater awareness of the problem,” continuous police training was called for to prevent trafficking cases from being mishandled.⁴³⁵ Additionally, the UKHTC praised the efforts of the London MPS Human Trafficking Unit at the time (despite its disestablishment the following year), along with several other police force teams, as “best practice” because of their successes.⁴³⁶ The UKHTC indicated not all police forces required a unit dedicated solely to trafficking.⁴³⁷ While police forces were praised, areas for improvement were identified with other institutions. Testimony indicated that immigration judges and, in some cases, UKBA staff were unfamiliar with trafficking issues.⁴³⁸ There were also indications that smaller communities within the U.K. were unfamiliar with trafficking; the committee requested more training be conducted, and information be disseminated from the cities out to the countryside.⁴³⁹

Another issue evaluated was victim care. The committee highlighted a report from October 2006 indicating housing and support mechanisms for identified sex trafficking victims were inadequate; that was still the case in 2009.⁴⁴⁰ They understood “that not all—possibly a minority—of recovered victims are provided with safe accommodation” and recommended expansion of support services, a task requiring “a better estimate of the

⁴³³ Ibid., 18.

⁴³⁴ Ibid., 18–19.

⁴³⁵ Ibid., 29–32.

⁴³⁶ Ibid., 34.

⁴³⁷ Ibid.

⁴³⁸ Ibid., 39.

⁴³⁹ Ibid., 48.

⁴⁴⁰ Ibid., 54.

scale of trafficking in the UK.”⁴⁴¹ A second victim-care concern was how best to deal with children. Witnesses and evidence indicated traffickers were teaching minors to “present themselves as unaccompanied asylum seekers” and to evade immigration authorities while undergoing initial screenings.⁴⁴² The committee requested details of how many minor trafficking victims disappear in the beginning of screenings and recommended individual adult supervision for each victim.⁴⁴³

The final two areas evaluated were prosecution and the U.K. role with international organizations. In transnational cases of trafficking, adjudication is usually the result of cooperation between nations; therefore, these areas are discussed here as one issue. The committee understood victims’ fears of their traffickers, but also highlighted victims’ unwillingness to seek help because they may perceive authorities to be corrupt.⁴⁴⁴ The UKHTC indicated police made efforts to alleviate victims’ concerns both by providing protection and presenting prosecutors with supporting evidence.⁴⁴⁵ Testimony indicated dissatisfaction with the low rates of prosecution, but it was understood prosecutors had discretion in charging trafficking suspects with crimes more likely to gain convictions, “such as rape, sexual assault, (or) blackmail,” and Europol indicated this strategy was prevalent throughout the region.⁴⁴⁶ Participation in the EU and EUROPOL were also highlighted as important in combating sex trafficking. The committee indicated that, similar to other sources, “the lack of clear, comparable data on the scale and incidence” of sex trafficking existed throughout the region.⁴⁴⁷ They praised joint operations conducted within the EU and European Commission suggestions to improve the anti-trafficking measures included “improvement in data collection” and

⁴⁴¹ Ibid.

⁴⁴² Ibid., 58.

⁴⁴³ Ibid., 59.

⁴⁴⁴ Ibid., 61.

⁴⁴⁵ Ibid.

⁴⁴⁶ Ibid., 62.

⁴⁴⁷ Ibid., 66.

“better analysis of...information on investigations, prosecutions and convictions, and data on the age and personal details of offenders.”⁴⁴⁸

In closing, the committee indicated that because the UKHTC was relatively new, it was “too soon to pass judgement on its effectiveness.”⁴⁴⁹ In particular, criticism included issues with staffing and poorly trained personnel, a government-centric environment void of NGO presence, and lack of “work to produce badly-needed estimates of the scale of human trafficking” while positive feedback centered on the training programs created and involvement of NGO participation in combating trafficking.⁴⁵⁰ Although some of the findings were understandable, such as the positive feedback on training programs and negative feedback on staffing, concise data on the significance of sex trafficking and how to best combat it will be hard to accomplish considering the unknown magnitude of the problem. The compilations of victim and suspect information listed earlier in the chapter alleviate some of these concerns, but because prosecutors have the option of adjudicating with charges other than sex trafficking, combined with the hidden nature aspect, it will remain difficult to compile accurate statistics.

In 2011, Balch and Geddes evaluated the progress of police forces, the UKHTC, and the UKBA in combating sex trafficking. This review focused on some of the procedural aspects of trafficking, such as how the members in the agencies went about conducting their jobs instead of focusing on numbers of trafficking victims/suspects identified. While they acknowledge a trafficking problem exists, they also stress the magnitude is unknown while highlighting that the large data figures attract attention and sex trafficking is considered a “human rights abuse.”⁴⁵¹ They also indicated the need for multi-agency coordination in combating sex trafficking and, while not criticizing the

⁴⁴⁸ Ibid., 67–69.

⁴⁴⁹ Ibid., 74.

⁴⁵⁰ Ibid.

⁴⁵¹ Alex Balch and Andrew Geddes, “Opportunity from Crisis? Organisational Responses to Human Trafficking in the UK,” *The British Journal of Politics and International Relations* 13 (2011), 29.

results of Pentameter I and II, they instead treated them as tools to gauge trafficking severity and combating processes.⁴⁵²

Balch and Geddes found that police and UKBA officers were expected to perform contradictory tasks: while identifying trafficking victims (who may have been in the nation illegally), they were also responsible for processing illegal migrants as well, scenarios which could lead to public outcry if victims were removed from the country.⁴⁵³ Between the two tasks, the care of trafficking victims was deemed to be the priority because it was considered a “human rights” issue, a mentality Balch and Geddes argued the police understood and adapted well in cases of sex trafficking victims, although UKBA officers had difficulty because they were more concerned about immigration matters.⁴⁵⁴ In discussing how well the police forces approached combating sex trafficking, Balch and Geddes indicated there were discrepancies (such as more understanding of the issues in the urban areas compared to the countryside).⁴⁵⁵ Although training programs are currently in place, they were in development and not available to frontline officers in 2009.⁴⁵⁶ Unlike the Home Office report from 2009, Balch and Geddes felt that the UKHTC was an asset because “its multi-agency structure is designed to bolster partnership working, and enable relationships to develop between government departments and also with non-government actors,” such as the relations established between police officers and activists.⁴⁵⁷

In March 2012, the MPS SCD9 unit (re-established human trafficking unit) came under criticism because of how they conducted brothel raids. A city assemblyman’s report questioned local police forces and the MPS for “failing to adopt an intelligence-based approach to trafficking and for looking in the wrong place to find victims,” stating that the police had a “success rate of less than 1% in finding trafficking victims during

⁴⁵² Ibid., 32.

⁴⁵³ Ibid., 35–36.

⁴⁵⁴ Ibid., 37.

⁴⁵⁵ Ibid., 38.

⁴⁵⁶ Ibid.

⁴⁵⁷ Ibid.

brothel raids.”⁴⁵⁸ Additionally, the approach law enforcement officers took was described as “very heavy handed,” displacing female trafficking victims to the point they are unable to receive assistance and feared reporting to the police.⁴⁵⁹ While the assemblyman recommended the police “build better relations with the sex workers” in order for them to come forward, an MPS spokesman disputed the report claiming the unit “has had significant success in saving people who have been trafficked and forced into prostitution.”⁴⁶⁰ MPS Detective Roddy Llewellyn, a member of the human trafficking unit prior to its temporary disestablishment in 2010, hailed the decision of the mayor’s office to start questioning the tactics on the unit.⁴⁶¹ Llewellyn argued that since the MPS unit was reestablished, its members lacked the investigative expertise of their predecessors and the damage could not be repaired.⁴⁶²

Despite criticism of the success of Pentameter I and II, an MPS official indicated that much was learned about the trafficking industry during the raids, while also acknowledging that the planning could have been improved. In 2011, Detective Inspector Kevin Hyland stated: “police had learned a great deal as a result of raids against brothels and spas suspected of harbouring trafficked women.”⁴⁶³ While it was unclear what specifically Hyland meant, he may have been referring to understanding how sex trafficking victims enter the country through border security thinking they will be employed in legitimate businesses, or understanding networks of traffickers and how to disable their finances.⁴⁶⁴ Although unsure about precise statistics from Pentameter II,

⁴⁵⁸ Diane Taylor, “Met police sex trafficking investigations criticized,” UK Guardian, March 19, 2012, accessed July 29, 2012. <http://www.guardian.co.uk/uk/2012/mar/19/met-police-sex-trafficking-investigations-criticised>.

⁴⁵⁹ Ibid.

⁴⁶⁰ Ibid.

⁴⁶¹ Roddy Llewellyn, “The Mayor of London Agrees with Me,” International Human Rights Group, March 21, 2012, accessed July 29, 2012. <http://ihrg.org/london-mayor/>.

⁴⁶² Ibid.

⁴⁶³ Iulia Rosu, “Detective Hyland: ‘Police operations today are different than Pentameter,’” *Trafficking News*, August 9, 2011, accessed February 9, 2013. <http://www.traffickingnews.co.uk/2011/08/09/detective-hyland-police-operations-today-are-different-than-pentameter/>.

⁴⁶⁴ Liz Lewis, “Lessons learned from Pentameter,” *BBC News*, March 19, 2007, accessed March 2, 2013. http://news.bbc.co.uk/2/hi/uk_news/england/gloucestershire/6423199.stm.

Hyland acknowledged they were low, but also argued, “Policemen that deal with trafficking have learned a lot and their operations are very different nowadays.”⁴⁶⁵ Hyland also acknowledged the successes of joint operations with Eastern European nations as well as challenges faced by trafficking victims, such as fears of coming forward to police to report their circumstances.⁴⁶⁶

In addition to issues with the police operations, NGOs criticized the overarching U.K. strategy to combat trafficking, arguing too much emphasis was directed at border security. Border security does contribute to combating trafficking; however, Immigration Minister David Greene “emphasised that arrangements for helping victims remain ‘central to the Government’s approach to combating trafficking,’ while adult victim care will be strengthened.”⁴⁶⁷ Despite his stance, three NGO leaders disputed the strategy. Director of Anti-Slavery International Dr. Aidan McQuade argued that victims were punished and the strategy did not address issues that make victims more susceptible to trafficking.⁴⁶⁸ “Stop the Traffick” founder Steven Chalke argued that there was more concern about trafficking victims’ “immigration status than their position as victims,” and “said ‘Human trafficking is a human rights abuse, not an immigration offence.’”⁴⁶⁹ Director of ECPAT UK Christine Beddoe argued there was little attention given to the needs of child trafficking victims, while chair of the Human Trafficking Foundation Anthony Steen “believes that the policies to tackle trafficking clashed with immigration concerns,” and the government needs to aggressively pursue traffickers.⁴⁷⁰

The issue of border security and immigration is significant because of a poorly executed program involving border checks at various ports and airports. From July to November of 2011, the UKBA, by direction of the government, initiated an experiment in

⁴⁶⁵ Rosu, “Detective Hyland: ‘Police operations today are different than Pentameter,’” *Trafficking News*, August 9, 2011.

⁴⁶⁶ Ibid.

⁴⁶⁷ Iulia Rosu, “Government’s new trafficking strategy slammed by charities,” *Trafficking News*, August 1, 2011, accessed February 9, 2013. <http://www.traffickingnews.co.uk/2011/08/01/governments-new-trafficking-strategy-slammed-by-charities/>.

⁴⁶⁸ Ibid.

⁴⁶⁹ Ibid.

⁴⁷⁰ Ibid.

which EU citizens were not required to be thoroughly screened at the borders.⁴⁷¹ Although the aim was to avoid screening the EU citizens, the border agency failed to conduct checks on “non-EU nationals” without the approval of government leadership, a situation that led to investigations of border security as “more than 10 million people entered the U.K. in August (2011)” in the midst of the experiment.⁴⁷² Frontline officers expressed concerns because they were unable to satisfactorily screen passengers, thus putting the nation at risk.⁴⁷³ Consequently, Home Secretary Theresa May was scrutinized and UKBA Chief Brodie Clark resigned, while two of his senior staff members were suspended—one who was in charge at Heathrow Airport, the other who operated “south and European operations” and was possibly involved with passengers who entered by seaport without any screening.⁴⁷⁴ That program began four years earlier and was revealed around the same time as the 2011 experiment, raising concerns about the effectiveness of overall border security and the likelihood of sex trafficker/trafficking victim interdiction.⁴⁷⁵

U.K. law enforcement is actively engaged in combating sex trafficking domestically and internationally. Some of the lessons learned from police operations (positive and negative) can be applied to future anti-trafficking endeavors. Common issues raised in government and NGO reviews of the efforts include the need for more accurate data to gauge the significance of sex trafficking, the necessity of interagency communication within the U.K., the importance of international cooperation in combating sex trafficking, and a continuous need for training criminal justice practitioners. While the training can be accomplished in the multiple venues described in the next section, gauging the significance of sex trafficking is more challenging.

⁴⁷¹ News Release: “UK border checks were relaxed at 28 ports and airports,” BBC News, November 15, 2011, accessed February 15, 2013. <http://www.bbc.co.uk/news/uk-politics-15728513>.

⁴⁷² Ibid.

⁴⁷³ Ibid.

⁴⁷⁴ Jack Doyle, “New border agency scandal: Passport control allowed ferry passengers into Dover for FOUR years without full checks,” UK Daily Mail Online, November 14, 2011, accessed February 15, 2013. <http://www.dailymail.co.uk/news/article-2060878/UK-Border-Agency-scandal-Passport-control-allow-millions-Dover-checks.html>.

⁴⁷⁵ Ibid.

C. TRAINING AND EDUCATION

Within the U.K., there is a combination of trafficking training programs designed specifically for law enforcement professionals, as well as online information available to the public. Additionally, the government conducts outreach training with source nations from which the higher percentages of trafficking victims originate. General information is available to the public on the SOCA and Blue Blindfold Project webpages, while law enforcement-specific training can be ordered through U.K. Crimestoppers and the Sheffield College. There are also training manuals and presentations designed for border security and prosecutors.

1. UKHTC Best Practice Guide

The best practice guide is a one-page online introduction designed for someone taking part in the initial stages of a sex trafficking investigation. Information provided on the webpage centers around the investigator developing a rapport with a potential victim and a strategy for conducting an initial interview, as well as some of the physical and emotional characteristics of a trafficking victim, such as bruises, malnourishment, and a failure to communicate with a stranger. Details regarding how to conduct an effective interview include characteristics to ensure an interpreter has the skillset to be successful in the interview process, ensuring the victim is physically and mentally prepared to move forward, and ensuring he/she is comfortable during the process.⁴⁷⁶

2. U.K. Blue Blindfold Campaign

The Blue Blindfold Campaign is a public-service arm of the UKHTC designed to disseminate information regarding domestic trafficking in the U.K. While the Best Practice Guide provides information on conducting an interview, Blue Blindfold is geared to the larger civilian population in order to spread general awareness and what to do if a trafficking victim is encountered. Pertaining to sex trafficking, three generic scenarios are provided for the reader: one involving a female forced to have sex with patrons in a massage parlor; one describing a teenager in a relationship with an older man

⁴⁷⁶ SOCA, UKHTC Best Practice Guide, accessed February 5, 2013. <http://www.soca.gov.uk/about-soca/about-the-ukhtc/best-practice-guide>.

who forces her to have sex with other men; and one designed for a traveler describing behaviors exhibited by young children traveling alone suspected of being trafficking victims. Contact information for U.K. Crimestoppers is listed, as well as a brief explanation as to how investigations into potential trafficking scenarios are carried out.⁴⁷⁷

3. U.K. CRIMESTOPPERS Training Program

In October 2012, the U.K. CRIMESTOPPERS Organization launched an online training program titled *Human Trafficking Uncovered* in partnership with Sheffield College. The college website describes the course as a “general awareness raising course which gives a general overview and introduction to the scale and impact of human trafficking in the UK and beyond.”⁴⁷⁸ Information covered in the course includes identifying trafficking victims and appropriate agencies to report trafficking cases.⁴⁷⁹ The timeframe for course completion ranges from three to ten hours depending on how much detail an enrollee desires. There are two testimonials on the course information page: one from a trafficking expert indicating how he “found the course very helpful” and one from a trafficking victim explaining how her life was dominated by her trafficker.⁴⁸⁰

The CRIMESTOPPERS news release indicating the launch of the course provides further details, such as the UN statistics on trafficking, while also highlighting challenges of understanding trafficking.⁴⁸¹ Testimonials from the CRIMESTOPPERS Director of Business Development Rodger Holden and the creator of the course, Nick Kinsella, are

⁴⁷⁷ U.K. Blue Blindfold Campaign: The Signs, accessed February 5, 2013. <http://www.blueblindfold.co.uk/thesigns/>; <http://www.blueblindfold.co.uk/thesigns/sauna.php>; <http://www.blueblindfold.co.uk/thesigns/travelling.php>; <http://www.blueblindfold.co.uk/thesigns/children.php>; <http://www.blueblindfold.co.uk/thesigns/suspicious.php>.

⁴⁷⁸ The Online College, Human Trafficking Awareness, accessed February 7, 2013. <http://www.online.sheffcol.ac.uk/index.cfm?ParentID=536a8f35-b472-4a3b-bf2c-f0a1fd25dea2>N=YES>.

⁴⁷⁹ Ibid.

⁴⁸⁰ Ibid.

⁴⁸¹ News Release, UK CRIMESTOPPERS, “Crimestoppers support online training programme to spot signs of human trafficking,” October 2012, accessed February 7, 2013. <http://www.crimestoppers-uk.org/media-centre/news-releases/2012/crimestoppers-supports-online-training-programme-to-spot-signs-of-human-trafficking-7785663>.

also included.⁴⁸² Kinsella provides his reasons for creating the program, mainly informing the citizens as well as law enforcement professionals about the nature of trafficking in the U.K., in order to “lead to greater prevention of the crime and protection of the vulnerable.”⁴⁸³ There is also a link for further information on the course. The “Human Trafficking Uncovered” website provides additional information such as how the course can be applied to the individuals, charities, and both the public and private sectors, as well as further course content such as the lessons, links to government websites, and media content on trafficking cases, “which enhance the ‘real life’ story of human trafficking.”⁴⁸⁴

4. International Outreach

In addition to domestic efforts to combat trafficking, the U.K. is engaged with nations from which international victims originate. In 2011, a joint project to determine the sources of most trafficking victims conducted by the UKHTC and UKBA revealed the following countries were the main priority: Nigeria, Vietnam, Czech Republic, Uganda, Albania, China, Romania, Slovakia, and India.⁴⁸⁵ Consequently, the U.K. Foreign and Commonwealth Office (FCO) took the lead in acting as a liaison between the nine nations and the U.K. in combating trafficking through “project work, working with host governments to raise the profile of human trafficking and to lobby for changes in countries’ laws and practices.”⁴⁸⁶ Joint ventures between the source countries and the FCO include releasing anti-trafficking media releases in Vietnam, creating a “Human Trafficking Working Group” with the Nigerian government, and establishing a “trafficking prevention project” in Czechoslovakia, which “targets the most vulnerable groups and regions through established networks of field workers.”⁴⁸⁷

⁴⁸² Ibid.

⁴⁸³ Ibid.

⁴⁸⁴ “Human Trafficking Uncovered,” accessed February 7, 2013.
<http://www.traffickinguncovered.com/>.

⁴⁸⁵ HM Government, “First annual report of the Inter-Departmental Ministerial Group on Human Trafficking,” October 2012, 46.

⁴⁸⁶ Ibid.

⁴⁸⁷ Ibid., 47.

In addition to the FCO, the Department for International Development (DFID) contributes to the trafficking fight by addressing socio-economic factors that lead to persons being trafficked, such as: “poverty, lack of education, lack of economic opportunities, vulnerability to shocks and social exclusion.”⁴⁸⁸ DFID initiatives have been directed to South Asian and African nations. In South Asia, trafficking awareness information was provided to females transiting borders to work in textiles, and interviews of trafficked women were conducted to determine additional measures to better inform potential victims.⁴⁸⁹ In Africa and the Philippines, respectively, DFIDS supports two initiatives by Anti-Slavery International: “Project ‘Challenging Descent-Based Slavery in West Africa’” and “Project ‘Slavery and Child Labor: Governance and Social Responsibility.’”⁴⁹⁰ The African project led to legislation changes in Mauritania, Niger, and Mali making slavery and trafficking illegal or creating the foundation to do so; the project in the Philippines led to that nation’s President signing legislation protecting domestic workers.⁴⁹¹

While the U.K. government makes it a point to alert the general public and vulnerable populations in source countries, it also engages with source country law enforcement organizations. CPS lawyers are stationed in source nations to assist those countries’ law enforcement professionals with investigations and training so cases can be resolved before reaching the U.K.⁴⁹² The Scotland Crime and Drug Enforcement Agency (SCDEA) has a police officer stationed at Europol to ensure “a direct feed for Scottish law enforcement to respond to and request information and assistance across European member states.”⁴⁹³ This “International Liaison Officer” (ILO) serves as a Scottish representative to several international law enforcement and border security organizations.⁴⁹⁴ The ACPO asked for assistance from the Bishops’ Conference of the

⁴⁸⁸ Ibid.

⁴⁸⁹ Ibid., 47–48.

⁴⁹⁰ Ibid., 48.

⁴⁹¹ Ibid.

⁴⁹² Ibid., 48–49.

⁴⁹³ Ibid., 49.

⁴⁹⁴ Ibid.

Catholic Church in disseminating information to source country citizens that led to a conference in Rome attended by both law enforcement and clergy.⁴⁹⁵ Investigations conducted by the MPS Trafficking and Prostitution Unit in conjunction with several eastern European nations led to a “cooperation agreement with Romania to fight human trafficking.”⁴⁹⁶ This was the beginning of Operation Golf discussed in the law enforcement efforts section.

5. Training for Law Enforcement and Border Security

Similar to programs in place in the U.S., anti-trafficking training designed specifically for the law-enforcement community is conducted in the U.K. These programs are in the form of PowerPoint presentations as well as classroom sessions.

In January 2013, the UKBA produced a 53-page PowerPoint presentation designed to educate frontline officers about sex trafficking. The information is presented in a step-by-step format beginning with background information regarding the Council of Europe Convention on Human Trafficking, followed by definitions and distinctions between smuggling and trafficking as well as how trafficking victims are exploited. Progressing through the training, physical and emotional signs of trafficking victims are explained, such as nervousness, anxiety, and difficulty answering clear questions. This is followed with intervention instructions and follow-on interviews as well as why trafficking victims may lie about their status. How to complete referral documents to forward to the NRM are discussed as well as the various government and NGOs in the U.K. contributing to combating trafficking. Throughout the presentation, additional information regarding certain topics can be accessed by clicking links on either side of the margins.⁴⁹⁷

⁴⁹⁵ Ibid.

⁴⁹⁶ Ibid.

⁴⁹⁷ UKBA, “Victims of human trafficking—guidance for frontline staff,” January 23, 2013, accessed February 14, 2013.
<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/modernised/cross-cut/protecting-vulnerable/04-victimstrafficking?view=Binary>.

Similar to the border staff, prosecutors can gain information about combating sex trafficking. In England and Wales, a program designed for senior members of the CPS is being created and is expected to begin sometime in 2013.⁴⁹⁸ Similar prosecutor training takes place in Northern Ireland, led by the PPS and UKBA.⁴⁹⁹ Prosecutors and judges also have training manuals on how to deal with trafficking-related cases at their disposal. In 2006, the International Centre for Migration Policy Development (ICMPD) issued its own anti-trafficking training manual for judges and prosecutors within the European Union. In 2011, the CPS issued a 40-page document outlining policy pertaining to the prosecution of sex trafficking.

The ICMPD manual is a combination of general trafficking information as well as case studies and is designed to be used in conjunction with a PowerPoint presentation. The training material discusses how to assist victims throughout a prosecution, ensuring their needs are met, as well as applicable anti-trafficking legislation within the EU. There are also a dozen case studies and role-playing exercises designed to challenge students' understanding of the material. Students have the opportunity to evaluate their instructors with feedback forms, and the instructors are also provided with additional training references.⁵⁰⁰

In May 2011, the CPS issued its policy for prosecuting cases of human trafficking. This informational manual was designed to be informative to the general public as well as prosecutors. Although significantly shorter than the ICMPD program, the CPS manual provides U.K.-centric information for successful adjudication of trafficking cases. Topics include distinguishing between trafficking and smuggling, gathering evidence, interacting with witnesses and victims, interviewing children who were trafficking victims, and charging suspects with anti-trafficking laws as well as laws

⁴⁹⁸ HM Government, "First annual report of the Inter-Departmental Ministerial Group on Human Trafficking," October 2012, 53.

⁴⁹⁹ Ibid.

⁵⁰⁰ International Centre for Migration Policy Development (ICMPD), "Anti-Trafficking Training Material for Judges and Prosecutors: Curriculum-Training Guide," ICMPD, 2006, accessed February 16, 2013. http://www.childtrafficking.com/Docs/anti_trafficking_training_0807.pdf.

connected with trafficking. Supplemental information listed in annexes includes NGOs involved in counter-trafficking and trafficking legislation.⁵⁰¹

While sex trafficking awareness education exists for the public at large, there are several venues available to address law enforcement practitioners. The presentation created by the UKBA in light of the border security controversies over the past several years ensures frontline personnel have an adequate knowledge base to combat trafficking. Prosecutors and judges have documentation and manuals at their disposal to gain knowledge about adjudicating sex trafficking offenses. In light of this, the U.K. has an adequate system of training and education in place to combat sex trafficking.

D. CONCLUSION

The U.K. government is actively engaged in combating sex trafficking through its legislation, law enforcement efforts, and training and education programs. Although government and public criticism have highlighted weaknesses and strengths in efforts over the past several years, the system works to the point where victims who are identified can be cared for and trafficking suspects adjudicated. Government institutions and scholars both indicate the need for more data about sex trafficking as well as continuous training programs for law enforcement officers. Although training programs are available, the nature of sex trafficking complicates the ability to build accurate statistics of how serious the problem is for the U.K. The data compiled on sex trafficking victims serves as a foundation for the government to address the problem abroad in attempts to prevent it from reaching the U.K. The prosecution data available indicate that trafficking suspects are being punished, but not in numbers that would indicate a severe problem, which could mean sex trafficking suspects are eluding capture, or they are being punished with crimes other than trafficking. The possibility exists that sex trafficking is

⁵⁰¹ CPS Strategy and Policy Directorate, “CPS Policy for Prosecuting Cases of Human Trafficking,” May 2011, accessed February 15, 2012.
http://www.cps.gov.uk/publications/docs/policy_for_prosecuting_cases_of_human_trafficking.pdf.

less severe than anticipated, but the number of referrals to the NRM indicate it is an issue to some degree. Similar to the U.S., it is unlikely that all sex trafficking cases will be detected. While the U.K. is actively engaged in combating sex trafficking, how effective the measures have been remains unclear.

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V. CONCLUSION

While it remains clear that sex trafficking is to some degree an international issue, the ability to measure its severity and the overall strategies to combat it are difficult. The academic debate over research discussed in Chapter II highlighted the issues with large statistics adopted by the international community and scholars. While the large numbers of hundreds of thousands of sex trafficking victims attract attention, the dispute raised by scholars highlighting the flaws in the data is largely ignored. Government strategies to combat sex trafficking are designed to interdict large numbers of victims. In the event they fail to do so, it is assumed there are problems with how the strategy is executed instead of other issues, such as fewer victims than anticipated. Although the strategies in the U.S. and the U.K. are identifying suspects and victims, the ability to rate overall performance is difficult, partly because of the data.

In the U.S., laws are in place at the federal and state levels to punish traffickers. These laws include trafficking charges or offenses such as rape, kidnapping, or promoting prostitution. The law enforcement efforts in place at the federal and state levels also contribute to combating sex trafficking by identifying victims and suspects. This is accomplished through the interagency operations (such as FBI and DHS working in conjunction with state police departments) as well as independent operations with large city governments implementing their own initiatives independent of the federal government. While suspects and victims have been identified, the quantities have been significantly lower than the estimates discussed in Chapter II. This can mean several things: there are fewer sex trafficking incidents than anticipated; there are incidents that are tracking to the large figures, but are being pursued as other crimes and not indicated as trafficking; or, there are a vast many more trafficking incidents that remain undetected, and the problem is as severe as reported or worse.

The government oversight ability can help determine a way ahead. Although issues such as overstated numbers and misallocated resources were uncovered in the GAO and OIG reports, it remains unclear if these were isolated incidents or part of a larger nationwide trend. This was evident in numbers of trafficking victims as well as law

enforcement professionals who received anti-trafficking training. In cases of spot-checking data submitted to other government institutions, the oversight capability of the OIG and GAO should be used more frequently to better gauge the strategy to combat trafficking. However, public pressure may inhibit such efforts. The process could also be scrutinized by anti-trafficking NGOs if they feel the numbers of victims uncovered are too low.

A second issue that needs to be resolved is the information available to frontline professionals combating sex trafficking in the U.S., mainly police, prosecutors, and judges. Although the federal government takes the lead in combating all human trafficking, the BJS reports indicated that state and local agencies typically took the lead in pursuing sex trafficking cases. This means local jurisdictions are pursuing traffickers without federal assistance. However, Farrell's research indicated that frontline professionals did not feel comfortable pursuing trafficking cases because they were inexperienced or felt it was new territory. As a result, they opted instead to charge suspects with crimes they were more experienced in pursuing, such as rape, kidnapping, or promoting prostitution. It is a positive sign that the prosecutors are attempting to adjudicate traffickers, but it is unfortunate that they have concerns about pursuing them with trafficking charges. Consequently, if traffickers are convicted, they are not indicated as trafficking convictions. Unless traffickers convicted for offenses other than trafficking are annotated, it could remain difficult to maintain accurate records of those sentenced. In order to gauge anti-trafficking efforts through the available data, a nationwide evaluation over the course of several years would need to be conducted, followed by re-evaluations every few years to determine whether any progress is being made.

Issues of interagency coordination were also highlighted in U.S. efforts to combat sex trafficking. Coordination among multiple agencies at the state and federal levels is challenging, regardless of the endeavor. Although professional working relationships and information sharing are expected, individuals may still choose to avoid dealing with outside agencies. Similar to other high-profile investigations, reluctance to share information may center on reasons such as publicity. Not being receptive to what other

institutions offer or failing to divulge information can be detrimental to investigations because it duplicates effort and wastes resources.

While strengths and weaknesses were uncovered in the U.S. strategy to combat sex trafficking, similar issues exist in the U.K. system as well. Similar to the U.S., U.K. prosecutors have a variety of laws available with which to charge sex trafficking suspects. The government leadership acknowledges that the legislation on the books is enough to pursue traffickers. They also acknowledge that when prosecutors choose to charge trafficking suspects with crimes other than trafficking, the offenses will not be reflected as trafficking. While this is beneficial because it punishes traffickers, it fails to indicate the total number of trafficking suspects adjudicated. Similar to the U.S., a solution could be to annotate the traffickers charged with offenses other than trafficking in order to better gauge the efforts and show that traffickers are being adjudicated.

U.K. law enforcement efforts to combat trafficking are prevalent at the international and domestic levels. Anti-trafficking operations conducted at both levels afforded the government opportunities to gauge the significance of trafficking. Lessons learned provided the government with a knowledge base of how to better conduct anti-trafficking operations. While it remains unclear how significant the problem is in the U.K., testimonies of police officers—who indicate they do not usually see trafficking victims being held in slavery-like conditions—could indicate the problem is less severe than anticipated. Ultimately, the severity is unknown.

By creating victim demographics, government leadership created a foundation to work with source nations in order to educate potential victims before they are exploited. Although beneficial, it remains unclear how many potential victims have been saved through the international outreach programs in place.

Although the U.K. has training programs designed for prosecutors and judges, issues of uncertainty with trafficking laws continue. Similar to the U.S., prosecutors retain the right to charge trafficking suspects as they see fit, but it would seem to be a waste of time to ignore the trafficking legislation available because of lack of precedent. Similar to the U.S., a solution could be annotating the number of trafficking suspects

charged with crimes other than trafficking to show they are being adjudicated. In order for judges and prosecutors to become more familiar with case law, more training would have to be provided and experience gained over the course of several years. Measuring the success of such an evolution would have to happen with multiple evaluations over the course of several years.

On the issue of what more could be done to combat sex trafficking through legislation, law enforcement efforts, and training and education, I would argue that very little more is needed. This is because the U.S. and U.K. are both actively engaged in combating sex trafficking. They both identified areas that need improvement, such as increasing the training for frontline personnel and more research regarding sex trafficking. Until undeniable statistics regarding the scope of the problem are available to gauge success or failure, it is difficult to argue what other measures could be taken to combat sex trafficking.

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