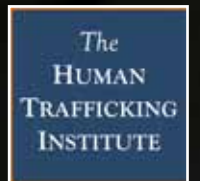




*Federal*  
**HUMAN**  
**TRAFFICKING** *Report*



A publication of







*Federal*  
**HUMAN**  
**TRAFFICKING** *Report*

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# The Human Trafficking Institute

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May 26, 2020

Dear Reader,

Human trafficking is a crime that occurs in every corner of the globe, including the United States, and disproportionately affects the most vulnerable populations among us. At its core, human trafficking is the coercive exploitation of another person for commercial gain. Because it is an economically-motivated crime that often hides behind a hierarchy of power and control that is difficult to understand, unravel, and prosecute, an effective public justice system is essential to holding traffickers accountable. In the United States, federal law known as the Trafficking Victims Protection Act (TVPA) provides a comprehensive legal framework that criminalizes human trafficking and encourages a victim-centered and trauma-informed approach when handling these complex cases.

In 2017, the Human Trafficking Institute began an exhaustive yearly review of federal efforts to combat human trafficking in the United States. This review includes an in-depth analysis of every federal civil and criminal case involving at least one victim of human trafficking. The comprehensive results, which highlight key findings and emerging trends, are then compiled and published in the annual Federal Human Trafficking Report.

This year, the 2019 Federal Human Trafficking Report is organized in two integrative sections. The first section presents an overview of federal human trafficking case profiles, including data about defendants, victims, types of recruitment, and methods of coercion used in forced labor and sex trafficking schemes. The second section provides an in-depth analysis of criminal investigations and prosecutions for 2019 and how they stack up to years past.

In addition to expanding victim data, the 2019 Report provides a separate analysis on human trafficking cases charged outside of the TVPA to give a more nuanced look at how the federal government prosecutes human trafficking crimes. Throughout the Report, you also will find civil case comparisons that provide insight into how plaintiffs leverage civil lawsuits to seek damages for trafficking-related conduct in a variety of industries.

The Human Trafficking Institute is grateful for the collaboration of many government agencies, non-governmental organizations, and survivors who assisted with the collection and analysis of this data. We hope the 2019 Report serves as a vital resource and valuable tool for developing a better understanding of federal human trafficking cases in the United States. We look forward to your feedback on this year's report as we've already started collecting data for the 2020 Federal Human Trafficking Report, which will celebrate twenty years of federal efforts to combat human trafficking since the enactment of the TVPA.

Sincerely,



Lindsey N. Roberson  
*Senior Legal Counsel*





# EXECUTIVE SUMMARY

# CRIMINAL HUMAN TRAFFICKING CASE PROFILE

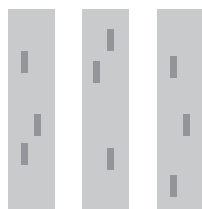
## ACTIVE CASES AND DEFENDANTS



606  
active cases



1,055 individuals



3 entities



1,058  
total active defendants



\$\$\$ \$ \$

103 buyer defendants charged with purchasing (or attempting to purchase) commercial sex

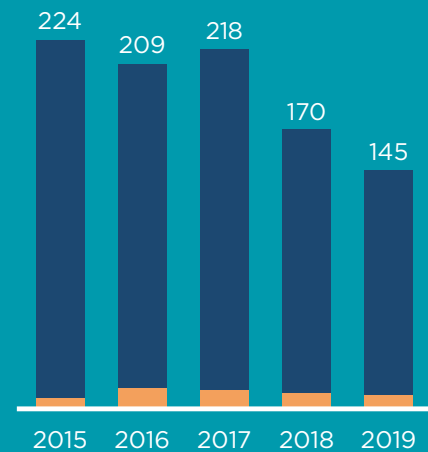
## NEW CASES

The federal government filed

145

new human trafficking cases in 2019, a 14.7% DECLINE from 2018.

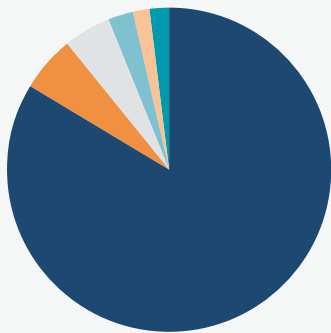
■ SEX TRAFFICKING ■ FORCED LABOR



## SEX TRAFFICKING SCHEMES

575

active sex trafficking cases



As in years past, in sex trafficking cases, traffickers most commonly solicited buyers **ONLINE**.

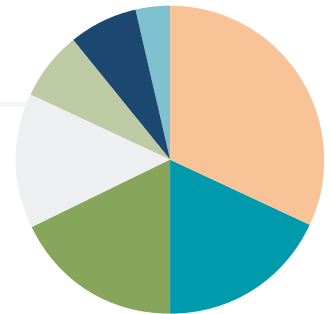
Traffickers use various methods to control their victims. In nearly **A THIRD** of all active sex trafficking cases, defendants **CONTROLLED** their victims **WITHOUT USING VIOLENCE**.



## FORCED LABOR SCHEMES

31 active forced labor cases

In forced labor cases in 2019, victims were most commonly compelled to provide **DOMESTIC WORK** or forced to work at a **RESTAURANT** or on a **FARM**. These are the same top industries as in years past.



In forced labor cases, traffickers often employed **COERCIVE MEANS** that targeted a victim's status as a foreign national.



## VICTIMS

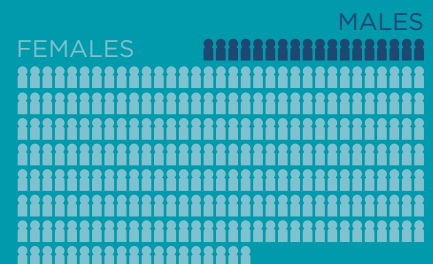
In 2019, as in past years, just **OVER HALF** of victims in criminal human trafficking cases were **CHILDREN**.



Traffickers target **VULNERABLE** individuals.



As in years past, most victims in human trafficking cases are **WOMEN** or **GIRLS**.



# HUMAN TRAFFICKING PROSECUTIONS

## KEY FINDINGS FROM 2019 CRIMINAL PROSECUTIONS

145  
NEW CASES



339  
CONVICTIONS



27  
MONTHS TO  
RESOLVE  
CHARGES, ON  
AVERAGE



271  
NEW  
DEFENDANTS

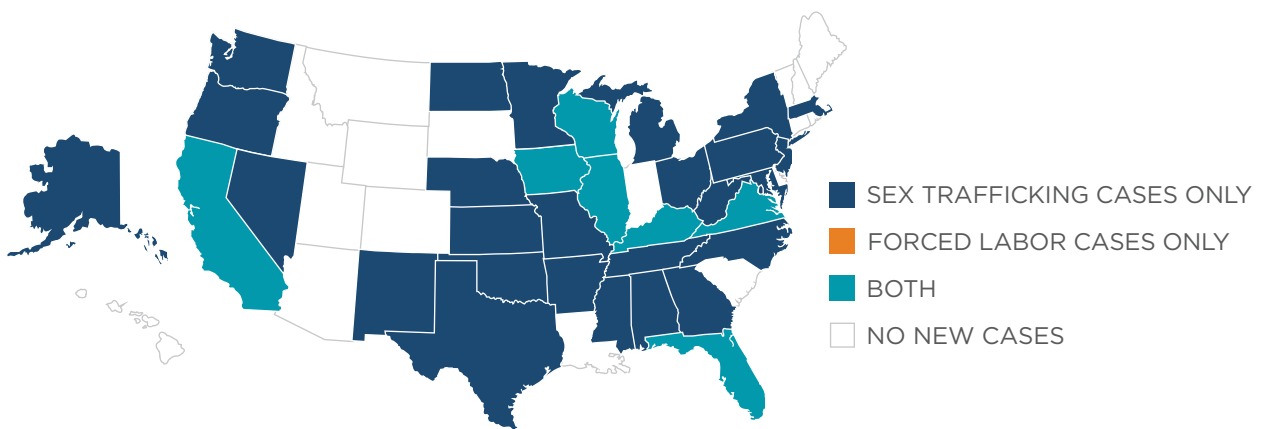


143  
MONTHS PRISON  
SENTENCE, ON AVERAGE



## NEW HUMAN TRAFFICKING CASES IN 2019

In 2019, **59.6%** of the 94 federal districts **CHARGED AT LEAST ONE DEFENDANT** for human trafficking under the Trafficking Victims Protection Act.



### US TERRITORIES

GUAM



PUERTO RICO



AMERICAN  
SAMOA



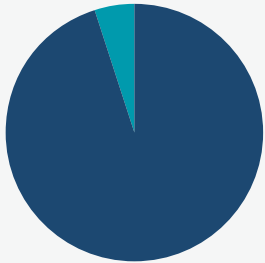
VIRGIN ISLANDS



NORTHERN  
MARIANA  
ISLANDS



## SEX TRAFFICKING CONVICTIONS



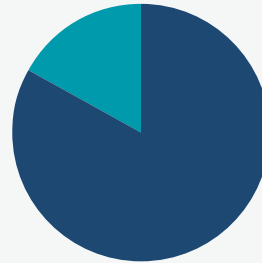
In 2019, federal courts convicted **324** defendants in sex trafficking cases, a 15% increase from 2018.

**93.5%** of convicted defendants were sentenced to a term of imprisonment, ranging from **1 MONTH** to **LIFE IN PRISON**.



Defendants in cases with both **ADULT AND CHILD** victims received the longest sentence, on average.

## FORCED LABOR CONVICTIONS



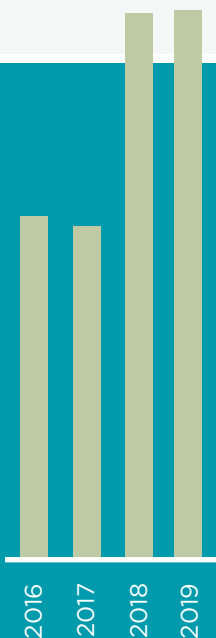
In 2019, federal courts convicted **15** defendants in forced labor cases, a 21% decrease from 2018.

**93.3%** of convicted defendants were sentenced to a term of imprisonment, ranging from **42 MONTHS** to **336 MONTHS**.



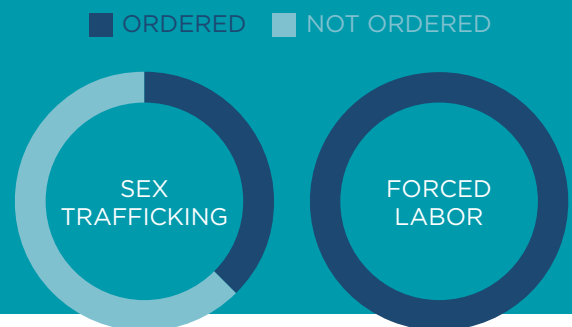
Over the past three years, the average **TERM OF IMPRISONMENT** for a forced labor defendant has **INCREASED** more than three-fold.

## RESTITUTION



Federal law mandates that courts order convicted traffickers to pay victim restitution. However, **COURTS ORDERED** mandatory **RESTITUTION ONLY 39.9%** of the time. This percentage, though low, has slowly increased over the past several years.

As in years past, federal courts more commonly ordered victim restitution in forced labor cases than sex trafficking cases.





# INTRODUCTION

# INTRODUCTION

Human trafficking is the coercive exploitation of a person for commercial gain. Human traffickers generate profit through the use of force, fraud, or other legally recognized forms of coercion to compel a victim’s performance of labor or commercial sex acts. Traffickers exploit victims for labor and sex around the world, including in the United States. In the United States, federal law criminalizes human trafficking in the Trafficking Victims Protection Act (TVPA)<sup>1</sup> under two primary offenses: forced labor<sup>2</sup> and sex trafficking.<sup>3</sup> Forced labor is the crime of using force or coercion to compel someone to work. Similarly, sex trafficking is the crime of knowingly or recklessly causing a child to engage in commercial sex (i.e. sex in exchange for something of value), or using force, fraud, or coercion to compel an adult to perform commercial sex.

The federal government can and does deploy a growing cadre of resources to prevent individuals from falling prey to traffickers and to help survivors rebuild their lives, but one of the most effective ways to combat human trafficking is to *prosecute traffickers*. The 2019 Federal Human Trafficking Report (“the Report”) provides a comprehensive overview of federal human trafficking prosecutions in 2019 by breaking down the key findings and highlighting emerging trends from these cases.

## FAQ DOES THE REPORT INCLUDE DATA ON CASES AT THE STATE LEVEL?

No. Whenever the Report refers to cases, it means federal cases. The same applies to all Report terminology (e.g., federal courts, federal prosecutors, federal prosecutions, federal districts). In the United States, human trafficking cases are filed at both the federal and state levels, but the Report only captures data from federal cases. In Section 2.3, the Report organizes data by state, but this is data from federal courts in those states—not data on state cases.

The Report does not contain data on state cases because state statutes differ, which makes direct comparisons difficult, and also because states do not utilize a comprehensive or universal online docketing system like the federal government does. As a result, it would take about 55 times the resources required to create the Report to get the same data at the state level. This means there are a lot of cases that fall outside the Report’s scope.

“ONE OF THE MOST EFFECTIVE WAYS TO COMBAT HUMAN TRAFFICKING IS TO PROSECUTE TRAFFICKERS.”

<sup>1</sup> Victims of Trafficking and Violence Protection Act of 2000, Pub. L. No. 106-386, 114 Stat. 1464 (2000). Congress enacted the TVPA in 2000 and has since reauthorized it several times; accordingly, the most recent version of the act is commonly called the Trafficking Victims Protection Reauthorization Act (TVPRA). The Report’s reference to the TVPA encompasses not only the initial enactment of the TVPA, but also subsequent reauthorizations.

<sup>2</sup> 18 U.S.C. § 1589.

<sup>3</sup> 18 U.S.C. § 1591.

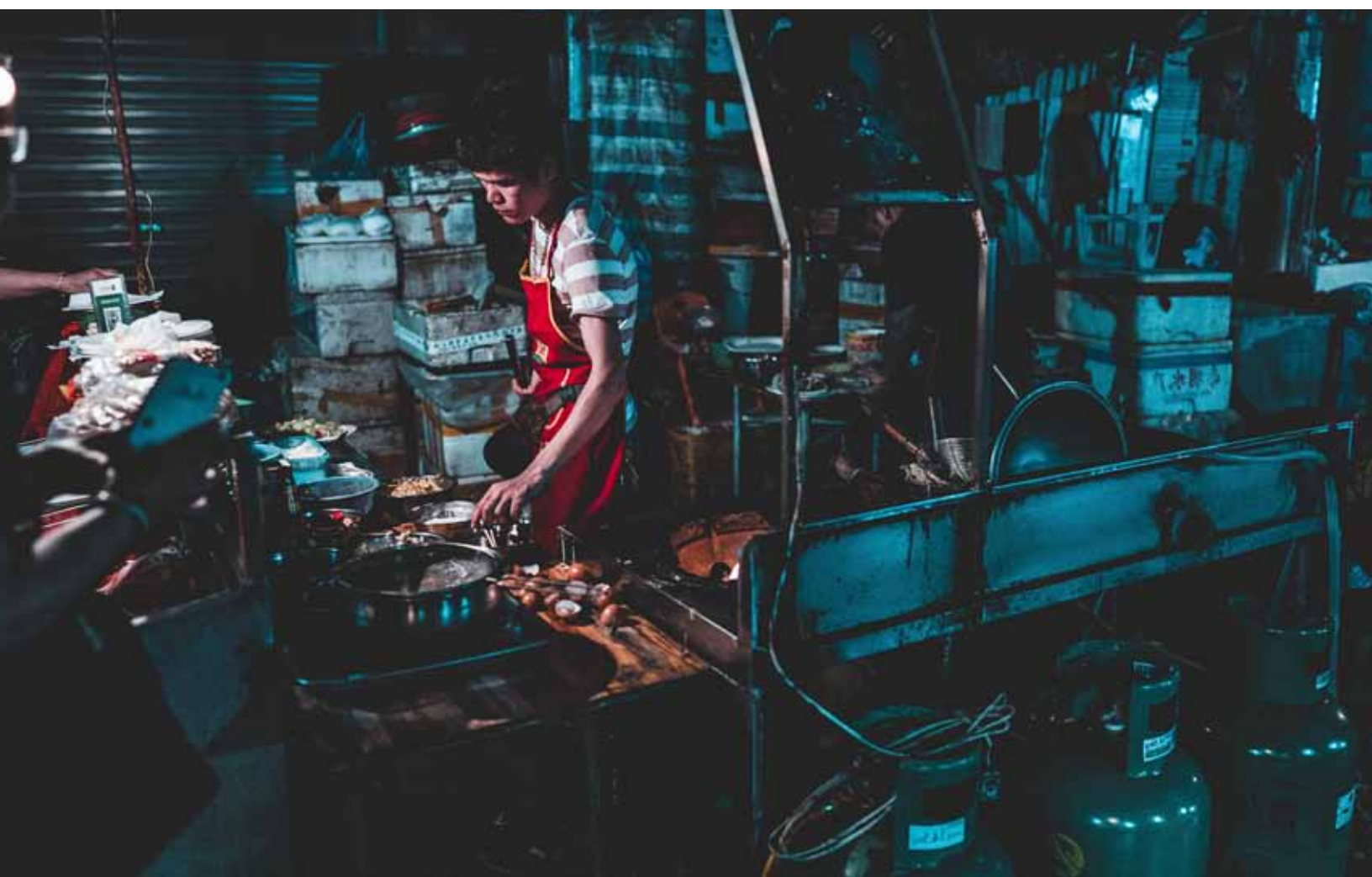


## CIVIL CASE COMPARISON

Criminal prosecutions are not the only human trafficking cases federal courts hear. Criminal prosecutions comprise charges that the federal government brings against alleged traffickers and their accomplices. If a defendant is convicted of those charges, a federal judge then fashions an appropriate sentence according to statute and the U.S. Sentencing Guidelines, which may include a term of imprisonment, financial penalties, and mandatory victim restitution. However, victims can also sue their traffickers civilly in federal court. A victim (or anyone) who brings a civil lawsuit is called a *plaintiff*.

A defendant can be civilly liable for human trafficking regardless of whether they face criminal charges for the same conduct. In fact, filing a civil suit is a potential avenue for victims to obtain justice and compensation for the harm they endured if the criminal prosecution does not occur, or if the court fails to order restitution, as required by law. If found civilly liable, a federal court can order a defendant to pay damages (money) to the plaintiff, and because the burden of proof is lower in civil suits, victims may actually have a better chance of recovery.

Throughout the Report, look for the blue Civil Case Comparison boxes to learn more about the civil human trafficking suits plaintiffs filed in 2019.





## **SECTION 1:**

# CRIMINAL HUMAN TRAFFICKING CASE PROFILE

# SECTION 1: CRIMINAL HUMAN TRAFFICKING CASE PROFILE

In 2019, a total of 606 criminal human trafficking cases were moving through U.S. federal courts, including new cases, pending cases, and cases on appeal. The Report will refer to this pool of 606 cases as *active*. Of cases that were active in 2019, 575 (94.9%) were sex trafficking cases and 31 (5.1%) were forced labor cases.

One hundred and forty-five (23.9%) of the human trafficking cases active in 2019 were new cases, meaning prosecutors filed the first charges in 2019.<sup>4</sup> This is a 14.7% decline from 2018, when prosecutors filed 170 new cases. The decrease follows an even bigger decline during the preceding year, from 218 new cases in 2017 to 170 in 2018. Altogether, prosecutors filed 33.5% fewer new cases over the past two years, which the available data indicate is the longest decline since the enactment of the TVPA in 2000.<sup>5</sup>

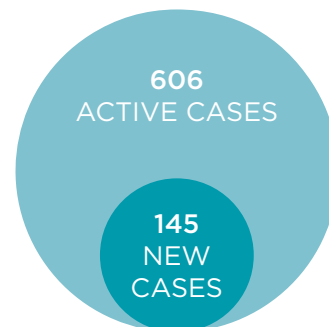
The decline in new cases is due to prosecutors filing fewer sex trafficking cases—not fewer forced labor cases. Whereas forced labor prosecutions have remained relatively stagnant since 2000, there was a steady incline of new sex trafficking cases until 2017. In the past two years, however, new sex trafficking cases have declined 34.3%, from their peak at 207 in 2017 to only 136 in 2019. By comparison, prosecutors filed nine new forced labor cases in 2019, which is the same number of new forced labor cases as in 2018. Although this is technically a drop from the 11 new forced labor cases prosecutors filed in 2017, it is not yet a downward trend; rather, this reflects how few forced labor cases compared to sex trafficking cases prosecutors have filed each year for nearly a decade.

CRIMINAL HUMAN TRAFFICKING CASES ACTIVE IN 2019 BY PRIMARY CASE TYPE



606 CASES

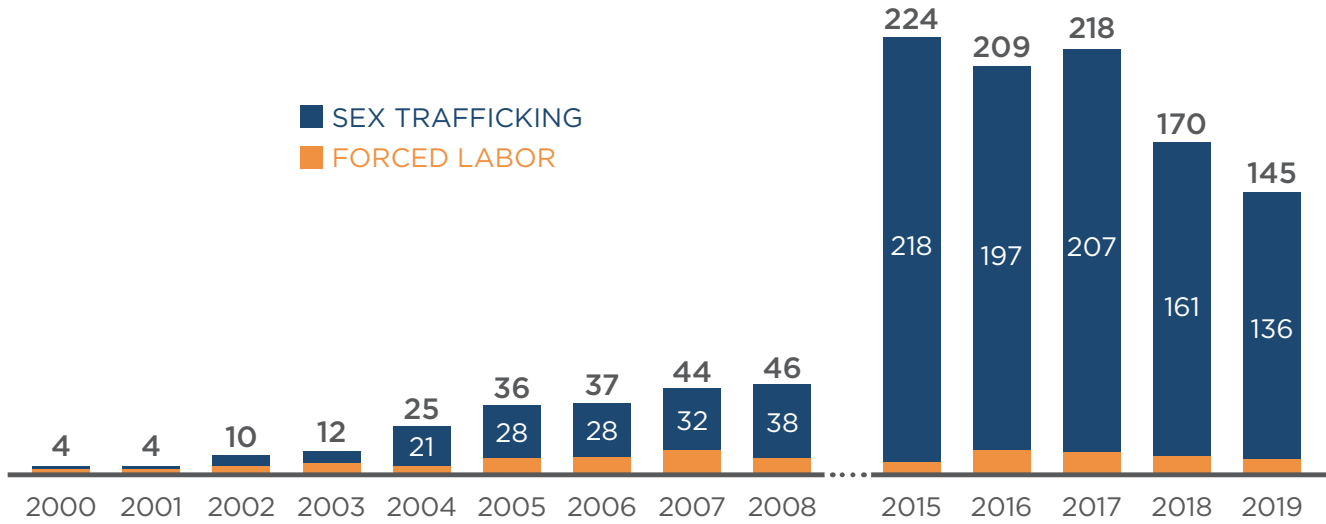
CRIMINAL HUMAN TRAFFICKING CASES ACTIVE IN 2019



<sup>4</sup> For example, if a prosecutor indicted the first defendant in a human trafficking case in 2018, then charged two additional defendants in 2019, the Report would consider the case *active* in 2019 but not *new*, because the case was filed in 2018.

<sup>5</sup> The Report tracks human trafficking cases filed between 2000 to 2008 and 2015 to 2019. Though the Report does not yet have comprehensive data for cases filed between 2009 and 2014, the federal government has confirmed that this is the largest decline in new human trafficking cases since the enactment of the TVPA.

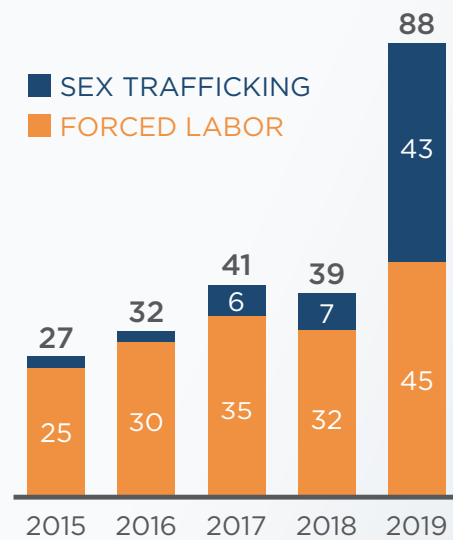
## NEW CRIMINAL HUMAN TRAFFICKING CASES SINCE THE TVPA



## CIVIL CASE COMPARISON

While criminal human trafficking prosecutions declined for the second year in a row, civil human trafficking suits increased dramatically during the same timeframe. From 2018 to 2019, the number of new civil human trafficking suits increased 125.6%, from 39 civil suits filed in 2018 to 88 civil suits filed in 2019. Further, whereas a decline in sex trafficking prosecutions accounted for the overall decrease in new criminal cases, the spike in new civil suits is primarily due to an increase in sex trafficking cases, from just seven in 2018 to 43 in 2019. Indeed, since at least 2015, forced labor suits had dominated civil human trafficking dockets until 2019, when sex trafficking cases made up almost half (48.9%) of all new civil human trafficking suits.

## TRENDS IN NEW CIVIL HUMAN TRAFFICKING SUITS



# 1.1 CRIMINAL DEFENDANTS

In 2019, there were a total of 1,058 *active* defendants in criminal human trafficking cases in the federal court system. This means prosecutors filed initial charges against those defendants during that calendar year, or that they had pending charges or appeals stemming from charges prosecutors filed in previous years. Of the 1,058 active defendants, 93.9% (993) were in sex trafficking cases and only 6.1% (65) were in forced labor cases. Following is a deeper look at the profile of these alleged traffickers and their accomplices.

## 1.1.1 DEFENDANT PROFILE

A close look at the biodata of active defendants in 2019 confirms that there is no universal profile of a human trafficker. Indeed, active defendants in 2019 were both male and female, with ages spanning more than six decades. Moreover, active defendants in 2019 represented a variety of races, ethnicities, and nationalities, including U.S. citizens.<sup>6</sup>

### GENDER OF DEFENDANTS

As in past years, there were significantly more male defendants than female defendants. Of active defendants, 79.4% (838) were male and 20.6% (217) were female.<sup>7</sup> When broken down by primary case type, however, the gender makeup changes. Of active defendants in sex trafficking cases, 80.8% (800) were male and 19.2% (190) were female.<sup>8</sup> Out of those defendants, the Report also refers to a subset as *buyer defendants*. These are defendants that prosecutors charged for buying or attempting to buy sex from a human trafficking victim.<sup>9</sup> In 2019, 103 (10.4%) of the active defendants in sex trafficking cases were buyer defendants; 100% of them were male.

## ACTIVE CRIMINAL DEFENDANTS IN HUMAN TRAFFICKING CASES IN 2019 BY PRIMARY CASE TYPE



1,058 DEFENDANTS

## FAQ DOES THE REPORT'S DATA SHOW HOW MANY HUMAN TRAFFICKERS ARE IN THE UNITED STATES?

No. The Report only captures data about individuals or entities the federal government charged in a human trafficking case (“criminal defendants”) or those a person or entity sued for human trafficking (“civil defendants”) in federal court. It does not include data about human trafficking defendants in state court or human traffickers who are not prosecuted at all.

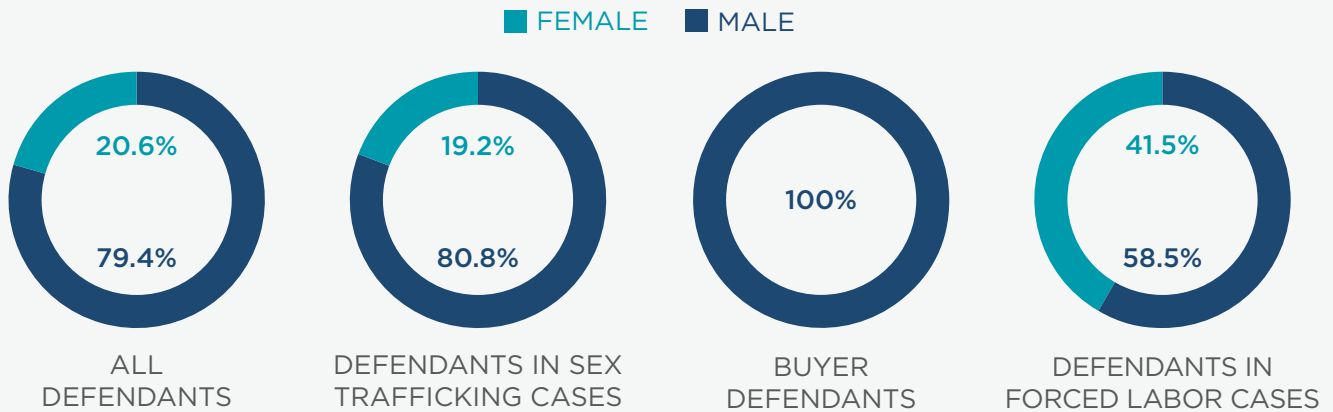
<sup>6</sup> The Report does not further detail race, ethnicity, or nationality information for defendants due to data limitations.

<sup>7</sup> Out of the 1,055 active individual defendants in human trafficking cases in 2019

<sup>8</sup> Out of the 990 active individual defendants in sex trafficking cases in 2019

<sup>9</sup> Buyer defendants can also buy or attempt to buy labor from a human trafficking victim; however, there were no active buyer defendants in forced labor cases in 2019.

## GENDER OF ACTIVE CRIMINAL DEFENDANTS IN HUMAN TRAFFICKING CASES IN 2019



Although males made up the majority of defendants in forced labor cases as well, there was a much higher percentage of female defendants in forced labor cases than sex trafficking cases in 2019, which is consistent with past years. Of the active defendants in forced labor cases, 58.5% (38) were male and 41.5% (27) were female.

### AGE OF DEFENDANTS

The average age of active defendants in 2019 was 35 years, with the oldest being an 80-year-old woman charged in a forced labor case and the youngest being several 18-year-old men and women in sex trafficking cases.<sup>10</sup> The defendant age profile changes when broken down by primary case type. The average age of active defendants in sex trafficking cases was 34 years, one year below the overall average.<sup>11</sup> Further, the oldest defendants in a sex trafficking case were two 71-year-old buyer defendants. When looking only at active buyer defendants, the average age jumps from 34 to 42 years.<sup>12</sup> Finally, the average age is higher still—46 years—for active defendants in forced labor cases, the youngest being a 20-year-old woman.<sup>13</sup>

## AGE OF ACTIVE CRIMINAL DEFENDANTS IN HUMAN TRAFFICKING CASES IN 2019

■ YOUNGEST ■ AVERAGE ■ OLDEST



<sup>10</sup> Out of the 525 active individual defendants in human trafficking cases in 2019 whose age was available in public sources

<sup>11</sup> Out of the 499 active individual defendants in sex trafficking cases in 2019 whose age was available in public sources

<sup>12</sup> Out of the 86 active buyer defendants in 2019 whose age was available in public sources

<sup>13</sup> Out of the 26 active defendants in forced labor cases in 2019 whose age was available in public sources

## 1.1.2 ENTITY DEFENDANTS

Although the TVPA authorizes prosecutors to charge corporations and other entities as traffickers, prosecutors rarely do so. In 2019, only three of the 1,058 active defendants—fewer than 1%—were entities. Two of those entity defendants were new in 2019, which reflects a record number of new entity defendants for the past three years. The three active entity defendants in 2019 were Oram, LLC (operating a Best Choice Inn), and Pocono Plaza Inn along with its operating company, Om Sri Sai, Inc. All three were charged in sex trafficking cases.

## ACTIVE INDIVIDUAL & ENTITY DEFENDANTS IN HUMAN TRAFFICKING CASES IN 2019



## CIVIL CASE COMPARISON

Although prosecutors charged only two entity defendants in criminal human trafficking cases in 2019, civil plaintiffs sued 246 entities in federal court. Nearly 75% (74.4%, 183) were in sex trafficking suits and 25.6% (63) were in forced labor suits. More than half (50.8%, 125) of entity defendants in civil suits were hotels. Trailing in comparison, the next most sued entities were technology companies (16), governments or government contractors (11), and educational or research institutions (10). This high number of entity defendants in civil cases indicates that—despite the low numbers of criminal prosecutions against entities—there is no shortage of entities committing (or financially benefiting from) human trafficking offenses.



# 1.2 VICTIMS IN CRIMINAL CASES

Public sources reveal more information about alleged traffickers and their accomplices than their victims. Prosecutors have long followed the practice of redacting minors' names and other personal identifying information from public filings, and more recently have also begun to refrain from using adult victims' identifying information in public court documents in order to adhere to victims' privacy rights and ensure their safety. These safeguards are especially important in human trafficking prosecutions, where many victims rightfully fear retribution from their traffickers, or from their traffickers' family or accomplices, after prosecutors file charges and law enforcement makes an arrest.<sup>14</sup> Additionally, the defendant may have exploited more victims than those a prosecutor includes in a particular count of the charging instrument.<sup>15</sup> A prosecutor may elect to charge conduct involving some victims and not others for a number of reasons, including availability of witness testimony, strength of the available evidence, or because different charges capture the conduct better than trafficking charges.

The limited victim data in the Report come from the 1,592 victims that prosecutors named in the charging instruments of the 606 human trafficking cases active in 2019. The Report will refer to these 1,592 victims as victims in *active cases*.<sup>16</sup> Of victims in active cases, prosecutors named 340 in the 145 new cases in 2019. The Report will refer to this group of 340 victims as victims in *new cases*. This is the lowest number of victims in new cases in at least the past five years, down 33.6% since the peak at 512 victims in new cases in 2016.

## FAQ WHY DOES THE REPORT USE THE TERM "VICTIM" INSTEAD OF "SURVIVOR?"

The Report refers to the individuals whom traffickers exploit as "victims" because it is a legal term of art, and the Report focuses on federal criminal prosecutions. In the criminal justice context, a "victim" is a person a perpetrator harms through unlawful conduct. So, a trafficking victim is a person a trafficker harms by exploiting them for forced labor or commercial sex. Many trafficking victims survive the harm they endure at the hands of their traffickers, but many others do not. By using the term "victim" rather than "survivor," the Report in no way seeks to diminish the strength and resilience of countless human trafficking victims in the United States and around the world.

<sup>14</sup> Although a defendant has a constitutional right to know and confront their accuser, prosecutors are able to satisfy this requirement in ways that do not make a victim's information publicly available.

<sup>15</sup> Charging instruments usually list victims by number or initials to maintain confidentiality.

<sup>16</sup> Public sources indicate there were at least 563 other victims affected in these cases whom prosecutors did not name in specific counts in charging instruments. The Report does not include any data on these victims, nor victims named in or affected by cases prosecuted at the state level. Additionally, the Report has no way to capture the likely many other unidentified victims. Accordingly, as with all of the data in the Report, none of the following numbers pertaining to victims represent the prevalence of a given characteristic or set of circumstances.



## 1.2.1 VICTIM PROFILE

In 2019, 91.8% (1,462) of the victims in active cases were in sex trafficking cases, and 8.2% (130) were in forced labor cases. Notably, though forced labor cases were far fewer than sex trafficking cases, forced labor cases named almost twice as many victims per case.

### GENDER OF VICTIMS

Human trafficking—particularly sex trafficking—is commonly portrayed as a gender-based crime that primarily, if not exclusively, affects women. As in years past, most victims in human trafficking cases active in 2019 were females (95.1%, 1,372) and only 4.9% (70) were males.<sup>17</sup> Sex trafficking prosecutions, in particular, skew more heavily towards female victims, accounting for 97.9% (1,331) of victims in active sex trafficking cases in 2019.<sup>18</sup> Traffickers also compel men to perform commercial sex acts; however, only 2.1% (28) of victims identified in active sex trafficking cases were males.<sup>19</sup> Further, in the subset of active sex trafficking cases that involved buyer defendants, the percentage of male victims increases to 9.2% (11), with females making up 90.8% (109).<sup>20</sup>

In comparison, in forced labor cases, law enforcement officers and prosecutors identified a near equal number of male and female victims. In forced labor cases active in 2019, 50.6% (42) of the victims were male and 49.4% (41) were female.<sup>21</sup> As these numbers show, federal law enforcement and prosecutors identify far fewer male victims in human trafficking cases than female victims; however, this is likely an underrepresentation of male victims exploited by human traffickers.

## VICTIMS IN CRIMINAL HUMAN TRAFFICKING CASES ACTIVE IN 2019 BY PRIMARY CASE TYPE



1,592 VICTIMS

“ONLY 2.1% OF VICTIMS IDENTIFIED IN ACTIVE SEX TRAFFICKING CASES WERE MALES.”

<sup>17</sup> Out of the 1,442 victims named in charging instruments of in human trafficking cases active in 2019 whose gender was available in public sources

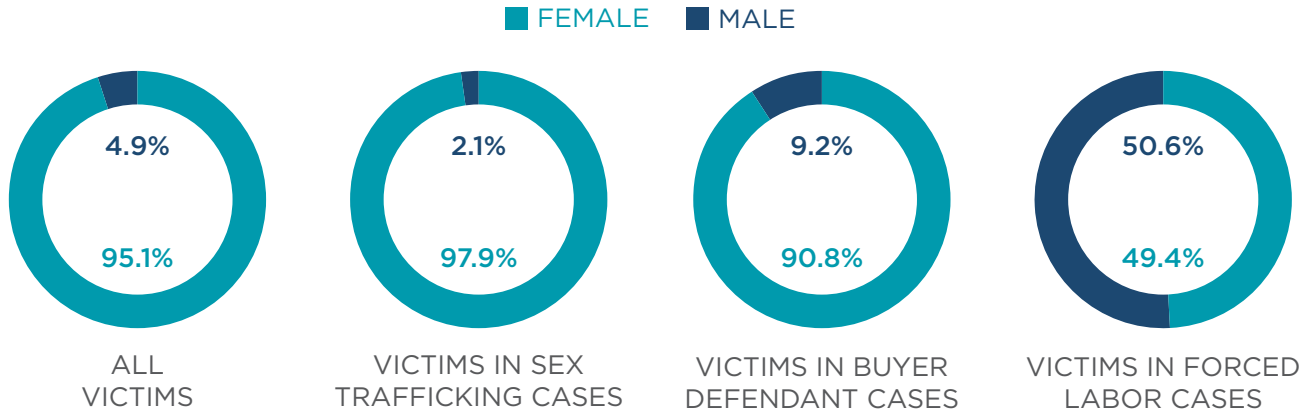
<sup>18</sup> Out of the 1,359 victims in sex trafficking cases active in 2019 whose gender was available in public sources

<sup>19</sup> Out of the 1,359 victims in sex trafficking cases active in 2019 whose gender was available in public sources

<sup>20</sup> This percentage is out of the 120 victims in buyer defendant cases active in 2019 whose gender was available in public sources. Seven male victims were included in charges against a single defendant in one case in the District of Puerto Rico, *United States v. Vega-Valentin*. Though only one male minor was named in the sex trafficking count, six other male victims were named in charges for child production. In addition to soliciting and receiving explicit photos from these victims, the defendant was accused of offering to pay at least one of the male minors for a commercial sex act.

<sup>21</sup> Out of the 83 victims in forced labor cases active in 2019 whose gender was available in public sources

## GENDER OF VICTIMS IN CRIMINAL HUMAN TRAFFICKING CASES ACTIVE IN 2019



Of victims in new 2019 human trafficking cases, 93.3% (250) were female and 6.7% (18) were male.<sup>22</sup> Notably, this is an increase in the percentage of male victims from 2018, when they represented only 1.8% (6) of victims in new cases.<sup>23</sup> The gain was almost entirely in the new forced labor cases, where the number of male victims jumped from only four in 2018 to 17 in 2019. In new sex trafficking cases, the number of male victims remained very low. In all 136 new sex trafficking cases, prosecutors named only one male victim, down from two in 2018.

## GENDER OF VICTIMS IN NEW CRIMINAL HUMAN TRAFFICKING CASES IN 2019



## AGE OF VICTIMS

In all human trafficking prosecutions, the age of a victim is a factor a court may consider when determining the severity of a trafficker's sentence and the amount of restitution owed. Further, the age of a victim in a sex trafficking prosecution determines whether a prosecutor must prove coercion in order to hold a trafficker accountable for the crime and which statutory minimum prison sentence will be imposed upon conviction. In addition to its impact on the criminal prosecution, the age of the victim may also have long-lasting implications for the victim's mental and physical health, including the victim's need to heal from trauma inflicted by a trafficker that may manifest differently depending on the victim's life circumstances and stage of development at the time of exploitation.

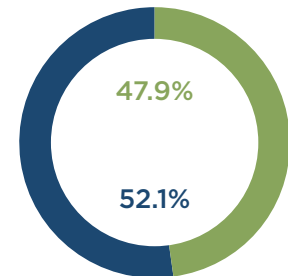
<sup>22</sup> Out of the 268 victims in new human trafficking cases in 2019 whose gender was available in public sources

<sup>23</sup> Out of the 326 victims in new human trafficking cases in 2018 whose gender was available in public sources

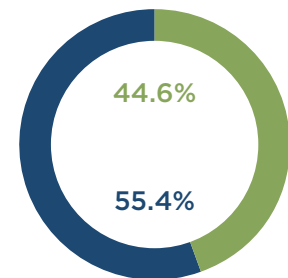


## AGE OF VICTIMS IN CRIMINAL HUMAN TRAFFICKING CASES ACTIVE IN 2019

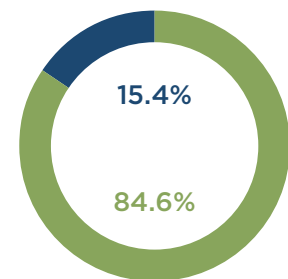
■ ADULTS ■ CHILDREN



ALL VICTIMS



VICTIMS IN SEX TRAFFICKING CASES



VICTIMS IN FORCED LABOR CASES

In 2019, just over half of the victims in active cases were children (52.1%, 828), the youngest being one year old, and 47.9% (761) were adults, the oldest being 39 years old.<sup>24</sup> When looking exclusively at victims in active sex trafficking cases, the percentage of child victims is slightly higher, at 55.4% (808), and the percentage of adult victims is a little lower at 44.6% (651).<sup>25</sup> Notably, sex trafficking cases involving buyer defendants saw a very high percentage of child victims—92.6% (126)—compared to just 7.4% (10) adult victims.<sup>26</sup> In contrast, when looking exclusively at active forced labor cases, there is a higher percentage of adult victims (84.6%, 110) than child victims (15.4%, 20). Higher percentages of adult victims in active forced labor cases has been a trend in past years.<sup>27</sup>

Victims in human trafficking cases active in 2019 were most likely to be included in prosecutions exclusively with other victims of a similar age. For example, most human trafficking prosecutions active in 2019 (57.7%, 310) were cases that involved *exclusively* child victims (“child-only cases”).<sup>28</sup> The rest of the active human trafficking prosecutions included adult victims, with 22.7% (122) involving *exclusively* adult victims (“adult-only cases”). In contrast, only 19.6% (105) of active cases named both adult and child victims (“adult-child cases”). When broken down by case type, the trend holds true for active sex trafficking cases, for which 60.1% (306) were child-only cases, 20.2% (103) were adult-only cases, and 19.6% (100) were adult-child cases.<sup>29</sup> Only in active forced labor cases were child victims more likely to be in an adult-child case than a child-only case. Indeed, of forced labor prosecutions active in 2019, only 14.3% (4) were child-only cases, compared to 67.9% (19) adult-only cases, and 17.9% (5) adult-child cases.<sup>30</sup>

<sup>24</sup> Out of the 1,589 victims named in cases active in 2019 whose age was available in public sources

<sup>25</sup> Out of the 1,459 victims in sex trafficking cases active in 2019 whose age was available in public sources

<sup>26</sup> Out of the 136 victims in sex trafficking cases active in 2019 with buyer defendants

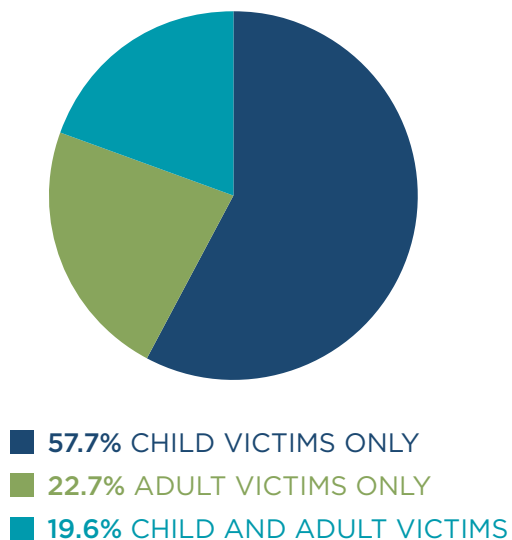
<sup>27</sup> It is important to note that, whereas the TVPA has separate offenses for sex trafficking of adults and sex trafficking of children, the TVPA’s forced labor provision does not distinguish by age. For this reason, prosecutors may not always indicate when forced labor victims are children, which means child victims may be underrepresented in the Report’s forced labor numbers.

<sup>28</sup> Out of the 537 criminal human trafficking cases active in 2019 with actual victims (e.g., non-sting cases) whose age was available in public sources

<sup>29</sup> Out of the 509 sex trafficking cases active in 2019 with actual victims (e.g., non-sting cases) whose age was available in public sources

<sup>30</sup> Out of 28 forced labor cases active in 2019 with actual victims (e.g., non-sting cases) whose age was available in public sources

## CRIMINAL HUMAN TRAFFICKING CASES ACTIVE IN 2019 BY AGE OF VICTIM

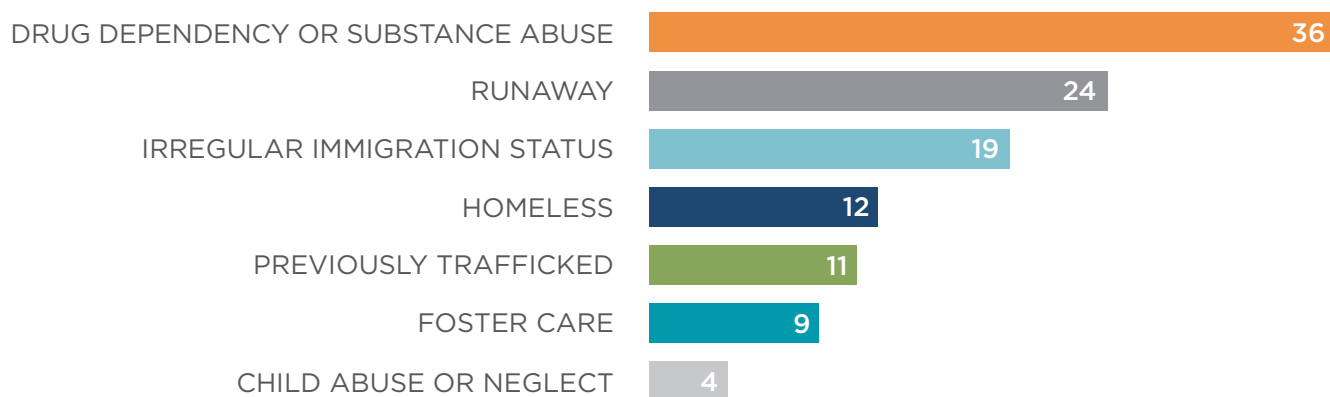


## 1.2.2 VICTIM VULNERABILITIES

Traffickers often target especially vulnerable individuals, as certain vulnerabilities allow traffickers to recruit or control victims more easily. In 2019, the victim vulnerability most frequently flagged by publicly available data was a victim’s drug dependency or other substance abuse.<sup>31</sup> In some cases, traffickers manipulate or exacerbate victims’ pre-existing dependency on substances by controlling their access to drugs to compel them to perform labor or sex acts for profit. In 2019, at least 36 (37.1%) victims in new criminal cases—12 of whom were children—were struggling with substance abuse when defendants recruited them. All 36 were victims in sex trafficking cases.<sup>32</sup>

Homelessness was another commonly reported vulnerability, affecting at least 12 (12.4%) victims—all adults—seven in sex trafficking cases, and five in forced labor cases. Finally, revictimization affected at least 11 (11.3%) victims in sex trafficking cases—five of whom were children—meaning they had already been victims of human trafficking in the past.

## PRE-EXISTING VULNERABILITIES AMONG VICTIMS IN NEW CRIMINAL HUMAN TRAFFICKING CASES IN 2019



<sup>31</sup> These percentages are based on the 97 victims in new cases in 2019 for which public sources identified a particular vulnerability. The percentages do not add up to 100% because a single victim may have multiple vulnerabilities. This is a new data point for the 2019 Report. The Human Trafficking Institute only collected this information for new cases. In future years, the Report will be able to provide more comprehensive data on victim vulnerabilities.

<sup>32</sup> Exploitation of a substance addiction was the third-most common (32, 41.6%) coercive means defendants used in new sex trafficking cases in 2019. This number is out of the 77 new sex trafficking cases for which at least one coercive means was available in public sources.

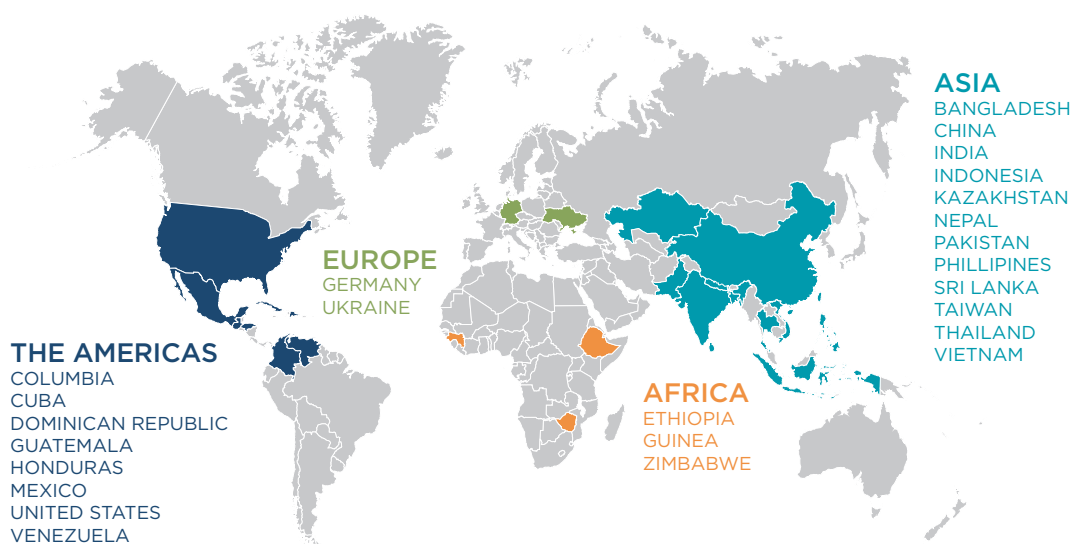
## VULNERABILITIES AFFECTING CHILDREN

Certain vulnerabilities seemed to affect child victims especially. In new cases in 2019, having run away was the most frequently identified vulnerability for child victims. At least 24 (24.7%) victims—22 of whom were children—had run away from home when a defendant recruited them; all 22 were identified in sex trafficking cases.<sup>33</sup> Relatedly, at least nine child victims were in foster care at the time of recruitment. Again, all were victims in sex trafficking cases. Finally, at least four child victims had been abused or neglected prior to recruitment, all of whom defendants allegedly exploited in forced labor schemes.

## VULNERABILITIES AFFECTING FOREIGN NATIONALS

In cases active in 2019, victims came from at least 24 foreign countries, in addition to the United States.<sup>34</sup> Victims from outside the United States may possess particular vulnerabilities as a result of their status as foreign nationals. For example, when victims do not speak English or have limited English language skills, traffickers may use communication barriers to keep them isolated and unable to seek help.<sup>35</sup> Moreover, many foreign nationals who are in the United States with irregular immigration status<sup>36</sup> fear that immigration authorities might find them and remove or deport them from the country. Traffickers often use this fear to prevent victims from reporting exploitation to law enforcement. Of victims in new cases in 2019, 19 (19.6%) lacked regular immigration status when defendants recruited them.<sup>37</sup> Fifteen of those victims—including four children—were in forced labor cases, and the other four victims were in sex trafficking cases.

### COUNTRY OF ORIGIN OF VICTIMS IN CRIMINAL HUMAN TRAFFICKING CASES ACTIVE IN 2019



<sup>33</sup> These percentages are based on the 97 victims in new cases in 2019 for which public sources identified a particular vulnerability. These percentages do not add up to 100% because a single victim may have multiple vulnerabilities.

<sup>34</sup> The Report does not contain data on whether foreign national victims were trafficked into the United States or trafficked only after arriving in the United States.

<sup>35</sup> In cases active in 2019, at least three (3.1%) victims—including two children—had limited English language skills.

<sup>36</sup> Irregular migration is “movement of persons that takes place outside the laws, regulations, or international agreements governing the entry into or exit from the State of origin, transit or destination... The fact that [migrants who may not have any other choice] use irregular migration pathways does not imply that States are not, in some circumstances, obliged to provide them with some forms of protection under international law...” Key Migration Terms, International Organization for Migration, <https://www.iom.int/key-migration-terms>.

<sup>37</sup> These percentages are based on the 97 victims in new cases in 2019 for which public sources identified a particular vulnerability. These percentages do not add up to 100% because a single victim may have multiple vulnerabilities.

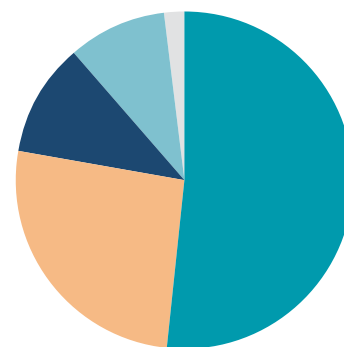
CRIMINAL  
CASE NARRATIVE  
**UNITED STATES  
V. COOPER**

In 2011, Florida resident Jeffrey Cooper sponsored two university students from Kazakhstan to come to the United States on J-1 visas, the U.S. Department of State's Exchange Visitor Program. Prior to their travel, Cooper defrauded the young women into believing they would work in clerical positions at his yoga studio. The studio had a name and online presence, but it was all fake. When the students arrived, instead of providing administrative support, Cooper directed them to perform erotic massages and sex acts with customers. He advertised them on Backpage.com for sensual body rubs. Under the J-1 visa program, the victims' immigration status was tied to their employment. They could not find suitable replacement positions and remained dependent on Cooper for housing.

The victims endured exploitation for months until law enforcement identified them in a sting operation using Backpage. In 2016, a jury found Cooper guilty of sex trafficking and attempted sex trafficking of three other students he sponsored through the J-1 visa program. The Southern District of Florida ordered Cooper to serve 360 months in prison and pay \$8,640 in restitution. Cooper appealed the decision and sentence to the U.S. Court of Appeals for the Eleventh Circuit, which affirmed the lower court's decision in 2019.

Even foreign nationals who entered the United States with regular status (e.g., a visa, Green Card), may be vulnerable to threats of losing their status and facing deportation. Although visa data are very limited, in new cases in 2019, at least 17 victims traveled to the United States on a visa, all of them temporary (i.e. non-immigrant) visas. Fourteen came as temporary agricultural workers (H2-A visa) and three as tourists (B-2 visa). All of these became victims of forced labor cases. When expanding the data pool, however, to look at victims in all cases that were active in 2019, at least 54 victims traveled to the United States on a visa; 22 were in forced labor cases and 32 in sex trafficking cases. Of those victims, the visa breakdown was as follows: 28 (51.9%) B-2 visas, 14 (25.9%) H2-A visas, six (11.1%) temporary business visas (B-1), five (9.3%) exchange visitor program visas (J-1), and one (1.9%) student visa (F-1). Over half of victims who traveled to the United States on a visa originated from Asia (53.7%, 29), with 40.7% (22) coming from the Americas, and 5.6% (3) from Africa.<sup>38</sup>

VISAS OF VICTIMS IN  
ACTIVE CRIMINAL HUMAN  
TRAFFICKING CASES IN 2019



- 51.9% B-2
- 25.9% H2-A
- 11.1% B-1
- 9.3% J-1
- 1.9% F-1

<sup>38</sup> Asia: China (13), India (6), Kazakhstan (5), Thailand (5); The Americas: Mexico (14), Colombia (4), Guatemala (3), Dominican Republic (1); Africa: Ethiopia (1), Guinea (1), Zimbabwe (1).

# 1.3 CRIMINAL SEX TRAFFICKING SCHEMES

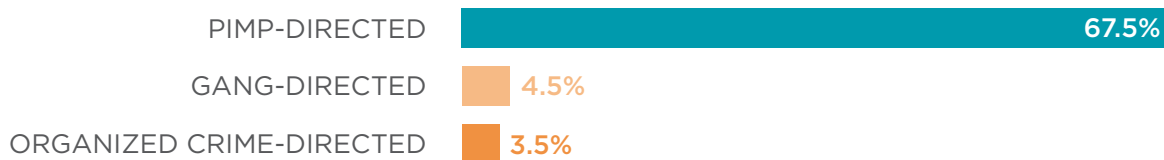
## FAQ HOW DOES THE REPORT GUARD AGAINST CONFLATING SEX WORK WITH SEX TRAFFICKING?

Not all sex work is sex trafficking. The Report captures only data on commercial sex connected to sex trafficking prosecutions. Sex work becomes legally recognized sex trafficking when: 1) a child engages in a commercial sex act, or 2) coercion is used to compel the commercial sex acts of an adult sex worker. This is true even if an adult sex worker engages in commercial sex absent force, fraud, or coercion at other times.

Sex trafficking cases accounted for the majority of federal human trafficking prosecutions in 2019. The defendants in sex trafficking cases facilitated their crimes using a variety of methods and tactics to recruit and coerce their victims, and also to generate profit by soliciting buyers for commercial sex. In this section, the Report will take a closer look at how defendants accomplished these human trafficking schemes.

Sex trafficking schemes ranged from small-scale, individually run operations to larger, more sophisticated crime rings. Of the 575 sex trafficking cases active in 2019, over half (67.5%, 388) involved pimp-directed sex trafficking, meaning a “pimp” coerced victims while also managing and collecting profits from their commercial sex acts.<sup>39</sup> Far fewer (4.5%, 26) involved gang-directed sex trafficking,<sup>40</sup> sometimes as part of a woman’s gang initiation.<sup>41</sup> Fewer still (3.5%, 20) involved organized criminal syndicates directing sex trafficking on a larger scale, through more formal arrangements. In the remaining cases (31.5%, 181), the sex trafficking scheme was not directed in one of these manners, or there was insufficient information in public sources to determine how the sex trafficking scheme was facilitated.

### SCHEMES IN CRIMINAL SEX TRAFFICKING CASES ACTIVE IN 2019



<sup>39</sup> The numbers do not add up to 100% because some cases involved multiple types of criminal enterprises.

<sup>40</sup> There was also one gang-directed enterprise in a forced labor case.

<sup>41</sup> The gangs that public sources named included well-known names like the Bloods and Crips. Other gangs were: Dog Pound Gangsters (DPG), 52 Red Mob Gang, Southwest Cholos, Hit Squad, Melanics, the Sevens, Houstone, Black MOB/Skanless, West Coast Crips, Snow Gang, Black P-Stones, and The Sauce Factory.



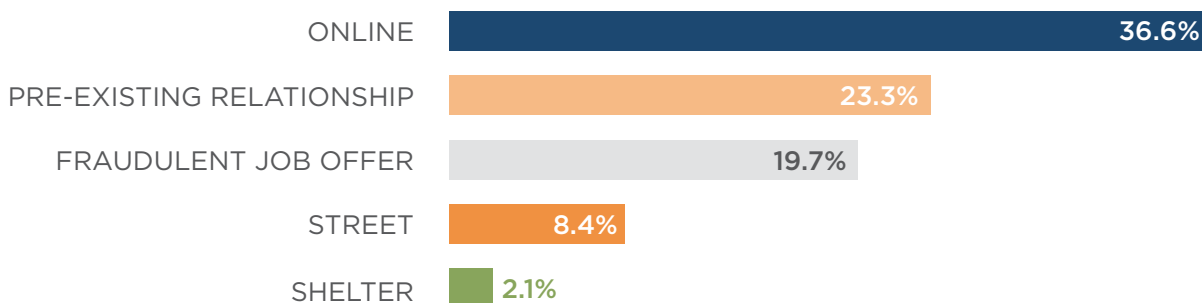


### 1.3.1 RECRUITMENT OF VICTIMS IN SEX TRAFFICKING CASES

Though the media often portrays traffickers abducting strangers from store parking lots or kidnapping tourists from hotel rooms, this is not the reality in the vast majority of human trafficking cases. Of victims in sex trafficking cases active in 2019, defendants recruited 36.6% (231) of victims online, commonly through social media platforms, web-based messaging applications, online chat rooms, and classified advertisements or job boards. In addition, defendants recruited 23.3% (147) of victims through a pre-existing relationship, 19.7% (124) through a fraudulent job offer, 8.4% (53) on the street, and 2.1% (13) at a shelter.<sup>42</sup> These have generally been the same top methods of recruitment in new sex trafficking cases for the past five years. Sometimes, defendants used multiple methods to recruit a single victim. For example, a defendant might have used the internet to initiate an in-person relationship with a victim, all for the purpose of trafficking them.

Some defendants knew their victims even before trying to recruit them. As has been the trend in new cases for the past three years, public sources mentioned more instances of defendants being social media contacts with their victims than any other type of pre-existing relationship. Among defendants in sex trafficking cases active in 2019, 37.7% (80) had been social media contacts with a victim, 25.5% (54) had been intimate partners with a victim, 13.7% (29) had smuggled a victim into the country, 12.3% (26) had been friends or classmates with a victim, and 4.7% (10) had been a victim's drug dealer.<sup>43</sup>

#### RECRUITMENT OF VICTIMS IN CRIMINAL SEX TRAFFICKING CASES ACTIVE IN 2019



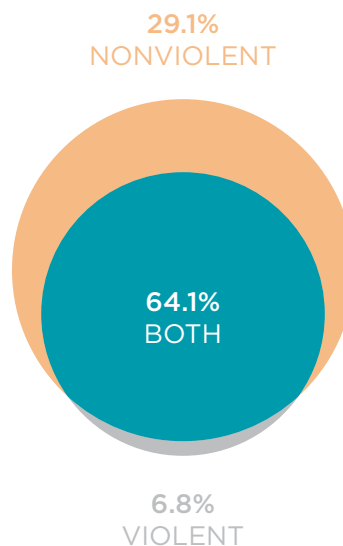
<sup>42</sup> Out of the 631 victims in sex trafficking cases active in 2019 for which the method of recruitment was available in public sources

<sup>43</sup> Out of the 212 active defendants in sex trafficking cases in 2019 for which public sources detailed a pre-existing relationship with at least one victim. The numbers do not add up to 100% because a defendant can have a different type of pre-existing relationship with each victim or know a single victim through various channels.

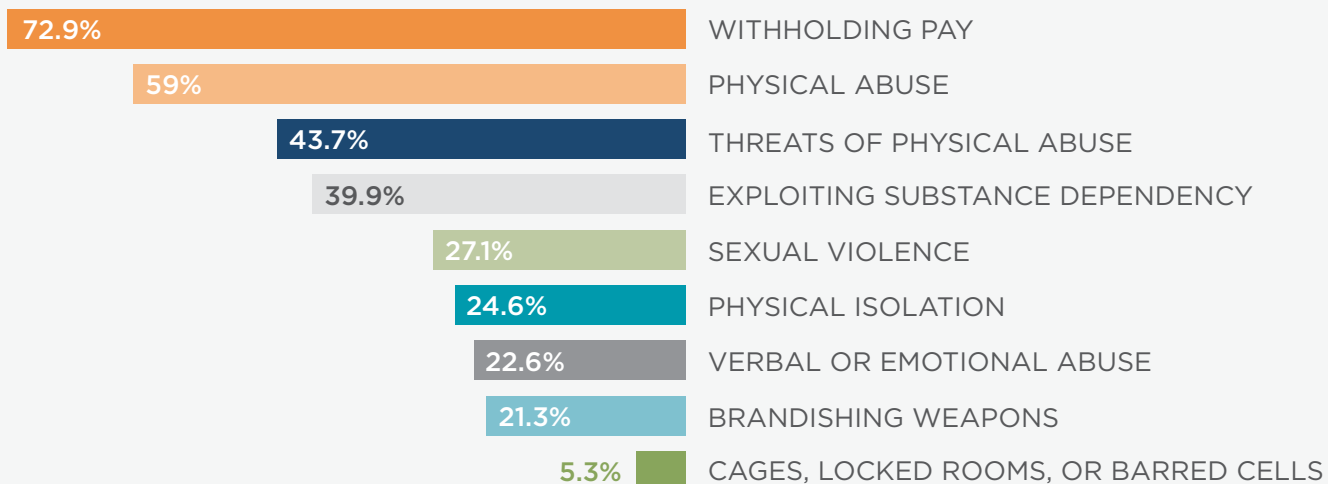
### 1.3.2 COERCION IN SEX TRAFFICKING CASES

Sex traffickers use force, threats of force, fraud, and/or other coercive means to compel their victims to engage in commercial sex acts. Although popular imagery of sex trafficking often depicts a violent crime, only 6.8% (27) of active sex trafficking cases involved violent coercion exclusively.<sup>44</sup> Nonviolent coercion can be just as effective as violence at controlling victims and may benefit traffickers in at least two ways. First, if traffickers can compel victims to act without violence or threats thereof, a trafficker’s profits may increase because they can more easily control more victims absent the trafficker’s physical presence. Second, subtle coercion is harder for law enforcement to detect and more difficult for victims to articulate, thus decreasing a trafficker’s exposure to criminal charges. In fact, in nearly a third (29.1% 116) of all sex trafficking cases active in 2019, defendants controlled their victims without using violence. Further, in 64.1% (255) of active sex trafficking cases, defendants used nonviolent coercion in addition to violent coercion. This breakdown of nonviolent versus violent forms of coercion has been a trend for at least the past five years.

### VIOLENT & NONVIOLENT COERCION IN CRIMINAL SEX TRAFFICKING CASES ACTIVE IN 2019



### COERCIVE MEANS IN CRIMINAL SEX TRAFFICKING CASES ACTIVE IN 2019



<sup>44</sup> Out of the 398 sex trafficking cases active in 2019 for which at least one coercive means was available in public sources

“IN NEARLY **A THIRD** OF ALL SEX TRAFFICKING CASES ACTIVE IN 2019, DEFENDANTS CONTROLLED THEIR VICTIMS WITHOUT USING VIOLENCE.”

When delving into the specific means of violent and nonviolent coercion that defendants used in sex trafficking cases active in 2019, the top five categories were withholding pay (72.9%, 290), physical abuse (59%, 235), threats of physical abuse (43.7%, 174), exploitation of substance dependency (39.9%, 159), and sexual violence (27.1%, 108).<sup>45</sup> These are the same top categories as in 2018. The next most common coercive means were physical isolation (24.6%, 98), verbal or emotional abuse (22.6%, 90), and brandishing weapons (21.3%, 85). Contrary to common perceptions of how sex trafficking looks, only 5.3% (21) of active sex trafficking cases involved defendants using cages, locked rooms, or barred cells to control their victims.

Under the TVPA, prosecutors need not prove coercion for a defendant to be guilty of sex trafficking of a child, yet over half (52.8%, 210) of sex trafficking cases active in 2019 for which public sources identified at least one coercive means were child-only cases.<sup>46</sup> The top five coercive means differ slightly when breaking down the cases by those with adult victims (i.e. adult-only, adult-child) and child-only cases, the primary difference being that physical isolation was a top-five means of coercion for cases with adult victims, but not for child-only cases. Likewise, sexual violence was a top-five means of coercion for child-only cases, but not for cases with adult victims.

### CIVIL CASE COMPARISON

Sexual violence was the top method of coercion in civil sex trafficking suits active in 2019, mentioned in 79.2% (38) of those cases.\*

\* Out of the 48 civil sex trafficking suits active in 2019 for which public sources identified at least one coercive means

### TOP FIVE COERCIVE MEANS IN CRIMINAL SEX TRAFFICKING CASES ACTIVE IN 2019 BY AGE OF VICTIMS

#### CASES WITH ADULT VICTIMS

- 1 Physical Abuse
- 2 Withholding Pay
- 3 Threats of Physical Abuse
- 4 Exploitation of Substance Dependency
- 5 Physical Isolation

#### CASES WITH CHILD VICTIMS ONLY

- 1 Withholding Pay
- 2 Physical Abuse
- 3 Exploitation of a Substance Dependency
- 4 Threats of Physical Abuse
- 5 Sexual Violence

<sup>45</sup> These percentages are out of the 398 sex trafficking cases active in 2019 for which at least one coercive means was available in public sources. The percentages do not add up to 100% because each case could have more than one method of coercion.

<sup>46</sup> Although coercion is not a requisite element of a sex trafficking offense involving only a child victim, prosecutors may allege coercive facts to argue for a more severe sentence.

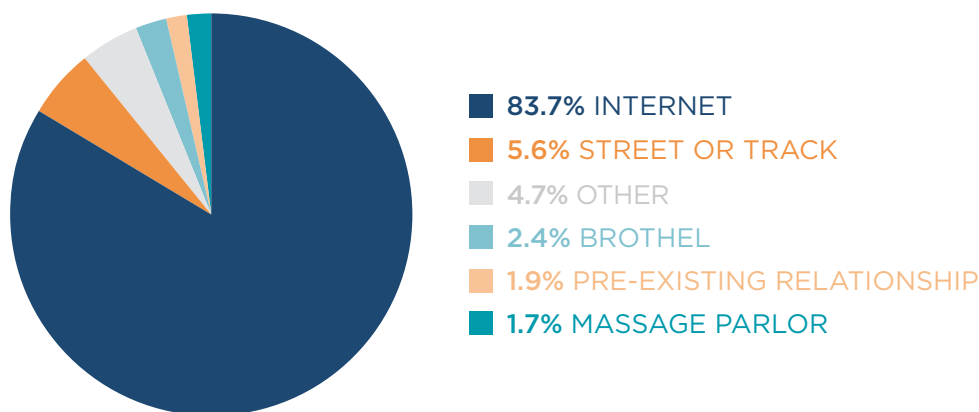
“THE INTERNET HAS BEEN DEFENDANTS’ PRIMARY METHOD OF SOLICITING BUYERS IN OVER 80% OF NEW SEX TRAFFICKING CASES FOR AT LEAST THE PAST FIVE YEARS.”

### 1.3.3 SOLICITATION OF BUYERS IN SEX TRAFFICKING CASES

In 2019, defendants used the internet as their primary method of soliciting buyers in 83.7% (390) of active sex trafficking cases.<sup>47</sup> Defendants in sex trafficking cases active in 2019 also solicited buyers on the street or track (5.6%, 26), meaning an area commonly known for commercial sex and other criminal activity; at brothels (2.4%, 11); through pre-existing relationships (1.9%, 9); and at massage parlors (1.7%, 8). Defendants also solicited buyers at each of the following places in fewer than 1% of active sex trafficking cases: bars, clubs, and cantinas (4), strip clubs (3), through erotic services (2), and at truck stops (2).<sup>48</sup>

When narrowing in on new sex trafficking cases in 2019, the percentage of internet cases drops slightly from 83.7% to 80.6% (75),<sup>49</sup> a comparable rate to years past. Indeed, the internet has been defendants’ primary method of soliciting buyers in over 80% of new sex trafficking cases for at least the past five years. This method persists despite the federal government shutting down the most popular website for advertising victims, Backpage, in the middle of 2018.

METHODS OF SOLICITATION IN CRIMINAL SEX TRAFFICKING CASES ACTIVE IN 2019



<sup>47</sup> These percentages are based on the 466 sex trafficking cases active in 2019 in which the primary method of solicitation was available in public sources. The Report does not capture more than one method of solicitation per case.

<sup>48</sup> These percentages are based on the 466 sex trafficking cases active in 2019 in which the method of solicitation was available in public sources. In 11 of these cases, the method of solicitation did not fit into one of the listed categories.

<sup>49</sup> Out of the 93 new cases in 2019 for which the method of solicitation was available in public sources

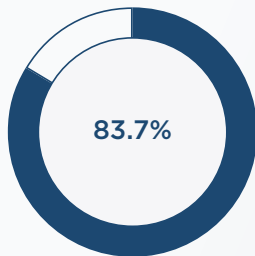
## CIVIL CASE COMPARISON

Plaintiffs alleged defendants solicited buyers on the internet in only 43.1% (22) of civil sex trafficking suits active in 2019.\* Although this was still the most common method of solicitation among civil suits, the percentage is strikingly low compared to 83.7% (390) of criminal sex trafficking prosecutions.

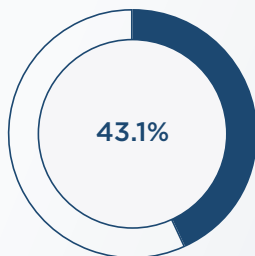
\* Out of the 51 civil sex trafficking cases active in 2019 for which public sources identified the method of solicitation

## INTERNET SOLICITATION IN CRIMINAL AND CIVIL SEX TRAFFICKING CASES ACTIVE IN 2019

■ INTERNET SOLICITATION



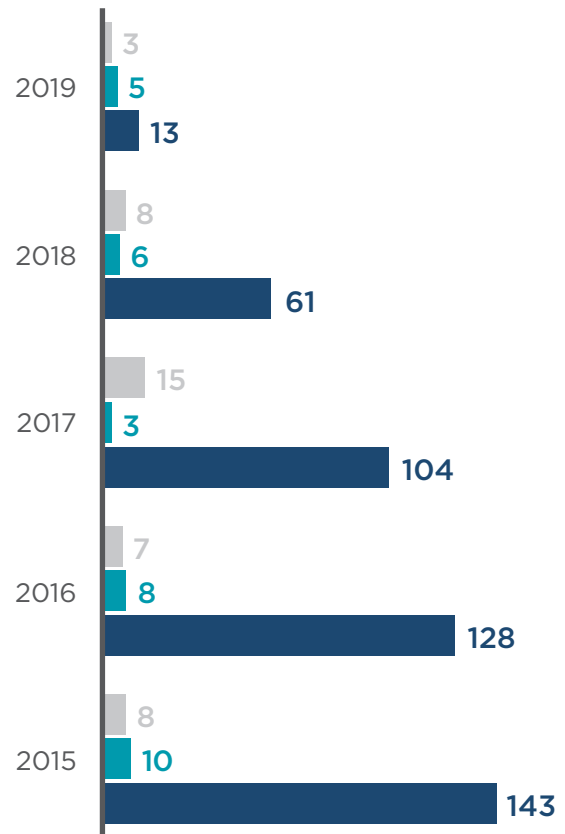
CRIMINAL CASES



CIVIL CASES

## INTERNET PLATFORMS USED TO SOLICIT BUYERS IN NEW CRIMINAL SEX TRAFFICKING CASES

■ CRAIGSLIST ■ FACEBOOK ■ BACKPAGE



New cases involving Backpage dropped from 143 in 2015 to just 13 in 2019. At its apex, Backpage and other websites were the origin of the majority of sex trafficking prosecutions, serving as a way to locate potential victims, provide law enforcement with leads on defendants, identify human trafficking rings, and produce evidentiary support for trial. There is no indication that the prevalence of human trafficking in the United States has decreased, and yet, two things remain true: Cases that originate from online solicitation still make up the majority of sex trafficking prosecutions, and sex trafficking prosecutions have decreased significantly since the government shut down Backpage and similar websites. Notably, the percentage of cases involving Facebook or Craigslist did not increase in the absence of Backpage.<sup>50</sup>

<sup>50</sup> Other top internet platforms defendants used to solicit buyers in sex trafficking cases active in 2019 were City X Guide, Megapersonals, and Skip the Games. Public sources mentioned all three of these sites with more frequency than in 2018. In fact, Megapersonals was not mentioned at all in 2018. For further information regarding internet platforms, practitioners may contact the Human Trafficking Institute.

When a trafficker solicits a buyer online, the trafficker often transports the victim to meet the buyer—usually at a hotel—or the buyer may come to the victim. In cases not involving internet solicitation, the commercial sex acts may occur at the same location where the trafficker solicited the buyer (e.g., the street, a brothel). In sex trafficking cases active in 2019 that involved a completed commercial sex act, a commercial sex act took place at a hotel 80% (296) of the time.<sup>51</sup> In many cases (42.8%, 68), the hotels that public sources named were not large chains;<sup>52</sup> however, the large chain hotels that appeared most frequently in public sources were Motel 6 (28), Super 8 Motel (24), Days Inn (18), and Red Roof Inn (16).<sup>53</sup> After hotels, the next most frequently mentioned locations for commercial sex acts were residences (35.9%, 133), vehicles (8.1%, 30), and brothels (3.8%, 14).<sup>54</sup>

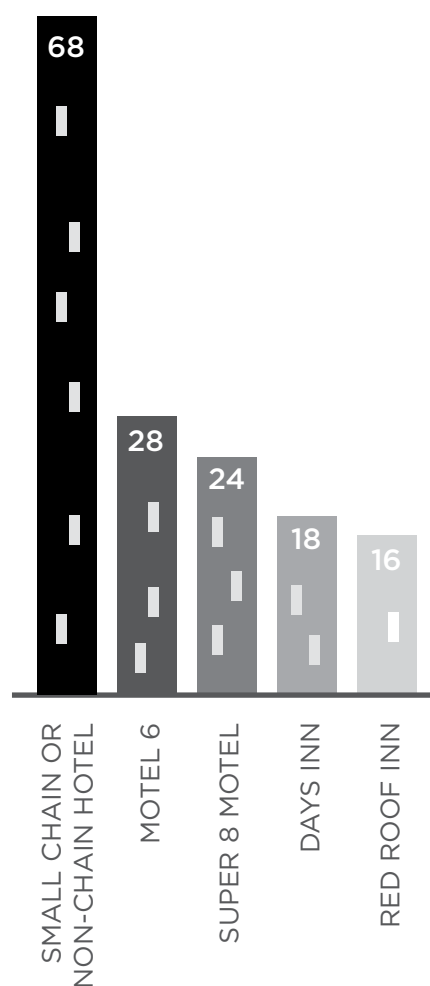
## CIVIL CASE COMPARISON

Although prosecutors filed human trafficking charges against only two hotels in 2019, hotels were named as defendants 125 times in 26 new civil human trafficking suits in 2019. The accused hotels were of every kind and caliber, from budget chains such as Motel 6 and Red Roof Inn, all the way up to luxury hotels such as the Four Seasons. Each suit alleged these hotels benefited from sex trafficking activities that took place within their establishments, several going so far as to say the hotels actively participated in the trafficking scheme.

Under the TVPA, a party may be liable for civil damages for sex trafficking if they “knowingly benefit” from “participation in a venture” which they “knew or should have known” was an act of human trafficking.\* Many of the complaints give detailed accounts of how hotel staff and management knew or should have known about the abuse and exploitation victims were enduring. Some examples include traffickers guarding hotel rooms, paying “hush money” to hotel staff, parading sex buyers in and out of hotel rooms, and leaving condoms littered across the floor.

\* 18 U.S.C. § 1595.

## HOTELS IN CRIMINAL SEX TRAFFICKING CASES ACTIVE IN 2019



<sup>51</sup> Out of the 370 sex trafficking cases active in 2019 in which there was a completed sex act and the location of the sex act was available in public sources

<sup>52</sup> Of the sex trafficking cases active in 2019 in which the commercial sex took place at a hotel, 159 named a specific hotel.

<sup>53</sup> Other large chain hotels that public sources named in sex trafficking cases active in 2019 were: America’s Best Value Inn, Best Western, Budget Suites, Comfort Inn, Crowne Plaza, Econo Lodge, Express Inn, Extended Stay America, Hampton Inn, Hawthorn Suites, Holiday Inn, Homewood Inn & Suites, Howard Johnson, Knights Inn, La Quinta, Marriott, Ramada Inn, Relax Inn, Sheraton, Travelodge, and Value Place/WoodSpring Suites.

<sup>54</sup> Other locations included strip clubs (8), streets or alleys (6), bars or cantinas (4), and fields (3).



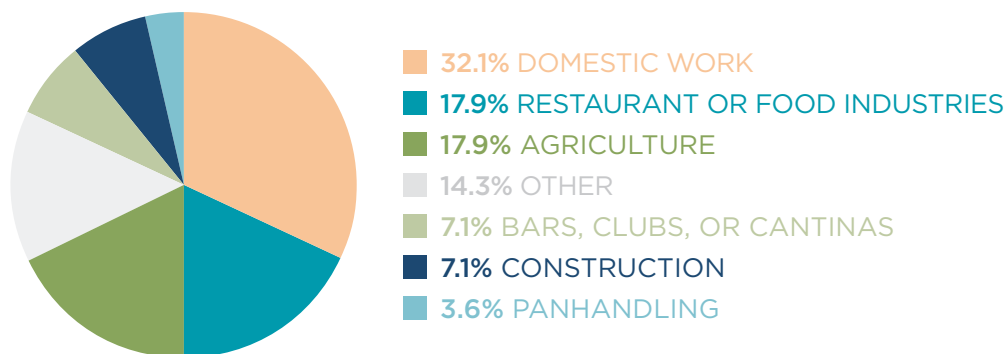
# 1.4 CRIMINAL FORCED LABOR SCHEMES

Only 5.1% (31) of federal human trafficking prosecutions in 2019 were forced labor cases. Forced labor cases often look much different than sex trafficking cases and may be harder to detect because the labor takes place in many otherwise lawful industries. Moreover, the top methods of recruitment and coercion that defendants used in forced labor cases differed from the top methods in sex trafficking cases. This section of the Report will examine human trafficking schemes in the forced labor context.

## 1.4.1 INDUSTRIES IN FORCED LABOR CASES

Forced labor differs from sex trafficking in that it happens in lawful, regulated industries, whereas sex trafficking usually occurs in the context of sex work, which is against the law throughout most of the United States. Of forced labor cases active in 2019, nine (32.1%) took place in the domestic work industry, five (17.9%) in agriculture, five (17.9%) in the restaurant or food industries, two (7.1%) in bars, clubs or cantinas, and two (7.1%) in construction.<sup>55</sup> These are generally the same top industries as in past years. Additionally, four (14.3%) cases involved the following industries: health and beauty services, the hospitality industry, manufacturing, and sales. Notably, there was also one case that happened in a nontraditional industry—panhandling (3.6%), which is illegal in parts of the United States.<sup>56</sup>

INDUSTRIES IN CRIMINAL FORCED LABOR CASES ACTIVE IN 2019



<sup>55</sup> Out of the 28 forced labor cases active in 2019 for which the industry was available in public sources

<sup>56</sup> *United States v. Gonzalez et al.* in the Southern District of California. For more on this case, see page 40.



## 1.4.2 RECRUITMENT OF VICTIMS IN FORCED LABOR CASES

In forced labor cases active in 2019, defendants recruited 39.3% (44) of victims through fraudulent job offers, 27.7% (31) through a fraudulent drug rehabilitation program, and 26.8% (30) of victims through pre-existing relationships.<sup>57</sup> In past years, defendants recruited nearly all forced labor victims through fraudulent job offers and pre-existing relationships. This changed, however, in 2019 because of a case filed in the Southern District of California, *United States v. Gonzalez et al.*, wherein religious leaders recruited 31 victims to fraudulent drug rehabilitation homes, then collected their government benefits and forced them to panhandle.<sup>58</sup>

The *Gonzalez* case also upset typical trends for how defendants in active forced labor cases knew their victims prior to trafficking. In 2019, 13 (27.7%) defendants were religious leaders to their victims,<sup>59</sup> 12 of whom were leaders of the faith-based drug rehabilitation homes in *Gonzalez*. In the remaining cases, 12 (25.5%) defendants smuggled their victims prior to trafficking them, six (12.8%) were friends or classmates of their victims, six (12.8%) were extended family members, four (8.5%) were landlords, and one (2.1%) was a visa sponsor.

## CIVIL CASE COMPARISON

Coincidentally, the use of fraudulent drug rehabilitation programs was also a common method of recruitment in the civil forced labor context due to a single case active in 2019: *Copeland et al. v. C.A.A.I.R. et al.* Unconnected to the similar forced labor scheme prosecuted in *Gonzalez*, the *Copeland* suit was filed more than a year earlier in a different district—the Northern District of Oklahoma. In *Copeland*, 66 plaintiffs alleged defendants lured them to a fraudulent drug and alcohol rehabilitation program, then isolated them from the outside world and forced them to process animals without pay. Other top methods of recruitment in civil cases involved defendants using fraudulent job offers; positions of authority in prison, jail, or immigration detention; and pre-existing relationships to recruit victims for labor or services. Some of these cases were class action lawsuits that included thousands of alleged victims.

## METHODS OF RECRUITMENT IN CRIMINAL FORCED LABOR CASES ACTIVE IN 2019



<sup>57</sup> These percentages are based on the 112 victims in forced labor cases active in 2019 for which the method of recruitment was available in public sources. The remaining seven victims were recruited on the street (3), online (1), or with methods that did not fit into these categories (3).

<sup>58</sup> For more on this case, see page 40.

<sup>59</sup> These percentages are based on the 47 active defendants in 2019 for whom public sources detailed a pre-existing relationship with a victim. The numbers do not add up to 100% because a defendant can have a different type of pre-existing relationship with each victim or know a single victim through various channels.



### 1.4.3 METHODS OF COERCION IN FORCED LABOR CASES

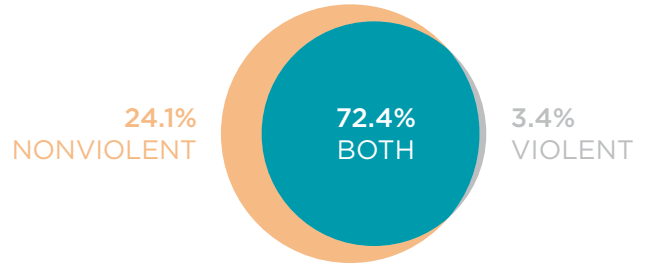
The only distinction between forced labor victims and other lawfully employed workers is the coercion traffickers use to compel victims to work for them. Depending on the type and manner of coercion, victims of forced labor may seem indistinguishable from non-coerced employees.

Nonviolent coercion can be particularly difficult to detect. As in sex trafficking cases, most (72.4%, 21) forced labor cases active in 2019 involved nonviolent and violent forms of coercion, with 24.1% (7) involving exclusively nonviolent coercion, and only 3.4% (1) involving exclusively violent coercion.<sup>60</sup>

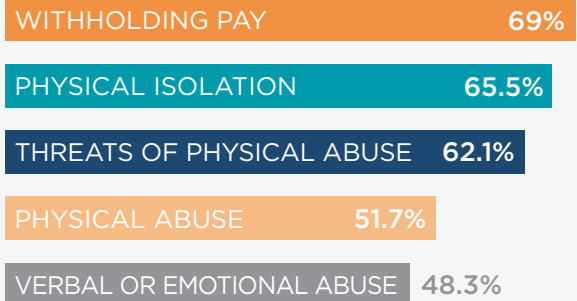
In forced labor cases active in 2019, the top five coercive means defendants used were withholding of pay (69%, 20), physical isolation (65.5%, 19), threats of physical abuse (62.1%, 18), physical abuse (51.7%, 15), and verbal or emotional abuse (48.3%, 14).<sup>61</sup> Compared to coercive means in sex trafficking cases, physical isolation and verbal or emotional abuse replaced exploitation of a substance addiction and sexual violence as top categories. These are generally the same top categories as in past years.

As discussed in Section 1.2.2, foreign national victims experience unique pre-existing vulnerabilities, and traffickers sometimes use coercive means that specifically target these vulnerabilities. In 2019, as in past years, defendants used threats of deportation (44.8%, 13), withholding of immigration documents (44.8%, 13), and exploitation of language barriers (17.2%, 5) at higher rates than in sex trafficking cases.<sup>62</sup>

### VIOLENT & NONVIOLENT COERCION IN CRIMINAL FORCED LABOR CASES ACTIVE IN 2019



### COERCIVE MEANS IN CRIMINAL FORCED LABOR CASES ACTIVE IN 2019



### COERCIVE MEANS ESPECIALLY AFFECTING FOREIGN NATIONALS IN CRIMINAL FORCED LABOR CASES IN 2019



<sup>60</sup> These percentages are based on the 29 forced labor cases active in 2019 for which at least one coercive means was available in public sources.

<sup>61</sup> These percentages are based on the 29 forced labor cases active in 2019 for which at least one coercive means was available in public sources. The numbers do not add up to 100% because there can be multiple coercive means per case.

<sup>62</sup> Compare to the numbers in sex trafficking cases active in 2019: threats of deportation (2.3%, 9), withholding immigration documents (2%, 8), and exploiting a language barrier (2.3%, 9).



**SECTION 2:**

HUMAN

TRAFFICKING

PROSECUTIONS

# SECTION 2: HUMAN TRAFFICKING PROSECUTIONS

In 2000, Congress enacted the Trafficking Victims Protection Act (TVPA) to empower the federal government to combat more effectively the growing and widespread issue of human trafficking. Along with providing protection for victims and promoting the prevention of human trafficking, the TVPA authorized the federal government to strengthen efforts to prosecute traffickers. The statute enacted a series of new crimes on trafficking, forced labor, and document servitude to supplement pre-existing laws, which prohibited a more historical slavery. Furthermore, the TVPA clarified and expanded the definitions surrounding human trafficking to recognize different types of exploitation and allow for the prosecution of cases involving subtle forms of coercion.

## 2.1 CRIMINAL INVESTIGATIONS

In 2019, the federal government charged 145 new human trafficking cases. These cases most often were the result of lengthy and complex investigations led by federal law enforcement agencies, many times in conjunction with state and local law enforcement. When discussing the primary investigative agencies, this Report tracks only those investigations that resulted in criminal prosecution. As such, it is not a representation of every human trafficking investigation conducted by federal, state, and local law enforcement officers.

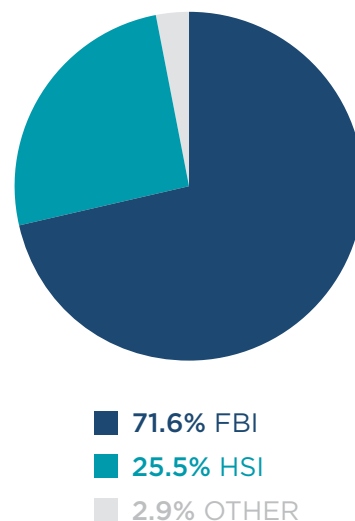
“CONGRESS ENACTED THE **TVPA** TO EMPOWER  
THE FEDERAL GOVERNMENT TO COMBAT MORE  
EFFECTIVELY THE GROWING AND WIDESPREAD  
ISSUE OF HUMAN TRAFFICKING.”

The Federal Bureau of Investigation (FBI) was the primary investigative agency in 71.6% (73) of the criminal human trafficking cases filed in federal courts in 2019.<sup>63</sup> Following the FBI, Homeland Security Investigations (HSI) led the largest number of human trafficking investigations, serving as the primary investigative agency in 25.5% (26) of new cases. HSI's involvement dropped slightly from 2018, when it served as the primary investigative agency for 32.3% (42) of new human trafficking cases.<sup>64</sup> The remaining new human trafficking cases in 2019 stemmed from investigations led by the U.S. Marshals Service (2 cases) and the Bureau of Alcohol, Tobacco, Firearms and Explosives (1 case).

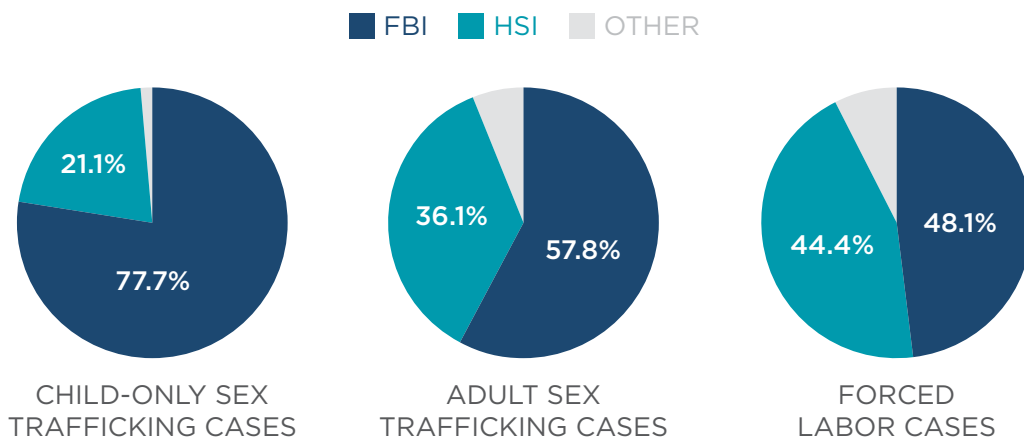
The federal investigative agency responsible for the highest number of human trafficking investigations varied by the type of exploitation in each case. Though the FBI was the primary investigative agency in 77.7% (188) of child-only sex trafficking cases active in 2019,<sup>65</sup> the FBI's lead investigative role dropped to 57.8% (96) in adult sex trafficking cases.<sup>66</sup> HSI was more heavily involved in the investigation of adult sex trafficking cases, serving as the primary investigative agency in 36.1% (60) of active sex trafficking cases involving at least one adult. In comparison, HSI served as the lead investigative agency in only 21.1% (51) of child-only sex trafficking cases active in 2019.

The FBI and HSI shared the lead investigative role fairly equally in forced labor cases active in 2019. Of the 27 active forced labor cases that identified the investigative agency, the FBI led investigations in 48.1% (13) of forced labor cases and HSI led investigations in 44.4% (12) of forced labor cases active in 2019. In addition, 7.4% (2) of active forced labor cases were primarily investigated by the Diplomatic Security Service (DSS).

### PRIMARY INVESTIGATIVE AGENCIES IN NEW CRIMINAL HUMAN TRAFFICKING CASES IN 2019



### PRIMARY INVESTIGATIVE AGENCIES IN CRIMINAL HUMAN TRAFFICKING CASES ACTIVE IN 2019



<sup>63</sup> Out of the 102 new cases in 2019 that identified the investigative agency

<sup>64</sup> Out of the 130 new cases in 2018 that identified the investigative agency

<sup>65</sup> Out of the 242 active child-only sex trafficking cases that identified the investigative agency

<sup>66</sup> Out of the 166 active adult sex trafficking cases that identified the investigative agency

## 2.2 NEW CRIMINAL CASES AND DEFENDANTS

Following extensive investigations, prosecutors filed 145 new criminal human trafficking cases in 2019. Over half (73, 50.3%) of the new prosecutions were sex trafficking cases with only child victims. The remaining 49.7% (72) of new human trafficking prosecutions included sex trafficking cases with only adult victims (27, 18.6%), sex trafficking cases with adult and child victims (15, 10.3%), sting sex trafficking cases with fictitious victims (18, 12.4%), and forced labor cases (9, 6.2%).<sup>67</sup>

NEW CRIMINAL HUMAN TRAFFICKING CASES IN 2019



In comparison to sex trafficking cases, which predominantly involved child victims only, forced labor cases filed in 2019 more frequently included adult victims. Of the nine new forced labor prosecutions, 33.3% (3) involved only adult victims, 33.3% (3) involved both adult and child victims, and 22.2% (2) involved child victims only.<sup>68</sup>

In the 145 new criminal human trafficking cases in 2019, prosecutors charged a total of 261 defendants. Prosecutors also charged 10 new defendants in human trafficking cases filed prior to 2019. Of the 271 new defendants in 2019, 88.6% (240) were charged in sex trafficking cases. The federal government charged only 31 defendants in forced labor cases in 2019. Though still a relatively low number of defendants, this reflects a 93.8% increase from the 16 defendants charged in a forced labor case in 2018.<sup>69</sup>

NEW CRIMINAL DEFENDANTS IN HUMAN TRAFFICKING CASES IN 2019



271 DEFENDANTS

<sup>67</sup> Public sources did not indicate victim information in three sex trafficking cases, which represents 0.2% of the new human trafficking cases filed in 2019. These cases, though included in the percentages, have been excluded from the graphic.

<sup>68</sup> Public sources did not indicate a victim's age in one of the new forced labor cases.

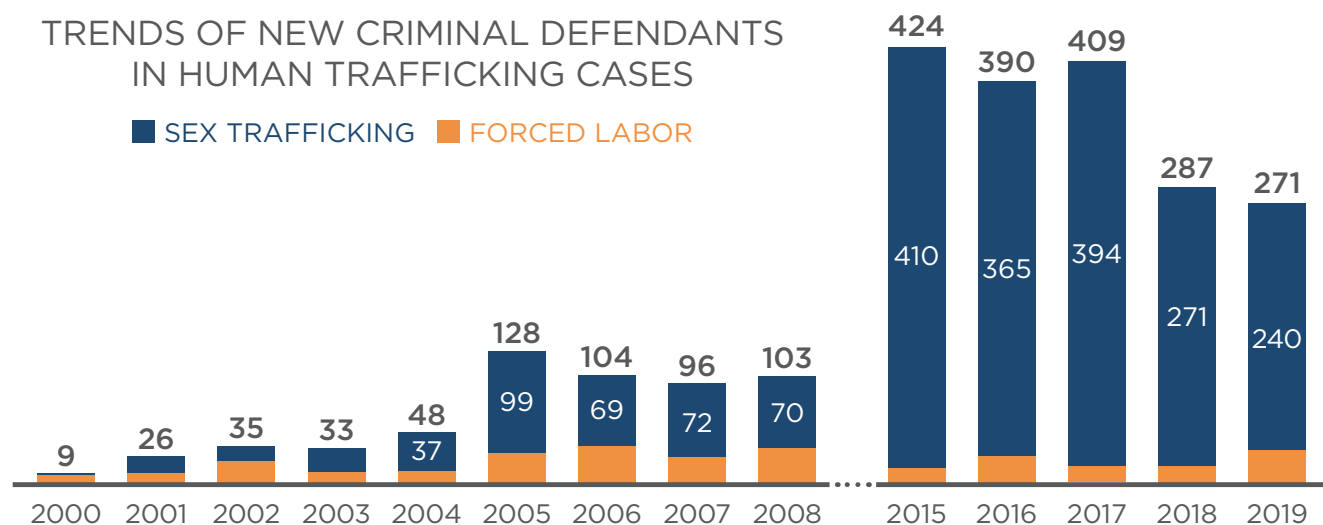
<sup>69</sup> Twelve of the new defendants were charged in one case, *United States v. Gonzalez et al.*, in the Southern District of California.

“PROSECUTORS CHARGED MORE DEFENDANTS IN HUMAN TRAFFICKING CASES IN 2019 THAN WERE CHARGED DURING THE **FIRST FIVE YEARS** OF THE TVPA COMBINED.”

Over the past two decades, the federal government has greatly increased its efforts to hold human traffickers accountable through prosecution. Prosecutors charged more defendants in human trafficking cases in 2019 than were charged during the first five years of the TVPA combined. However, over the past two years, the number of new defendants has dropped 33.7%, from 409 new defendants in 2017 to 271 in 2019. This corresponds with the 33.5% decline in new human trafficking cases and represents the lowest number of defendants that prosecutors have charged in the past five years. Notably, the overall decline results solely from a 39.1% drop in the number of new defendants in sex trafficking cases, from 394 new defendants in 2017 to 240 new defendants in 2019. Meanwhile, during the same time period, the number of new defendants in forced labor cases increased 106.7%, from 15 new defendants in 2017 to 31 new defendants in 2019.

At its core, human trafficking is an economic crime that an individual or a group of defendants are equally likely to perpetrate, with the goal of profiting off the labor or commercial sex acts of victims. Although prosecutors sometimes choose to charge only one defendant in any given case, they often weigh the facts to determine whether they should charge others who contributed to or profited from the coercive scheme. Prosecutors might decide not to charge certain individuals under the TVPA—or at all—if they lack direct evidence, the individual substantially cooperates in a case, or the individual is also a victim of the defendants ultimately prosecuted.

Of the 145 new criminal human trafficking cases in 2019, 67.6% (98) involved only a single defendant.<sup>70</sup> The remaining 32.4% (47) of new human trafficking cases were multi-defendant cases, in which prosecutors charged at least two defendants.<sup>71</sup> The Southern District of California filed the largest human trafficking case in 2019, a forced labor case involving 12 defendants.<sup>72</sup> The largest sex trafficking case, filed in the Southern District of New York, involved 11 defendants.



<sup>70</sup> Where defendants were related through a commonly exploited victim or a common plan or scheme, the Report captures the defendants as a single case with multiple defendants, even where prosecutors charged the defendants under separate case numbers.

<sup>71</sup> United States v. Gonzalez, et al. (3:19-cr-03255), filed on August 23, 2019.

<sup>72</sup> United States v. Randall, et al. (1:19-cr-00131), filed on February 26, 2019.



New sex trafficking prosecutions were more likely to be single defendant cases; whereas, new forced labor cases more commonly involved multiple defendants. Of the 136 new sex trafficking cases, 70.6% (96) of the cases were single-defendant cases and 29.4% (40) of the cases were multi-defendant cases. In comparison, of the nine new forced labor cases, only 22.2% (2) were single defendant cases. The remaining 77.8% (7) of new forced labor cases involved multiple defendants.

CRIMINAL CASE NARRATIVE  
**UNITED STATES  
 V. GONZALEZ ET AL.**

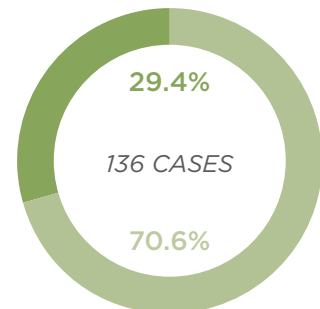
On August 23, 2019, prosecutors in the Southern District of California indicted 12 defendants in *United States v. Gonzalez et al.*, the largest human trafficking case filed in 2019. The defendants, all religious leaders at Imperial Valley Ministries (IVM), managed churches and rehabilitation group homes across the United States that claimed to “restore” individuals struggling with drug dependency and their families. Recruited with the promise of free food, shelter, and other resources, dozens of mostly homeless men and women checked into IVM’s rehabilitation homes. According to the indictment, once participants entered the residential program, they were unable to leave, as the defendants deadbolted doors, nailed shut windows, and threatened their families if they tried to escape.

Instead of providing care and counsel to this group of vulnerable individuals, IVM leaders allegedly subjected them to forced labor, compelling them to panhandle for up to 54 hours a week and forcing them to surrender their welfare benefits for the financial benefit of the church leaders. The government alleged that the defendants used religious tenants to control and isolate the victims—ordering that they “follow the rules,” which limited the victims’ access to the outside world, or face discipline. In addition to isolating the victims, the indictment accused the defendants of confiscating the victims’ personal identification documents, including driver’s licenses, passports, immigration documents, and identification cards, to prevent them from escaping.

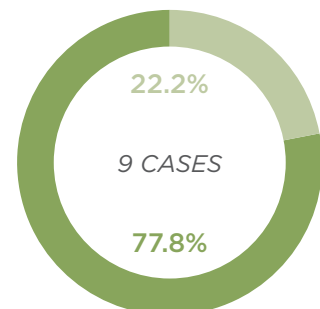
This case is still pending in the Southern District of California. If convicted, the defendants face up to twenty years in prison and a \$250,000 fine.

NEW SINGLE &  
 MULTI-DEFENDANT  
 CRIMINAL HUMAN  
 TRAFFICKING  
 CASES IN 2019

- SINGLE DEFENDANT
- MULTI-DEFENDANT



SEX TRAFFICKING  
 CASES



FORCED  
 LABOR CASES

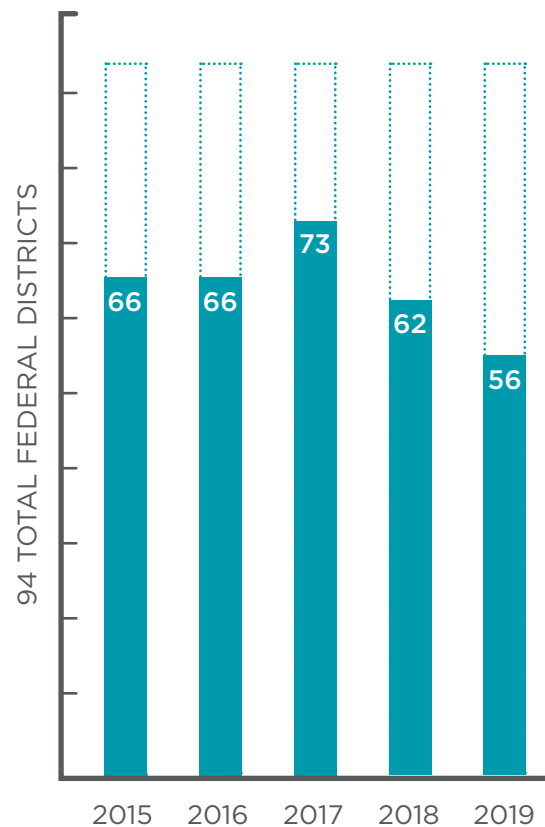


## 2.3 LOCATION OF CHARGED DEFENDANTS

Prosecutors have the authority to bring charges in any jurisdiction where a federal offense occurs. As a result, many human trafficking cases could be charged in more than one federal judicial district because the crime may occur in many different locations. For example, if a human trafficker initially recruits and coerces a victim into performing commercial sex acts in Ohio before traveling to South Carolina to continue coercing the victim, the trafficker may be charged in either location. The determination of the most suitable charging location will likely rest on the jurisdiction with the greatest amount of investigative resources and available evidence, including the location of the victims, and where a majority of the alleged offense occurred. Occasionally, the government will charge a single defendant for separate offenses in multiple locations, but prosecutors will be mindful of martialing resources, duplication of efforts, and the procedural hurdles that may result from a multi-jurisdictional prosecution.

In 2019, 59.6% (56) of the 94 federal judicial districts charged at least one defendant for human trafficking under the TVPA. All 56 of these districts charged at least one sex trafficking defendant. In comparison, only eight districts charged a forced labor defendant in 2019. In 40.4% (38) of the districts, prosecutors failed to charge any new human trafficking defendants. Out of the past five years, this is the highest number of districts not to charge any new human trafficking defendants in a single year.<sup>73</sup>

NUMBER OF DISTRICTS WITH NEW CRIMINAL DEFENDANTS IN HUMAN TRAFFICKING CASES IN 2019



“ONLY **EIGHT** DISTRICTS CHARGED A FORCED LABOR DEFENDANT IN 2019”

<sup>73</sup> This Report provides a review of comprehensive data for criminal human trafficking cases filed under the TVPA from 2000 to 2008 and from 2015 to 2019. Without comprehensive data for prosecutions filed between 2009 to 2014, we are unable to report on the trends in human trafficking prosecutions during those years.

“FIVE DISTRICTS DID NOT CHARGE ANY DEFENDANTS IN HUMAN TRAFFICKING CASES UNDER THE TVPA IN THE PAST FIVE YEARS.”

The Southern District of California charged 28 defendants, the highest number of new defendants prosecuted in one district in 2019.<sup>74</sup> Notably, half of the defendants were charged in sex trafficking cases and half in forced labor cases. The Southern District of California was one of only 20 (21.3%) districts to have charged more defendants in 2019 than in 2018.<sup>75</sup> Five districts did not charge any defendants in human trafficking cases under the TVPA in the past five years: the District of Guam, the District of the Northern Mariana Islands, the Eastern District of Oklahoma, the Northern District of West Virginia, and the District of Wyoming.<sup>76</sup>

After the Southern District of California, the following districts charged the largest number of new defendants in human trafficking cases in 2019: the Southern District of New York, the Southern District of Florida, the Eastern District of Pennsylvania, the Northern District of Texas, the District of Columbia, the Southern District of Iowa, the Eastern District of Kentucky, the District of Oregon, the Southern District of Texas, the Eastern District of Virginia, and the Eastern District of Wisconsin.

### TOP DISTRICTS FOR CRIMINAL DEFENDANTS IN HUMAN TRAFFICKING CASES IN 2019

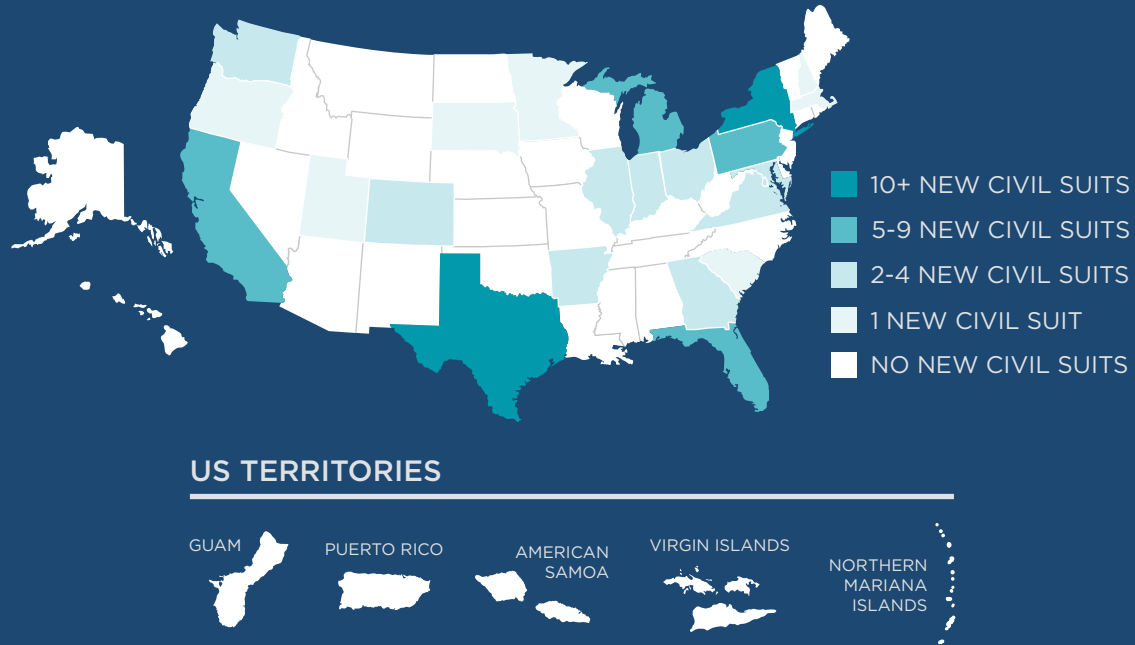
NEW DEFENDANTS		ACTIVE DEFENDANTS	
1	28 DEFENDANTS: California Southern	1	80 DEFENDANTS: Texas Southern
2	19 DEFENDANTS: New York Southern	2	60 DEFENDANTS: New York Southern
3	13 DEFENDANTS: Florida Southern	3	46 DEFENDANTS: Texas Northern
4	12 DEFENDANTS: Pennsylvania Eastern	4	44 DEFENDANTS: California Southern
5	10 DEFENDANTS: Texas Northern	5	42 DEFENDANTS: Michigan Eastern Minnesota
6	9 DEFENDANTS: District of Columbia Iowa Southern Kentucky Eastern Oregon Texas Southern Virginia Eastern Wisconsin Eastern	7	38 DEFENDANTS: New York Eastern Pennsylvania Eastern
		9	29 DEFENDANTS: Maryland
		10	27 DEFENDANTS: New Mexico Pennsylvania Middle

<sup>74</sup> The number of human trafficking prosecutions within a particular judicial district does not indicate the prevalence of human trafficking within that district, but instead represents federal prosecutorial efforts to stop trafficking in that location. Accordingly, the district with the highest number of federal human trafficking cases does not necessarily have more instances of human trafficking than another district. Furthermore, increases or decreases in the number of federal human trafficking cases do not take into account state prosecutorial efforts to combat trafficking. Thus, it is possible that a decline in federal cases corresponds with an increase in state cases or vice versa.

<sup>75</sup> The following federal districts (in addition to the Southern District of California) filed charges against more human trafficking defendants in 2019 than charged annually in the previous four years: the Southern District of Alabama, the District of Columbia, the Eastern District of Kentucky, the Southern District of Mississippi, the Eastern District of Pennsylvania, the District of Oregon, and the Eastern District of Wisconsin.

<sup>76</sup> These five districts did not charge any human trafficking defendants under the TVPA from 2015 to 2019. This Report does not track data between 2009 to 2014, so it is possible that it has been longer than five years since any of these districts charged a defendant with human trafficking under the TVPA.

## NEW CIVIL HUMAN TRAFFICKING SUITS IN 2019\*



## CIVIL CASE COMPARISON

Plaintiffs in 39.4% (37) of federal districts filed new civil human trafficking suits in 2019. Of these, plaintiffs filed forced labor suits in 27 districts and sex trafficking suits in 23 districts. Only 13 districts saw both a new civil forced labor and sex trafficking suit in 2019.

\* This map reflects new civil human suits filed in federal courts in each of these states.

Due to the lengthy and complex nature of human trafficking cases, it is possible that pending cases—filed prior to 2019 and still active in 2019—limited a district’s capacity to charge new defendants in 2019. Of the 38 districts that did not charge any new defendants in 2019, 29 handled at least one *active* human trafficking case in 2019. Notably, nine districts neither charged a new defendant, nor prosecuted a pending defendant, under the TVPA in 2019.<sup>77</sup>

Though fewer than 60% of districts charged a new defendant in a human trafficking case in 2019, over 90% (90.4%, 85) of the districts handled at least one *active* defendant in a human trafficking case in 2019. The following districts handled the highest number of active defendants in human trafficking cases in 2019: the Southern District of Texas, the Southern District of New York, the Northern District of Texas, the Southern District of California, the Eastern District of Michigan, the District of Minnesota, the Eastern District of New York, the Eastern District of Pennsylvania, the District of Maryland, the District of New Mexico, and the Middle District of Pennsylvania.

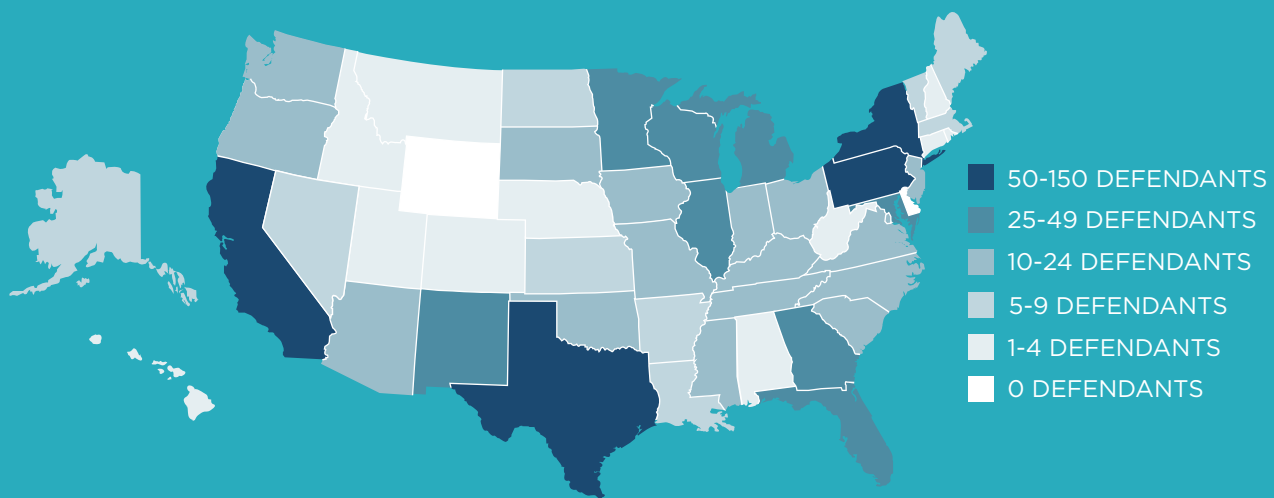
<sup>77</sup> The Western District of Arkansas, the District of Delaware, the District of Guam, the Southern District of Illinois, the Middle District of Louisiana, the Middle District of North Carolina, the Eastern District of Oklahoma, the Northern District of West Virginia, and the District of Wyoming.

# FAQ IS IT POSSIBLE TO BREAK THIS DATA DOWN BY STATE?

Though this Report tracks exclusively federal human trafficking cases, the data can be broken down by state to provide a snapshot of federal human trafficking prosecutions across the nation. For states with multiple federal districts, each state represents a compilation of the multiple federal districts' efforts within that state to hold human traffickers accountable. In 2019, prosecutors in 36 states and U.S. territories charged at least one defendant in a federal human trafficking case. All 36 of these states and territories saw at least one new sex trafficking defendant charged in federal court. In comparison, there were only seven states where federal prosecutors charged at least one forced labor defendant in 2019.

Federal districts in 52 states and U.S. territories handled at least one active human trafficking defendant. The following states' federal districts handled the highest number of defendants in active federal human trafficking cases in 2019: Texas (145 active defendants); New York (119 active defendants); California (100 active defendants); Pennsylvania (68 active defendants); and Michigan (46 active defendants).

## ACTIVE DEFENDANTS IN CRIMINAL HUMAN TRAFFICKING CASES IN 2019



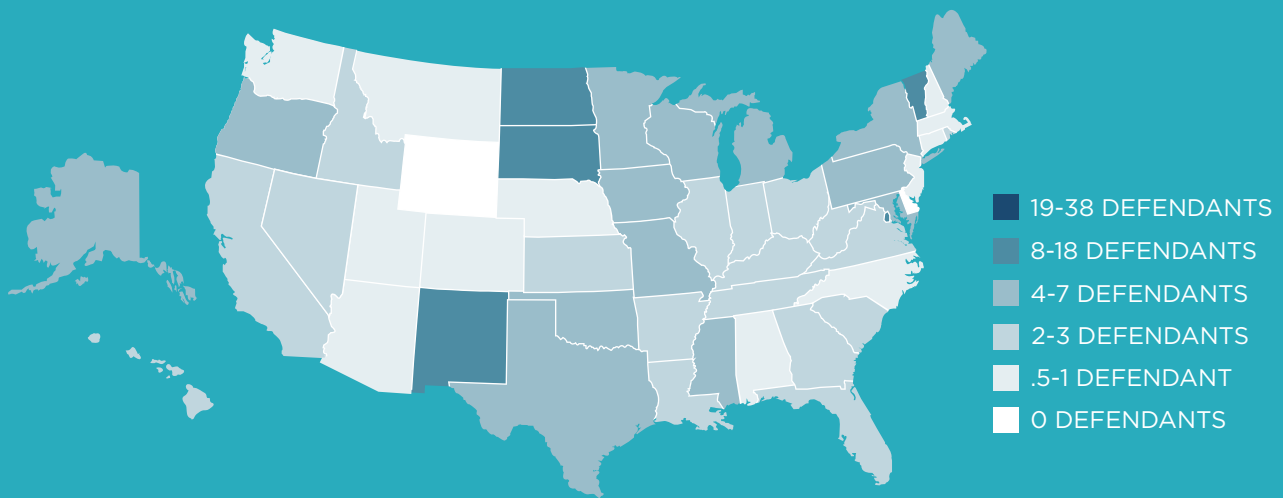
### US TERRITORIES





It is not surprising that states with higher populations generally have federal districts that handle a higher number of human trafficking cases each year. To account for variances in state populations, this Report also analyzes the number of active defendants in human trafficking cases per capita. The following states and territories prosecuted the highest number of active defendants in federal human trafficking cases when taking population into account: the Virgin Islands, the Northern Mariana Islands, the District of Columbia, South Dakota, New Mexico, and Vermont.

## ACTIVE DEFENDANTS IN CRIMINAL HUMAN TRAFFICKING CASES PER CAPITA IN 2019 (DEFENDANTS PER 1 MILLION PEOPLE)



### US TERRITORIES



## TOP DISTRICTS FOR CRIMINAL DEFENDANTS IN CHILD-ONLY SEX TRAFFICKING CASES IN 2019

### NEW DEFENDANTS

1	9 DEFENDANTS:	Florida Southern Oregon
3	8 DEFENDANTS:	New York Southern
4	7 DEFENDANTS:	Texas Southern
5	6 DEFENDANTS:	District of Columbia Iowa Southern Texas Northern
8	5 DEFENDANTS:	California Eastern Oklahoma Western
10	4 DEFENDANTS:	Michigan Eastern

### ACTIVE DEFENDANTS

1	45 DEFENDANTS:	Texas Southern
2	30 DEFENDANTS:	New York Southern
3	26 DEFENDANTS:	Texas Northern
4	19 DEFENDANTS:	Florida Southern
5	17 DEFENDANTS:	Oregon
6	15 DEFENDANTS:	Pennsylvania Eastern
7	14 DEFENDANTS:	California Central Michigan Eastern Puerto Rico
10	12 DEFENDANTS:	Georgia Northern South Dakota

## 2.3.1 SEX TRAFFICKING CASES WITH CHILD VICTIMS ONLY

Prosecutors in 45.7% (43) of districts filed charges against at least one defendant in a child-only sex trafficking case in 2019. This includes districts that charged defendants in sex trafficking cases with child victims only, as well as those that charged buyer defendants in sting sex trafficking cases with only fictitious victims. Over half of these districts (53.5%, 23) exclusively charged defendants in child-only sex trafficking cases in 2019. Furthermore, three of these districts charged only buyer defendants in sting sex trafficking cases with fictitious victims: the Northern District of Iowa, the District of North Dakota, and the Southern District of West Virginia.

In addition to charging at least one defendant in a child-only sex trafficking case in 2019, 17 districts also charged at least one defendant in an adult sex trafficking case (i.e. adult-only or adult-child), and six districts that charged at least one defendant in a child-only case also charged at least one defendant in a forced labor case. Three districts charged at least one defendant in all three types of cases in 2019: (1) child-only sex trafficking cases; (2) adult sex trafficking cases; and (3) forced labor cases. These districts were the Southern District of California, the Southern District of Florida, and the Eastern District of Wisconsin.

The following districts charged the highest number of new defendants in child-only sex trafficking cases in 2019: the Southern District of Florida, the District of Oregon, the Southern District of New York, the Southern District of Texas, the District of Columbia, the Southern District of Iowa, the Northern District of Texas, the Eastern District of California, the Western District of Oklahoma, and the Eastern District of Michigan.<sup>78</sup>

Although fewer than half of the districts charged a new defendant in a child-only sex trafficking case in 2019, nearly 80% (79.8%, 75) of districts handled at least one active defendant in a child-only sex trafficking case. The following districts handled the highest number of active defendants in child-only sex trafficking cases in 2019: the Southern District of Texas, the Southern District of New York, the Northern District of Texas, the Southern District of Florida, the District of Oregon, the Eastern District of Pennsylvania, the Central District of California, Eastern District of Michigan, the District of Puerto Rico, the Northern District of Georgia, and the District of South Dakota.



<sup>78</sup> Only four of these districts were on the “top 10” list for the number of defendants charged in child-only sex trafficking cases in 2018: the Southern District of Florida, the Southern District of New York, the Southern District of Texas, and the Eastern District of Michigan.

## 2.3.2 SEX TRAFFICKING CASES WITH ADULT VICTIMS

Only 31.9% (30) of districts charged new defendants in sex trafficking cases involving adult victims in 2019.<sup>79</sup> This is a slight decline from 2018, when 39.4% (37) of districts charged at least one new defendant in an adult sex trafficking case. Of the 30 districts that charged at least one adult sex trafficking defendant, 11 districts charged defendants exclusively in adult sex trafficking cases, 14 districts charged defendants in both adult sex trafficking cases and child-only sex trafficking cases, and two districts charged defendants in adult sex trafficking and forced labor cases.<sup>80</sup> As mentioned in Section 2.3.1, three districts charged defendants in all three types of cases.

The following districts handled the highest number of new defendants in adult sex trafficking cases in 2019: the Southern District of New York, the Eastern District of Pennsylvania, the Southern District of California, the District of New Mexico, the District of Maryland, the Eastern District of Virginia, the Eastern District of Texas, the Northern District of Texas, the District of Columbia, the Southern District of Florida, the District of New Jersey, and the Eastern District of New York.



### TOP DISTRICTS FOR CRIMINAL DEFENDANTS IN ADULT SEX TRAFFICKING CASES IN 2019

#### NEW DEFENDANTS

1	11 DEFENDANTS:	New York Southern
2	10 DEFENDANTS:	Pennsylvania Eastern
3	8 DEFENDANTS:	California Southern New Mexico
5	7 DEFENDANTS:	Maryland
6	6 DEFENDANTS:	Virginia Eastern
7	5 DEFENDANTS:	Texas Eastern
8	4 DEFENDANTS:	Texas Northern
9	3 DEFENDANTS:	District of Columbia Florida Southern New Jersey New York Eastern

#### ACTIVE DEFENDANTS

1	37 DEFENDANTS:	Minnesota
2	34 DEFENDANTS:	Texas Southern
3	28 DEFENDANTS:	Michigan Eastern
4	27 DEFENDANTS:	New York Eastern New York Southern
6	20 DEFENDANTS:	Pennsylvania Eastern
7	18 DEFENDANTS:	Maryland Texas Northern
9	17 DEFENDANTS:	New Mexico
10	16 DEFENDANTS:	California Southern

<sup>79</sup> This reflects defendants in sex trafficking cases with only adult victims, as well as defendants in cases with both adult and child victims.

<sup>80</sup> The 11 districts that charged exclusively adult sex trafficking cases were: the Southern District of Alabama, the Western District of Kentucky, the District of Maryland, the District of Massachusetts, the District of Nebraska, the District of New Jersey, the District of New Mexico, the Northern District of New York, the Northern District of Oklahoma, the Middle District of Pennsylvania, and the Eastern District of Texas.

“IN 2019, **91.5%** OF DISTRICTS DID NOT CHARGE ANY FORCED LABOR DEFENDANTS.”

Of the 94 districts, 68.1% (64) did not charge any defendants in adult sex trafficking cases in 2019. Notably, 21 of these districts did not charge any defendants in sex trafficking cases with adult victims for at least five years. Over the past five years, 41 districts have charged a total of five or fewer defendants in adult sex trafficking cases.

Though fewer than one-third of districts charged a new defendant in an adult sex trafficking case in 2019, 71.3% (67) of districts handled at least one active defendant in an adult sex trafficking case in 2019. The following districts handled the highest number of active defendants in adult sex trafficking cases in 2019: the District of Minnesota, the Southern District of Texas, the Eastern District of Michigan, the Eastern District of New York, the Southern District of New York, the Eastern District of Pennsylvania, the District of Maryland, the Northern District of Texas, the District of New Mexico, and the Southern District of California.

### 2.3.3 FORCED LABOR CASES

Only 8.5% (8) of districts charged at least one new defendant in a forced labor case in 2019. This is a slight decline from 2018, when nine districts charged at least one forced labor defendant. In 2019, 91.5% (86) of districts did not charge any forced labor defendants. Furthermore, 65 of these districts failed to charge any forced labor defendants for at least five years. Notably, from 2015 to 2019, only 30.9% (29) of districts charged at least one forced labor defendant.

The following districts charged at least one new forced labor defendant in 2019: the Southern District of California, the Eastern District of Wisconsin, the Southern District of Iowa, the Eastern District of Virginia, the Eastern District of California, the Eastern District of Kentucky, the Southern District of Florida, and the Northern District of Illinois. For three of these districts—the Southern District of Iowa, the Eastern District of Kentucky, and the Eastern District of Virginia—this was the first year in at least five years that federal prosecutors filed charges against defendants in forced labor cases.

Though fewer than 10% of districts charged a new forced labor defendant in 2019, nearly one-quarter (24.5%, 23) handled at least one *active* forced labor defendant in 2019. The following eight districts handled three or more active defendants in forced labor cases in 2019: the Southern District of California, the Eastern District of California, the Eastern District of Louisiana, the District of New Jersey, the Eastern District of Wisconsin, the Eastern District of New York, the Southern District of Iowa, and the Eastern District of Virginia. Six districts handled two active defendants in forced labor cases and the other nine districts handled only one active forced labor defendant.

### TOP DISTRICTS FOR CRIMINAL DEFENDANTS IN FORCED LABOR CASES IN 2019

#### NEW DEFENDANTS

- 1 **14 DEFENDANTS:** California Southern
- 2 **5 DEFENDANTS:** Wisconsin Eastern
- 3 **3 DEFENDANTS:** Iowa Southern  
Virginia Eastern
- 5 **2 DEFENDANTS:** California Eastern  
Kentucky Eastern
- 7 **1 DEFENDANT:** Florida Southern  
Illinois Northern

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#### ACTIVE DEFENDANTS

- 1 **14 DEFENDANTS:** California Southern
- 2 **5 DEFENDANTS:** California Eastern  
Louisiana Eastern  
New Jersey  
Wisconsin Eastern
- 6 **4 DEFENDANTS:** New York Eastern
- 7 **3 DEFENDANTS:** Iowa Southern  
Virginia Eastern





## 2.4 TYPES OF CHARGES

In human trafficking cases, prosecutors hold the discretion to charge some defendants under the TVPA, while charging other defendants in the same case with related, non-human-trafficking charges. These decisions are often tied to the evidence that is available against each potential defendant, whether an individual is willing to cooperate fully with law enforcement, as well as the individual's level of culpability in a case.

To provide a comprehensive overview of prosecutorial efforts to combat human trafficking, this Report captures every defendant charged in a human trafficking case, even when a defendant was not charged with a human trafficking crime.<sup>81</sup> Of the 271 new defendants in 2019, the government charged 97% (263) with at least one human trafficking crime. Prosecutors charged the remaining 3% (8) of defendants with other crimes related to the human trafficking enterprise, including, *inter alia*, charges for Mann Act violations, child pornography, witness tampering, illegal use or possession of firearms, and drug-related offenses.

### 2.4.1 NEW CHARGES IN SEX TRAFFICKING CASES

In sex trafficking cases, prosecutors filed 942 criminal charges against 240 defendants in 2019. Of those defendants, prosecutors charged 96.7% (232) with at least one human trafficking crime. The remaining 3.3% (10) were charged with only non-human-trafficking crimes.

Of the 240 new defendants in sex trafficking cases, the federal government charged 68.8% (165) with a sex trafficking count under 18 U.S.C. § 1591, of which 99 were defendants in child-only sex trafficking cases, 56 were defendants in sex trafficking cases with adult victims, and nine were defendants in sting sex trafficking operations with only fictitious victims.<sup>82</sup> Section 1591 criminalizes engagement in a number of prohibited human trafficking activities, which includes recruiting, enticing, harboring, transporting, obtaining, advertising, maintaining, patronizing, or soliciting a person to engage in a commercial sex act.<sup>83</sup> Furthermore, the statute allows the government to charge any individual or entity who financially benefits from human trafficking, where the individual or entity knew or recklessly disregarded the source of their profits. A prosecutor can charge a defendant with committing prohibited activities, benefiting, or both. Of the 370 counts of 18 U.S.C. § 1591 filed in 2019, 70.8% (262) alleged only that the defendant engaged in a prohibited human trafficking activity, 0.5% (2) alleged only that the defendant financially benefited from human trafficking, and 28.6% (106) alleged both.

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<sup>81</sup> This report classifies a case as a “human trafficking case” where the government charged at least one defendant in the case under the TVPA. The term “human trafficking crime” includes all offenses within Chapter 77 of the U.S. Penal Code (18 U.S.C. §§ 1581-1597), as well as the following offenses where the underlying offense is one within Chapter 77: 18 U.S.C. § 2, 18 U.S.C. § 371, 18 U.S.C. § 1952, and 18 U.S.C. § 1962.

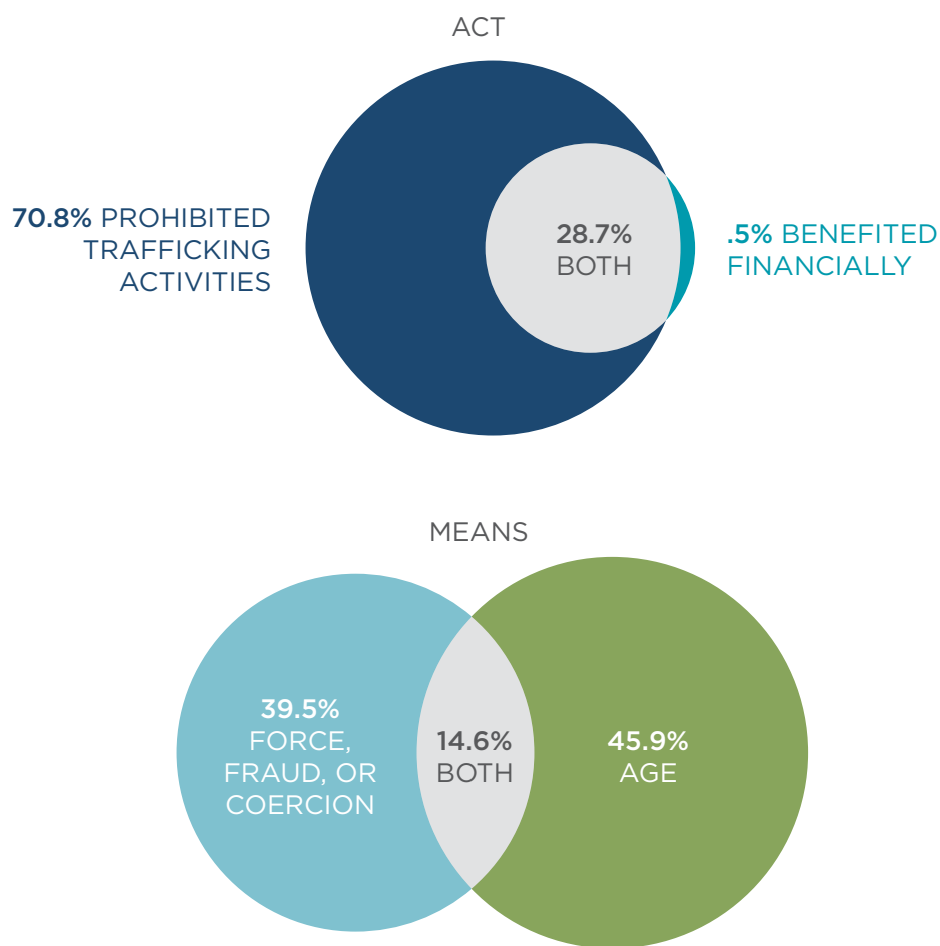
<sup>82</sup> Prosecutors charged one defendant with 18 U.S.C. § 1591 in a case where the age of the victim was not indicated in public documents.

<sup>83</sup> 18 U.S.C. § 1591(a).

Furthermore, to prove sex trafficking under 18 U.S.C. § 1591, a prosecutor must show that a defendant used a certain “means” intended to cause a person to engage in commercial sex. For cases involving adult victims, the prosecutor must show that the defendant used force, fraud, or coercion. However, for cases involving child victims only, a prosecutor need show only that a defendant had knowledge, recklessly disregarded, or had the opportunity to observe that the victim was under the age of 18. In those cases, the government need not prove force, fraud, or coercion. Of the 370 counts of 18 U.S.C. § 1591 filed in 2019, prosecutors charged 39.5% (146) based on the defendant’s use of force, fraud, or coercion to compel commercial sex; 45.9% (170) based on a defendant having knowledge of or recklessly disregarding the victim’s age; and 14.6% (54) based on both.

In addition to charging defendants with sex trafficking under § 1591, prosecutors charged 97 defendants with conspiracy to commit sex trafficking under 18 U.S.C. § 1594(c), 22 defendants with attempted sex trafficking under 18 U.S.C. § 1594(a), and 10 defendants with obstructing the enforcement of § 1591 under 18 U.S.C. § 1591(d).<sup>84</sup> A full list of the human trafficking charges filed against defendants in sex trafficking cases in 2019 can be found in the Appendix on page 84.

### CRIMINAL ELEMENT BREAKDOWN OF SEX TRAFFICKING CHARGES FILED IN 2019



<sup>84</sup> These numbers show the total number of defendants that were charged with at least one of these crimes. A defendant may be charged with more than one of these crimes (i.e., both conspiracy to commit sex trafficking and attempted sex trafficking) and, as such, would be included in each category.

## 2.4.2 NEW CHARGES IN FORCED LABOR CASES

In 2019, prosecutors charged every defendant in a forced labor case with at least one human trafficking crime. In fact, 90.3% (28) of the new defendants were charged with at least one forced labor count under 18 U.S.C. § 1589. Section 1589, the federal forced labor statute, criminalizes the engagement of prohibited human trafficking activities, which includes providing or obtaining forced labor, as well as financially benefiting from forced labor. As with sex trafficking cases, a prosecutor can charge a defendant for either or both of these acts. Of the 48 counts of § 1589 charged in 2019, 50% (24) alleged only that the defendant engaged in prohibited trafficking activities, 6.3% (3) alleged only that the defendant financially benefited from forced labor, and 43.8% (21) alleged both.

In addition to charging 28 defendants with forced labor under § 1589, federal prosecutors charged 24 defendants with conspiracy to commit forced labor,<sup>85</sup> 12 defendants with unlawful conduct with respect to documents under 18 U.S.C. § 1592,<sup>86</sup> two defendants with benefiting financially from forced labor under 18 U.S.C. § 1593A, and two defendants with peonage under 18 U.S.C. § 1581, a historical slavery statute that existed prior to the enactment of the TVPA. Furthermore, the government charged defendants in forced labor cases with a range of non-human-trafficking crimes, including, *inter alia*, alien harboring under 8 U.S.C. § 1324, visa fraud under 18 U.S.C. § 1546, and unlawful transaction of benefits under 7 U.S.C. § 2024.

### CRIMINAL ELEMENT BREAKDOWN OF NEW FORCED LABOR CHARGES IN 2019



<sup>85</sup> Nine defendants were charged with conspiracy to commit forced labor under the TVPA, 18 U.S.C. § 1594(b); 15 defendants were charged with conspiracy to commit forced labor under the general conspiracy statute, 18 U.S.C. § 371.

<sup>86</sup> 18 U.S.C. § 1592 makes it a crime to knowingly “destroy[], conceal[], remove[], confiscate[], or possess[] any actual or purported passport or other immigration document, or any other actual or purported government identification card, of another person” in order to compel forced labor or sex trafficking.

# FAQ CAN THE GOVERNMENT PROSECUTE HUMAN TRAFFICKING CASES OUTSIDE OF THE TRAFFICKING VICTIMS PROTECTION ACT?

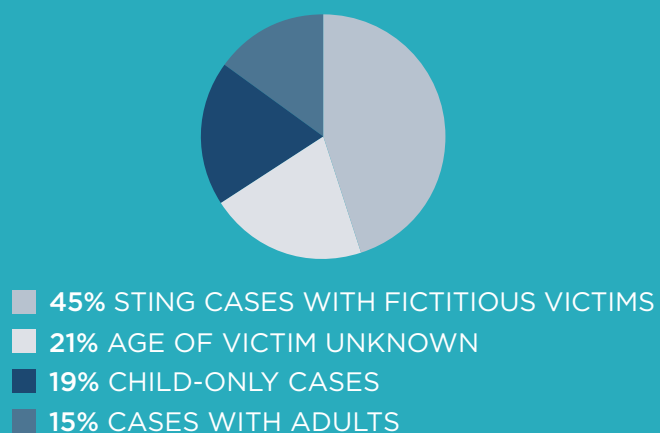
Yes. A prosecutor may decide not to charge a defendant under the Trafficking Victims Protection Act (TVPA), even when there is an identified victim of trafficking in the case, based on the available evidence for trial and the level of a defendant’s culpability. It is common for prosecutors to engage in pre-indictment plea negotiations with those who cooperate early with law enforcement and assist with the investigation against more culpable defendants. These negotiations sometimes result in a defendant being charged with a lesser offense than one included in the TVPA. Additionally, the government may be unable to prosecute an offense under the TVPA because the requisite evidence to prove the coercion element—usually, a victim’s testimony—is unavailable for trial. In an attempt to capture *all* federal prosecutorial efforts to hold human traffickers accountable, this Report also tracks cases charged outside of the TVPA, where the evidence clearly indicates—or where federal prosecutors directly inform the Human Trafficking Institute—that a case involved an identified victim of human trafficking.

In addition to the 145 criminal cases filed under the TVPA in 2019, prosecutors charged 100 sex trafficking cases outside of the TVPA.\* Nearly half (45%) of these cases were sting operations that involved only fictitious victims, 19% involved child victims only, and 15% involved at least one adult victim. For the remaining 21% of cases, there was limited information regarding the age of the victims exploited.

Of the 94 federal districts, 52.1% (49) charged a human trafficking case outside of the TVPA in 2019. In fact, of the 38 districts where no defendants were charged under the TVPA in 2019, 18 charged human trafficking cases outside of the TVPA.

“OF THE 94  
FEDERAL  
DISTRICTS,  
52.1% CHARGED  
A HUMAN  
TRAFFICKING  
CASE OUTSIDE OF  
THE TVPA IN 2019.”

## NEW CRIMINAL SEX TRAFFICKING CASES CHARGED IN 2019



\* Although prosecutors can (and do) charge forced labor cases outside of the TVPA, the Report’s data on these cases are limited, as prosecutors use a broad range of alternate charges to hold labor traffickers accountable, making it difficult to identify and track these cases. In 2019, our data indicate two forced labor cases charged outside of the TVPA, which is a significant underrepresentation of this pool of cases.



## 2.5 PRETRIAL DETENTION

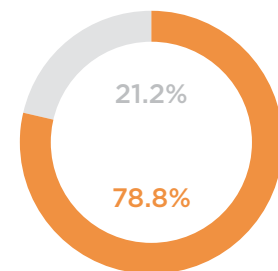
Defendants charged with TVPA offenses involving a child victim or those that carry a term of imprisonment of up to 20 years are subject to a rebuttable presumption of detention following arrest.<sup>87</sup> When determining whether a defendant has successfully rebutted the presumption of detention to warrant pretrial release, a judicial official must consider the nature and seriousness of the offense, the weight of the evidence, the defendant’s criminal history and personal characteristics, and the risk of danger to any person or the community if the defendant were released pending trial.

Of the defendants whose charges were resolved in district court in 2019, federal judges ordered 78.8% (283) of defendants be detained until the criminal charges filed against them were resolved—either by plea, trial, or dismissal.<sup>88</sup> Pretrial detention was more commonly ordered for defendants in sex trafficking cases than for those in forced labor cases. Of the 341 defendants whose charges district courts resolved in sex trafficking cases in 2019, 79.8% (272) were detained pending trial. In comparison, of the 18 defendants whose charges district courts resolved in forced labor cases in 2019, federal courts detained 61.1% (11) of defendants pending trial.

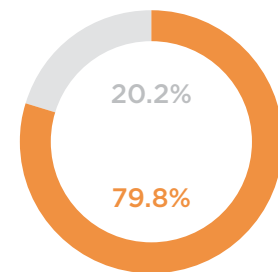
Federal judges allowed only 21.2% (76) of defendants to be released while charges were pending. Of the defendants released, federal courts ordered at least 61.8% (47) to post bond in order to ensure their appearance at subsequent court proceedings. Amounts ranged from \$5,000 to \$700,000.<sup>89</sup>

### PRETRIAL DETENTION OF DEFENDANTS WHOSE CHARGES WERE RESOLVED IN HUMAN TRAFFICKING CASES IN 2019

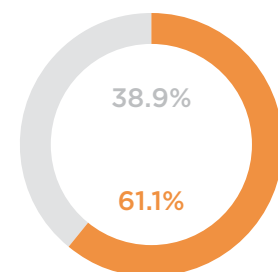
■ DETAINED ■ RELEASED



ALL DEFENDANTS



DEFENDANTS IN SEX TRAFFICKING CASES



DEFENDANTS IN FORCED LABOR CASES

<sup>87</sup> 18 U.S.C. § 3142(e)(3) et. seq.

<sup>88</sup> Out of the 359 defendants whose charges federal district courts resolved in 2019

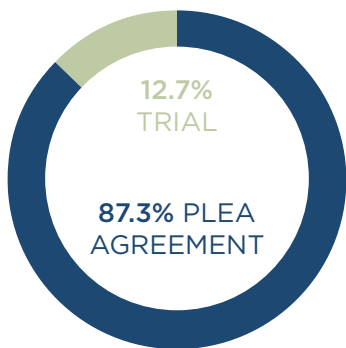
<sup>89</sup> The Report tracks the amount of bail a defendant was required to post, where known. It is possible that federal courts ordered a higher percentage of defendants to post bond to secure their release pending trial.

# 2.6 RESOLUTION OF CHARGES

In 2019, federal district courts resolved charges against 359 defendants in human trafficking cases. Of the defendants whose charges were resolved at the trial level, courts convicted 94.4% (339) of the defendants of at least one crime. Charges were dismissed—either by the court or by the prosecutor—against only 5.6% (20) of defendants whose charges were resolved. Federal courts did not acquit any defendants of all charges in 2019. Although the total number of convicted defendants dropped in 2019, the overall conviction rate remained similar to previous years. All 339 of the defendants convicted in 2019 were individual defendants, not entity defendants. In fact, for at least four years, federal courts have not held any entity defendants criminally liable for human trafficking under the TVPA.

As in most other criminal cases, the majority of convicted defendants pled guilty and waived their right to go to trial. Of the 339 convicted defendants, 87.3% (296) entered into a plea agreement and only 12.7% (43) went to trial. Federal courts convicted more defendants in human trafficking cases in 2019 than in each of the previous two years. This increase results from a rise in the number of defendants convicted in sex trafficking cases, from 281 defendants in 2018 to 324 defendants in 2019. Meanwhile, the number of defendants convicted in forced labor cases dropped 21.1%, from 19 defendants in 2018 to 15 defendants in 2019.

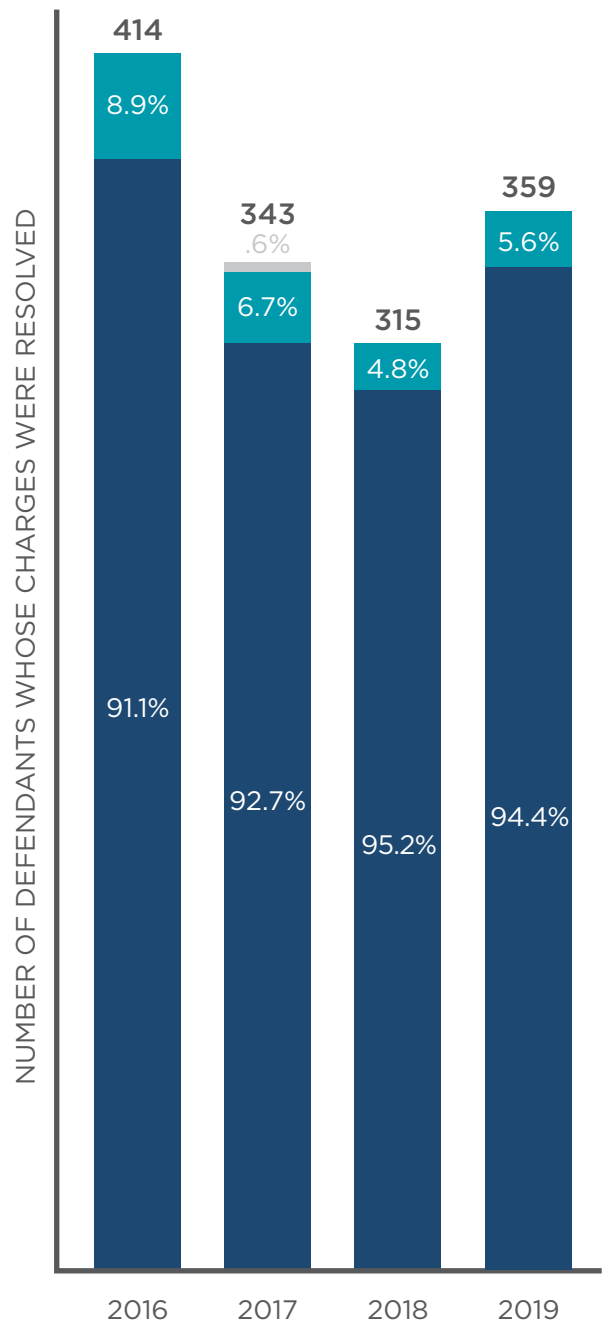
DEFENDANTS IN HUMAN TRAFFICKING CASES CONVICTED IN 2019



339 DEFENDANTS

CONVICTION RATE TRENDS

■ ACQUITTED ■ DISMISSED ■ CONVICTED



## CIVIL CASE COMPARISON

In contrast to criminal prosecutions, in which federal courts convicted 94.4% of defendants in human trafficking cases, federal courts entered judgments against only 6.4% (10) of the defendants who saw the claims against them resolved in civil human trafficking suits in 2019.\* Of these defendants, federal courts ruled against two defendants in a forced labor case following trial, ordered summary judgment against one defendant for sex trafficking, and entered default judgments against seven defendants for failing to respond to forced labor claims filed against them. Furthermore, the forced labor allegations against two defendants were resolved following the court's entry of a summary judgment against the plaintiffs.

In addition, plaintiffs entered into settlement agreements with 18.5% (29) of defendants, meaning that all of the parties reached a resolution about the civil human trafficking claims prior to trial. Unlike plea agreements in criminal cases, settlement agreements in civil suits do not necessarily contain a defendant's admission of guilt. Because the details of these settlement agreements are often not publicly available, the Report cannot confirm whether civil defendants who entered into settlement agreements were found liable for human trafficking.

Nearly three-quarters (73.9%, 116) of civil defendants who saw the claims against them resolved in 2019 were dismissed, 82 by federal courts and 34 voluntarily by the plaintiffs.

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\* These percentages are out of the 157 defendants for whom federal courts resolved the allegations against them in civil suits in 2019. The Report considers civil claims against defendants "resolved" where every cause of action filed against the defendant has been decided (either through settlement, judgment, or dismissal) and when the defendant's time to appeal the federal court's decision has expired.

### 2.6.1 RESOLUTIONS BY CASE TYPE

The conviction rate of defendants in human trafficking cases varied based on the type of exploitation in the case. In sex trafficking cases, defendants charged with exploiting at least one adult victim were more commonly convicted than defendants charged exclusively with exploiting child victims. Prosecutors were more likely to dismiss charges against defendants in child-only sex trafficking cases. Of the 174 defendants in child-only sex trafficking cases whose charges were resolved at the trial level in 2019, 93.7% (163) were convicted of at least one crime. In comparison, federal courts convicted 96.2% (126) of the 131 defendants in sex trafficking cases with at least one adult victim. Defendants convicted for buying—or attempting to buy—commercial sex faced a similarly high conviction rate, with federal courts convicting 95.8% (46) of the buyer defendants whose charges were resolved at the district court level in 2019.

Defendants in forced labor cases faced a lower conviction rate in 2019 than defendants in sex trafficking cases. Of the 18 defendants in forced labor cases whose charges federal district courts resolved in 2019, 83.3% (15) were convicted of at least one crime. Charges were dismissed against 16.7% (3) of defendants in forced labor cases. The conviction rate for defendants in forced labor cases has fluctuated significantly over the past four years, with 100% (19) of the defendants whose charges were resolved at the trial level convicted in 2018, 69.6% (16) convicted in 2017, and 80% (8) convicted in 2016.



## 2.6.2 COUNTS OF CONVICTION

Of the 339 defendants convicted in human trafficking cases, federal courts convicted 65.8% (223) with at least one human trafficking crime. The remaining 34.2% (116) were convicted only of non-human-trafficking crimes, including, *inter alia*: Mann Act offenses, child pornography, money laundering, visa fraud, and alien harboring. A full list of non-human trafficking counts of convictions can be found in the Appendix on page 85.

### SEX TRAFFICKING COUNTS OF CONVICTION

Of the 324 defendants convicted in sex trafficking cases in 2019, federal prosecutors charged 92.9% (301) with at least one human trafficking crime. Of those defendants, 70.8% (213) were subsequently convicted of a human trafficking crime. The remaining 29.2% (88) of the defendants were charged with, but not convicted of, a human trafficking crime. Instead, 85 of these defendants pled guilty to lesser, non-human-trafficking offenses, and three were found guilty of only non-human-trafficking offenses at trial.

Furthermore, of the 324 defendants convicted in sex trafficking cases in 2019, federal prosecutors charged 70.1% (227) with at least one sex trafficking count under 18 U.S.C. § 1591. Of those defendants, 51.5% (117) were convicted of at least one count of § 1591. Of those defendants not convicted of § 1591, 53 pled down to other human trafficking crimes, and 56 pled down to only non-human-trafficking offenses.<sup>90</sup>

### FORCED LABOR COUNTS OF CONVICTION

Every forced labor defendant convicted in 2019 was initially charged with at least one human trafficking offense. Of the 15 forced labor defendants, 66.7% (10) were convicted of a human trafficking crime, six by plea agreement and four following trial. The remaining 33.3% (5) of the convicted defendants pled guilty to lesser, non-human-trafficking offenses.

Of the 15 defendants convicted in forced labor cases in 2019, 93.3% (14) were charged with at least one forced labor count under 18 U.S.C. § 1589. Of those defendants, 57.1% (8) were subsequently convicted of at least one count of § 1589, four by plea agreement and four following trial. Of the six defendants charged with, but not convicted of, § 1589, one pled down to conspiracy to commit forced labor under the general conspiracy statute<sup>91</sup> (among other, non-human-trafficking crimes), and five pled guilty to only non-human trafficking offenses.

<sup>90</sup> One defendant charged with, but not convicted of, § 1591 was found guilty of only non-human-trafficking crimes at trial.

<sup>91</sup> 18 U.S.C. § 371, which carries a five year maximum prison sentence.



## 2.7 CRIMINAL SENTENCES

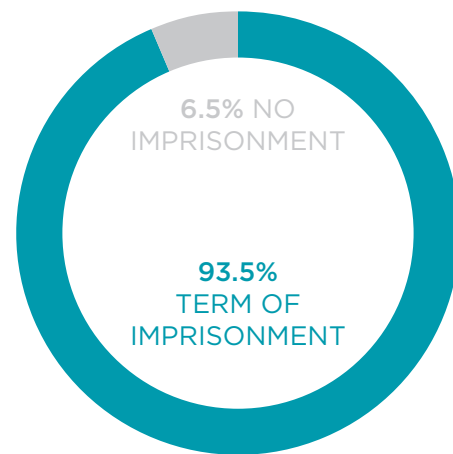
The Trafficking Victim Protection Act's (TVPA) penalty provisions seek to fashion a statutory framework for appropriate sentences for convicted traffickers by imposing mandatory minimum prison sentences, mandating restitution for trafficking victims, and requiring sex offender registration for certain offenses. In addition to statutory considerations, the U.S. Sentencing Guidelines greatly impact traffickers' sentences by creating sentencing enhancements, the applicability of which depends on the facts of each case.

### 2.7.1 IMPRISONMENT

Sex trafficking, forced labor, and other human trafficking offenses each carry statutory sentencing implications. Sex trafficking of a child aged 14 and under, or sex trafficking compelled by force, fraud, or coercion is punishable by a mandatory minimum of 15 years' imprisonment. For defendants who sex traffic victims between the ages of 15 and 17, the statute imposes a 10 year mandatory minimum sentence. Forced labor convictions do not carry a statutory mandatory minimum sentence, but they do set out that a defendant is subject to a prison sentence of up to 20 years.

Due to the severity of the crime of human trafficking, as underscored by statutorily imposed minimum sentences, 93.5% (317) of defendants convicted in 2019 were sentenced to a term of imprisonment.<sup>92</sup> Sentences varied greatly, ranging from one month to life in prison, with an average sentence of 143 months (11 years, 11 months). Defendants who entered into plea agreements faced an average of 132 months (11 years) in prison, whereas defendants found guilty following trial faced an average of 233 months' (19 years, 5 months) imprisonment.

### DEFENDANTS IN HUMAN TRAFFICKING CASES SENTENCED TO IMPRISONMENT IN 2019



339 DEFENDANTS

“DEFENDANTS WHO ENTERED INTO PLEA AGREEMENTS FACED AN AVERAGE OF **11 YEARS IN PRISON**, WHEREAS, DEFENDANTS FOUND GUILTY FOLLOWING TRIAL FACED AN AVERAGE OF **19 YEARS, 5 MONTHS IMPRISONMENT.**”

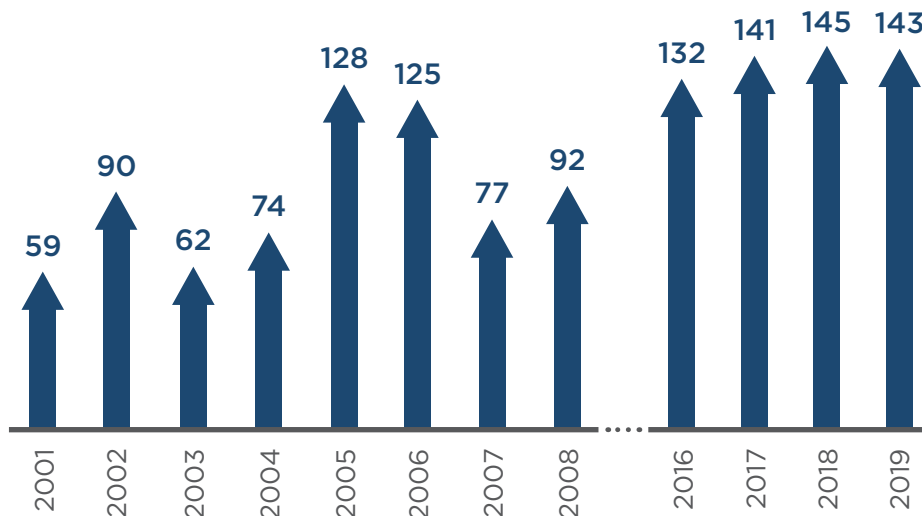
<sup>92</sup> Though federal courts sentenced 340 defendants in 2019, the following sentencing information reflects the 339 defendants whose final judgments were entered by the court in 2019, as the final judgment provides the most comprehensive and accurate sentencing information.



Federal courts declined to sentence 6.5% (22) of defendants convicted in human trafficking cases to time in prison, even though 31.8% (7) had been convicted of a human trafficking crime. Federal judges ordered 81.8% (18) of defendants not sentenced to prison to supervised release, subject to a number of conditions, ranging from one year to 10 years. Furthermore, federal courts did not order any of the 22 defendants not sentenced to a term of imprisonment to pay a fine. However, four of these defendants were ordered to pay victim restitution, ranging from \$18,500 to \$730,780.

Since the enactment of the TVPA, federal courts have steadily increased the severity of sentences imposed for human traffickers. In 2001, the average sentence for a defendant in a human trafficking case was 59 months (4 years, 11 months). By 2008, the average term of imprisonment increased to 92 months (7 years, 8 months). Over the past three years, the average term of imprisonment has remained fairly steady.

TRENDS IN AVERAGE TERM OF IMPRISONMENT FOR DEFENDANTS IN HUMAN TRAFFICKING CASES (MONTHS)



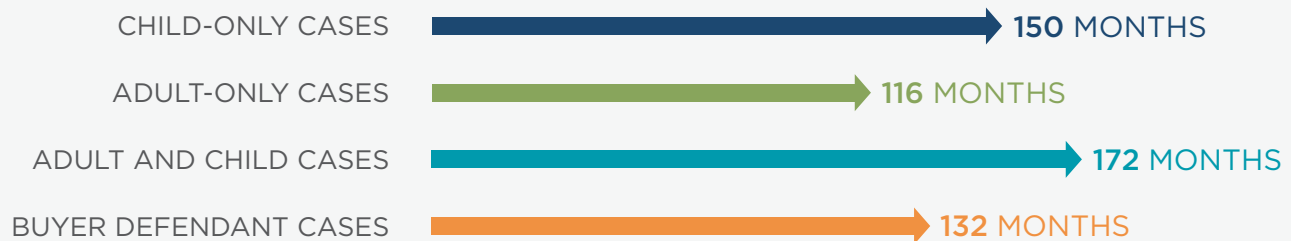
## IMPRISONMENT OF DEFENDANTS IN SEX TRAFFICKING CASES

Of the 324 defendants convicted in a sex trafficking case in 2019, federal judges ordered 93.5% (303) to a term of imprisonment. In those cases, the age of the victims that the defendant exploited impacted the length of sentence that a judge imposed. Federal courts ordered the most severe term of imprisonment, on average, for defendants in cases involving both adult and child victims—172 months (14 years, 4 months). In comparison, defendants in cases with only adult victims faced an average of 116 months (9 years, 8 months) in prison, and defendants in cases with child victims only faced an average of 150 months (12 years, 6 months) in prison. Notably, the age of the victims seemed to have much more bearing on terms of imprisonment than whether the trafficker used violent or nonviolent coercion. Indeed, traffickers who controlled their victims with violence exclusively received an average of 146 months (12 years, 2 months), just nine months more than traffickers who used exclusively nonviolent coercion.

Federal courts sentenced eight sex traffickers to life in prison in 2019. Six of the traffickers were convicted of exploiting child victims only, and the other two traffickers were convicted of exploiting both adult and child victims. This is a 33% increase from 2018, when federal courts sentenced six traffickers to life in prison.

In 2019, federal courts convicted 46 buyer defendants. Of these, 47.8% (22) were convicted for attempting to purchase commercial sex with a minor in a sting case, where law enforcement officers posed as a fictitious victim. The remaining 52.2% (24) of the defendants were convicted for attempting to purchase—or in fact purchasing—commercial sex with an actual victim. Sentences for buyer defendants ranged from 12 months to 480 months, with an average term of imprisonment of 132 months (11 years).

### AVERAGE TERM OF IMPRISONMENT FOR DEFENDANTS SENTENCED IN SEX TRAFFICKING CASES IN 2019



## IMPRISONMENT OF DEFENDANTS IN FORCED LABOR CASES

In 2019, federal courts sentenced 15 defendants in forced labor cases. Only one defendant was not sentenced to a term of imprisonment. Federal judges ordered the other 14 forced labor defendants to a term of imprisonment ranging from 42 months (3 years, 6 months) to 336 months (28 years). Over the past three years, the average term of imprisonment imposed against defendants in forced labor cases has increased significantly, from 31 months in 2017, to 86 months in 2018, to 129 months in 2019.

### AVERAGE TERM OF IMPRISONMENT FOR DEFENDANTS IN FORCED LABOR CASES





## 2.7.2 MONETARY PENALTIES

In addition to being sentenced to a term of imprisonment, defendants convicted in human trafficking cases may face monetary penalties, including fines and special assessments.

### FINES

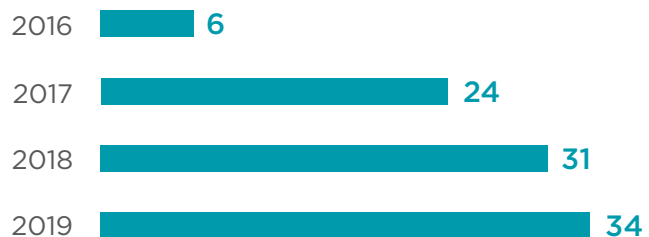
In 2019, federal courts ordered only 10 (2.9%) convicted defendants to pay a fine, the lowest number in four years.<sup>93</sup> Nine defendants ordered to pay a fine were in sex trafficking cases, and one was a defendant in a forced labor case. Fines ranged from \$200 to \$50,000, with an average fine of \$7,720. In addition to being ordered to pay a fine to the court, every one of these defendants was also sentenced to a term of imprisonment. Furthermore, of the 10 defendants ordered to pay a fine in 2019, federal courts also ordered three defendants to pay victim restitution, ranging from \$3,000 to \$23,809.

### JVTA SPECIAL ASSESSMENT

The 2015 Justice for Victims of Trafficking Act (JVTA) included a provision that required defendants convicted of human trafficking crimes or other offenses related to the sexual abuse and exploitation of children to pay a \$5,000 special assessment into a “Domestic Trafficking Victims Fund.”<sup>94</sup> The statute exempts indigent defendants from paying this additional special assessment.<sup>95</sup>

In 2019, federal courts ordered only 34 convicted defendants to pay the \$5,000 special assessment. All were defendants in sex trafficking cases. Although the number of defendants ordered to pay the JVTA special assessment was low, this is the highest number of defendants ordered to pay the JVTA special assessment since its enactment in 2015.

### NUMBER OF DEFENDANTS ORDERED TO PAY JVTA \$5,000 SPECIAL ASSESSMENT



<sup>93</sup> For purposes of monetary penalties, this Report relies on the date of final judgment for each defendant, which conveys the final counts of conviction and corresponding sentence.

<sup>94</sup> The \$5,000 special assessment under 18 U.S.C. § 3014 applies to defendants convicted under Chapter 77.

<sup>95</sup> The special assessment is scheduled to end on September 30, 2021.

## 2.7.3 RESTITUTION

The TVPA mandates that federal courts order that defendants convicted of certain human trafficking crimes pay victim restitution.<sup>96</sup> Even when a defendant in a human trafficking case is not convicted of a crime that triggers mandatory restitution, a federal judge can still—in the court’s discretion—order payment of victim restitution. The U.S. Probation Office determines the amount of restitution by gathering financial loss information with the help of the agents, prosecutors, and victims before sentencing. In some instances, a defendant may agree to make full restitution to a victim, either as a part of a plea negotiation or to signal to a court an acceptance of responsibility for the commission of the crime. A judge may order restitution for lost income, medical expenses, counseling services, or any other financial loss a victim suffered as a result of the exploitation. Awarding restitution in human trafficking cases is especially important because victims often worked without pay for the financial benefit of the trafficker. As a result, victims leave human trafficking situations with few or no resources with which to rebuild their lives, making a restitution order essential for their recovery.

Although restitution is mandatory for trafficking offenses, as explained below, it is not always ordered. In many cases, the sentencing court may take into account the lengthy prison sentence imposed on the defendant, combined with the defendant’s financial profile, and elect not to order restitution. Additionally, when sex work or atypical forms of labor is involved, some judges may decline to order restitution because appropriate calculations for the victim’s lost wages might be unavailable or difficult to ascertain. Prosecutors may not seek restitution in trafficking cases for some of the same reasons.

### RESTITUTION BY DEFENDANT

Even when a defendant was convicted of a crime triggering mandatory restitution under the TVPA, federal courts still failed to order it against the majority of defendants. Of the 183 defendants that qualified for mandatory restitution, federal courts ordered only 39.9% (73) to pay victim restitution in 2019. It was more likely for mandatory restitution to be ordered in forced labor cases than in sex trafficking cases. In 2019, 100% (7) of forced labor defendants convicted of a crime triggering mandatory restitution were ordered to pay victim restitution. In comparison, of the 176 sex trafficking defendants convicted of a crime triggering mandatory restitution, only 37.5% (66) were ordered to pay restitution. This tracks a similar pattern from 2018, when federal judges ordered 70% (7) of convicted forced labor defendants and only 37.9% (61) of convicted sex trafficking defendants to pay mandatory restitution.

## FAQ WHAT IS THE DIFFERENCE BETWEEN A FINE AND RESTITUTION?

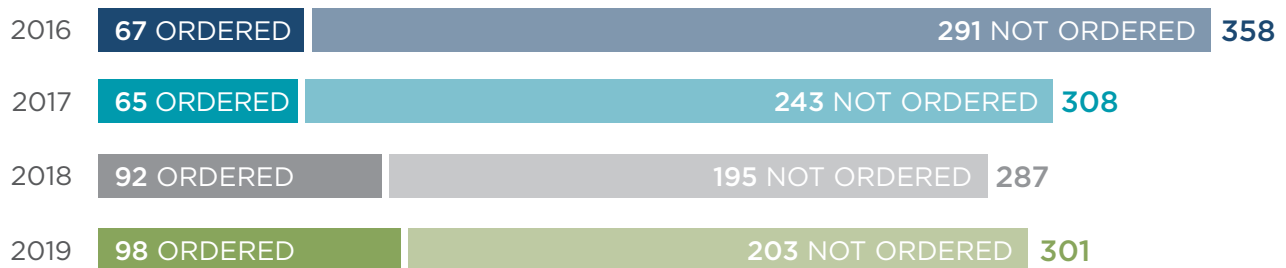
Upon conviction, a judge may sentence a defendant to pay a fine and order restitution in addition to or in lieu of a term of imprisonment. Though both financial penalties, they differ in that fines are generally payable to the court as punishment for committing the offense, while restitution is payable to a victim or general restitution fund. Moreover, the amount of a fine varies by the type of offense and is prescribed by statute. In comparison, restitution is calculated by the court to compensate victims for damages and financial losses incurred as a result of the crime.

“100% OF FORCED LABOR DEFENDANTS CONVICTED OF A CRIME TRIGGERING MANDATORY RESTITUTION WERE ORDERED TO PAY VICTIM RESTITUTION.”

<sup>96</sup> 18 U.S.C. § 1593 mandates restitution for convictions under Chapter 77 (18 U.S.C. §§ 1581 through 1597). For more information on human trafficking offenses that do not trigger mandatory victim restitution, see page 76 in the Methodology.



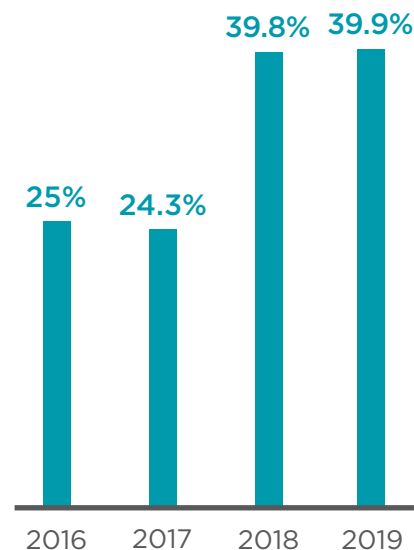
## NUMBER OF DEFENDANTS ORDERED TO PAY DISCRETIONARY RESTITUTION



The relatively low percentage of defendants ordered to pay mandatory restitution—though still inexplicable—has increased over the past several years. In 2016, federal courts ordered only 25% (52) of convicted defendants to pay mandatory restitution. This dropped slightly to 24.3% (49) in 2017, and then increased to 39.8% (68) in 2018 and 39.9% (73) in 2019. With continued conversation about the need for victim restitution and education on its mandate under the law, this percentage may continue to rise in future years.

In addition to mandatory restitution, a federal judge may order discretionary restitution even when the defendant was not convicted of a crime that mandates restitution under the TVPA. In addition to the 73 defendants ordered to pay mandatory restitution, federal judges ordered 25 defendants to pay discretionary restitution in 2019. Altogether, courts ordered 98 defendants (32.6% of defendants convicted in 2019) to pay victim restitution.<sup>97</sup> Total restitution orders—both in terms of the number of convicted defendants, as well as the percentage of convicted defendants, ordered to pay restitution—were higher in 2019 than in previous years.

## HUMAN TRAFFICKING DEFENDANTS ORDERED TO PAY MANDATORY RESTITUTION



<sup>97</sup> This percentage is based on the 301 defendants who were convicted in cases involving at least one identified victim of trafficking. Restitution percentages do not include defendants convicted in cases where there was no victim named in the charging instrument or where there was only a fictitious victim involved as part of a sting operation by law enforcement. Even though it is possible for federal courts to order defendants in those cases to pay restitution to the court, it is uncommon, and thus excluded from restitution calculations for purposes of this Report. Furthermore, these amounts reference the amount of restitution ordered per case and do not break down how much restitution was ordered to be paid to each victim, as that information can be difficult to glean from public documents.

## RESTITUTION BY CASE

Federal judges ordered victim restitution in 74 human trafficking cases with 226 named victims in 2019.<sup>98</sup> The amount of victim restitution ordered per case ranged from \$80 to \$2,055,860, averaging \$188,207 per human trafficking case. Both the highest and lowest restitution amounts were in sex trafficking cases. The amount of restitution per human trafficking case increased from 2018, when federal courts ordered an average of \$138,474 in restitution per case. It is important to note that the amount of restitution that a court orders does not reflect the amount of restitution that a victim receives, as defendants are often insolvent and unable to pay the total amount, if any, of the restitution order.

Even if a defendant is considered unable to pay restitution, it is important for prosecutors to calculate an appropriate amount of a victim's financial loss and advocate for an order of restitution for at least three reasons. First, a criminal order of restitution legally prevents a defendant from denying allegations that form the basis for liability in a subsequent civil suit,<sup>99</sup> and may form a financial basis for civil attorneys to seek damages on a victim's behalf, sometimes against a broader range of defendants than those criminally prosecuted. Second, ordering a defendant to pay restitution is a legal judgment against a defendant that remains in effect for at least 20 years and, once recorded, acts as a lien against the defendant's property that must be paid before a defendant can qualify for a loan or be extended any kind of credit line for a purchase. Finally, a restitution order is a vital point of victim advocacy, recognizing the detrimental financial loss a victim suffers during exploitation. In 2019, federal courts ordered a total of \$13,961,728 in victim restitution.<sup>100</sup> This is a 42% increase from 2018, when victim restitution totaled \$9,831,625.

In 2019, the average amount of restitution ordered in a sex trafficking case was slightly higher than the average amount of restitution ordered in a forced labor case. In forced labor cases, victim restitution ranged from \$14,0501 to \$919,739, with an average restitution amount of \$217,261 per case in 2019. In comparison, in sex trafficking cases, victim restitution ranged from \$80 to \$2,055,860, with an average restitution amount of \$185,207 per case.

### CRIMINAL CASE NARRATIVE

## **UNITED STATES V. MORRIS ET AL.**

In *United States v. Morris et al.*, the District of Minnesota ordered the highest amount of restitution in a human trafficking case in 2019. The case involved 22 defendants who built and operated a large-scale international sex trafficking enterprise, recruiting hundreds of women from Thailand and compelling them to engage in commercial sex in various cities across the United States.\* The traffickers forced the women to engage in commercial sex acts to pay back the money that it cost to bring the women to the United States. In addition, they isolated the women from the outside world and threatened to harm the women's families in Thailand if they tried to leave.

In 2017, the federal government indicted 22 defendants for their involvement in the sex trafficking enterprise. The District of Minnesota convicted all 22 defendants, 17 by plea and 5 following trial, and sentenced them to terms of imprisonment ranging from one year to 14 years. The government seized \$4,000,000 in illegally gained property, and ordered the defendants to pay a total of \$2,055,860 in victim restitution.

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\* Court documents indicated that over the course of the sex trafficking enterprise, the defendants trafficked hundreds of women; however, the government named only three victims in the charging instrument.

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<sup>98</sup> This number reflects cases where federal courts entered a final judgment against at least one defendant in 2019.

<sup>99</sup> 18 U.S.C. § 3664(l)

<sup>100</sup> This number reflects the amount of restitution ordered by case, not by defendant.



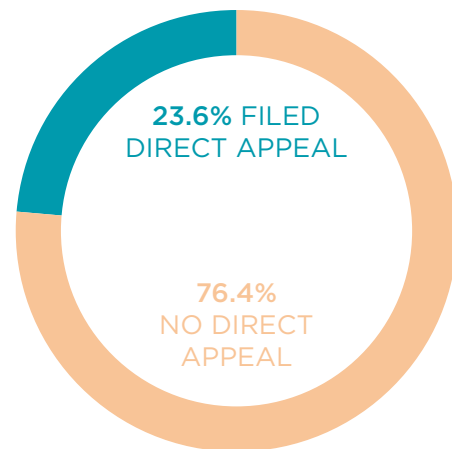
## 2.8 CRIMINAL APPEALS

Once convicted at the trial court level, a defendant may appeal the conviction or sentence to a federal appellate court, seeking the appellate court’s reversal of the trial court’s decision. Most defendants convicted in human trafficking cases did not appeal the district court’s decision. Of the 296 convicted defendants who went inactive in 2019, only 23.6% (70) appealed the district court’s decision.<sup>101</sup> The remaining 76.4% (226) did not file a direct appeal.

### 2.8.1 NEW APPEALS

In 2019, 96 defendants convicted in human trafficking cases appealed their conviction and/or sentence to a federal appellate court. Of the defendants who appealed, 94.8% (91) had been convicted in sex trafficking cases and 5.2% (5) in forced labor cases. The highest number of appeals were filed in the Eighth Circuit Court of Appeals, which covers federal districts in Arkansas, Iowa, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota, where 19 defendants appealed the decision of the district court.

DIRECT APPEALS FILED BY DEFENDANTS IN CRIMINAL HUMAN TRAFFICKING CASES IN 2019



“96 DEFENDANTS CONVICTED IN HUMAN TRAFFICKING CASES APPEALED THEIR CONVICTION.”

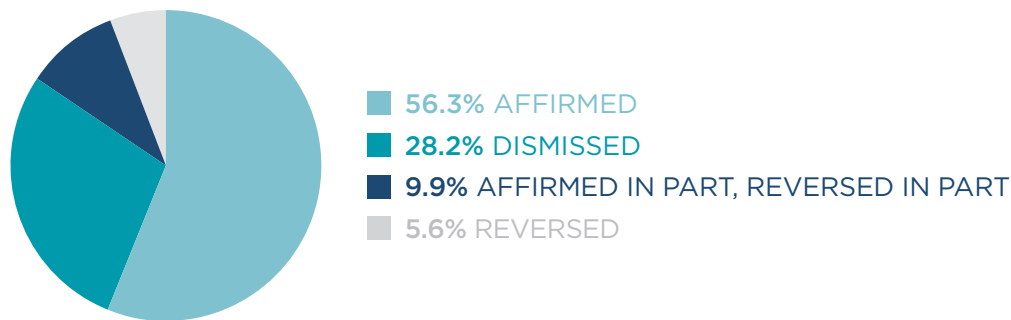
<sup>101</sup> The Report calls a defendant “inactive” once every charge filed against them has been resolved and their time to file a direct appeal has expired.



## 2.8.2 APPELLATE RESOLUTIONS

Appellate courts resolved a total of 71 appeals from defendants in human trafficking cases in 2019. All 71 were appeals in sex trafficking cases. Of the appeals resolved, 28.2% (20) were dismissed—either by the appellate court (14) or by the appellant (6)—prior to reaching the merits. Appellate courts resolved the remaining 71.8% (51) of appeals on the merits. In 40 appeals, the appellate court affirmed the district court’s decision. In the rest of the appeals, the appellate court either reversed the district court’s decision and remanded the case back to the district level (4 appeals), or affirmed in part and reversed in part the district court’s decision (7 appeals), meaning the appellate court agreed with the legal conclusions of the district court on some issues, but disagreed with it on others.

### CRIMINAL APPEALS FROM HUMAN TRAFFICKING CASES RESOLVED IN 2019



## 2.8.3 SUPREME COURT APPEALS

A party who is not satisfied with the decision of the appellate court may petition the U.S. Supreme Court to hear their case by filing a “writ of certiorari” to the U.S. Supreme Court.<sup>102</sup> Review by the U.S. Supreme Court is not a matter of right, but of judicial discretion, which means that the Court is not under any obligation to hear an appeal.<sup>103</sup> The U.S. Supreme Court grants certiorari only for cases with compelling reasons, including cases that could have national significance, cases that may resolve conflicting decisions in federal circuit courts, and/or cases that could have precedential value.<sup>104</sup>

In 2019, 11 defendants in human trafficking cases filed writs of certiorari. The U.S. Supreme Court denied certiorari—meaning the Supreme Court declined to hear their appeal—for 90.9% (10) of these defendants. One writ of certiorari filed in 2019 is still pending before the U.S. Supreme Court.



<sup>102</sup> SUP. CT. R. 13 (“[A] petition for writ of certiorari to review a judgement in any case, civil or criminal, entered by... a United States court of appeals... is timely when it is filed with the Clerk of this Court within 90 days after entry of judgment.”).

<sup>103</sup> Information Sheet for Filing Petition for Writ of Certiorari, <http://www.ca4.uscourts.gov/docs/pdfs/petition-for-writ-of-certiorari-information-sheet.pdf>.

<sup>104</sup> *Supreme Court Procedures*, United States Courts, <https://www.uscourts.gov/about-federal-courts/educational-resources/about-educational-outreach/activity-resources/supreme-1> (last visited May 12, 2020).

## 2.9 LENGTH OF RESOLUTION FOR CRIMINAL DEFENDANTS

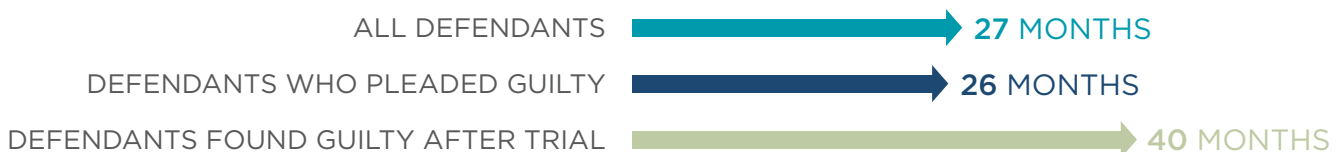


Trafficking investigations are often incredibly complex and may involve multiple victims and voluminous evidence, span geographic jurisdictions, and hide behind a hierarchy of power that is difficult to unravel, understand, and prosecute. Where most crimes against persons (e.g., robberies, homicides, assaults) occur in a matter of hours or on a single day, human trafficking generally involves criminal activity that takes place over an extended period of time—from months to years—making the investigation that much more challenging. Additionally, where most victims of crime voluntarily provide their accounts to law enforcement, trafficking victims are often hesitant to reveal the details of their exploitation to authorities for fear of retribution by their trafficker, because they believe themselves to be in a romantic relationship with their trafficker, because they fear legal consequences for their own conduct, or any combination of these factors. Thus, a trafficker’s coercive scheme may be effective not only in perpetrating the crime, but also in impeding successful prosecution.

In 2019, it took federal courts an average of two years and three months to resolve charges against a defendant in a human trafficking case. The “length of resolution” for each defendant tracks the number of months between the date that the government initially charged the defendant and the date that the defendant’s appeal is resolved or the time to appeal the lower court’s decision expires. The shortest amount of time that it took a federal court to resolve a defendant’s charges was two months and the longest time was 14 years and nine months. The average length of resolution for defendants whose charges were resolved in 2019 was slightly longer than it was for those whose charges were resolved in 2018, when the average length of resolution was two years and two months.

Defendants who entered into a plea agreement had their charges resolved more quickly than defendants who went to trial. Federal courts took an average of two years and two months to resolve charges against defendants who pleaded guilty. In comparison, defendants who were found guilty following trial saw their charges resolved in three years and three months, on average.

### AVERAGE LENGTH OF RESOLUTION FOR CRIMINAL DEFENDANTS IN 2019





On average, charges against defendants in forced labor cases took a year longer to resolve than charges against defendants in sex trafficking cases. It took federal courts an average of three years and three months to resolve charges against defendants in forced labor cases, with the longest defendant taking nearly 15 years and the shortest lasting only three months. In comparison, federal courts resolved charges against defendants in sex trafficking cases in an average of two years and three months. Buyer defendants in sting cases with only fictitious victims saw their charges resolved more quickly than defendants in sex trafficking cases with actual victims, with an average length of resolution of one year and eight months and two years and three months, respectively.

“CHARGES AGAINST DEFENDANTS IN FORCED LABOR CASES TOOK A YEAR LONGER TO RESOLVE THAN CHARGES AGAINST DEFENDANTS IN SEX TRAFFICKING CASES.”

### AVERAGE LENGTH OF RESOLUTION FOR CRIMINAL DEFENDANTS IN HUMAN TRAFFICKING CASES IN 2019





# METHODOLOGY & TERMINOLOGY

# METHODOLOGY

## SCOPE OF THE 2019 FEDERAL HUMAN TRAFFICKING REPORT

The 2019 Federal Human Trafficking Report provides an exhaustive overview of human trafficking cases that U.S. federal courts handled in 2019. In recognition that most cases do not begin and end within a calendar year, the Report additionally captures human trafficking cases filed prior to 2019, so long as the case was active during 2019.<sup>105</sup> The Report also captures the same scope of material for all human trafficking cases that federal courts handled in 2018, 2017, and 2016 to enable year-over-year comparisons.

The Report includes all federal cases that involved a human trafficking offense under Chapter 77 of the U.S. Penal Code. The Report does not represent the total number of human trafficking cases in the United States; rather, it includes only those cases initiated in federal courts. Human trafficking cases handled in state courts are not included. The Report, however, does capture federal cases with corresponding state human trafficking charges, so long as they relate to overlapping facts, victims, and timeframes of the federal case.

In addition to providing data on cases that involved a Chapter 77 offense, the 2019 Report *separately* captures criminal human trafficking cases in which the government charged a defendant under statutes outside of Chapter 77, if there is substantial evidence of coercion, commercial sex with a child, or an identified victim of trafficking. The Human Trafficking Institute recognizes that many human trafficking cases present legal and evidentiary challenges that preclude proving the elements of Chapter 77 crimes beyond a reasonable doubt. It is for this reason the Report has always included cases charged and/or resolved outside of Chapter 77 to accurately capture all federal efforts to hold traffickers accountable for associated criminal conduct.

In previous publications of the Federal Human Trafficking Report, human trafficking cases charged outside of Chapter 77 were captured in conjunction with cases that involved Chapter 77 offenses. However, these cases have been separated for the 2019 Report to provide a more nuanced

look at how the federal government prosecutes human trafficking crimes. As these cases are now separated, the data in the 2019 Federal Human Trafficking Report appear significantly lower than those in past reports, as they reflect only cases that involved an offense under Chapter 77. To enable year-over-year comparisons, the 2019 Report has excluded non-Chapter 77 cases from the main sections of the Report. For an analysis of human trafficking cases charged outside of Chapter 77 in 2019, please see the FAQ box on page 52.

## HISTORICAL DATA

In response to feedback from several stakeholders, the Institute has gathered a limited set of historical data, from criminal cases initiated in 2000 through 2008 and 2015, in addition to the comprehensive data from 2016–2019. It is important to note that the Institute’s historical data is limited to criminal cases that were charged during those years, so it does not capture all active cases. For example, a case that the government initiated in 2014 that continued into 2015 would not be included in the Institute’s current data. In future years, the Institute hopes to collect comprehensive data on every federal human trafficking case charged under the TVPA since it was enacted in 2000.

## NOT A PREVALENCE ESTIMATE

The Report is not a prevalence estimate and is not intended to reflect the scope of human trafficking within the United States. Instead, the Report represents federal investigative and prosecutorial efforts to hold traffickers accountable at the federal level. Moreover, the Report only captures victims that public sources identified by name, initials, or pseudonym. The government often does not identify all of the victims exploited by trafficking in public court documents, which limits the Report’s ability to determine the total number of victims involved in federal human trafficking cases. Accordingly, this Report should not be used for the purpose of determining the total number of trafficking victims during the 2019 reporting period.

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<sup>105</sup> For a definition of “active,” see the Report Methodology’s section on “Human Trafficking Cases.”

## IDENTIFICATION OF HUMAN TRAFFICKING CASES

### DEVELOPING AN EXHAUSTIVE CASE LIST

The Human Trafficking Institute (“Institute”) compiled this Report through a comprehensive examination of public court documents in human trafficking cases, as well as a detailed review of news stories and agency press releases. The Institute conducted an extensive search of the Federal Government’s Public Access to Court Electronic Records, Westlaw, and press releases from the 94 United States Attorney’s Offices to identify human trafficking cases that were initiated in 2019.<sup>106</sup>

### PACER

Utilizing the Federal Government’s Public Access to Court Electronic Records (PACER), the Institute searched the individual pages of the 94 federal districts to identify cases involving the following Chapter 77 offenses related to human trafficking:

- 18 U.S.C. § 1581 (Peonage);
- 18 U.S.C. § 1582 (Vessels in the Slave Trade);
- 18 U.S.C. § 1583 (Enticement into Slavery);
- 18 U.S.C. § 1584 (Involuntary Servitude);
- 18 U.S.C. § 1585 (Seizure, Detention of Slaves);
- 18 U.S.C. § 1586 (Service on Vessels for Slave Trade);
- 18 U.S.C. § 1587 (Possession of Slaves aboard a Vessel);
- 18 U.S.C. § 1588 (Transportation of Slaves from the United States);
- 18 U.S.C. § 1589 (Forced Labor);
- 18 U.S.C. § 1590 (Trafficking for Peonage, Slavery, Involuntary Servitude, or Forced Labor);
- 18 U.S.C. § 1591 (Sex Trafficking);
- 18 U.S.C. § 1592 (Documents);
- 18 U.S.C. § 1592A (Benefiting Financially);

- 18 U.S.C. § 1594 (Attempt or Conspiracy to Commit Human Trafficking); and
- 18 U.S.C. § 1597 (Immigration Documents).

For the data in the FAQ box on page 52, the Institute also searched the 94 federal district pages on PACER to identify cases involving the following Mann Act offenses related to human trafficking:

- 18 U.S.C. § 2421 (Promotion or Facilitation of Prostitution and Sex Trafficking)
- 18 U.S.C. § 2422(a) (Coercion/Enticement of an Adult)
- 18 U.S.C. § 2422(b) (Coercion/Enticement of a Minor)
- 18 U.S.C. § 2423(a) (Travel with Intent to Engage in Criminal Sexual Activity)
- 18 U.S.C. § 2423(b) (Travel with Intent to Engage in Illicit Sexual Conduct)

In determining whether to include a case charged exclusively under the Mann Act, the Institute considers whether the government, based on the facts alleged in the indictment, could ultimately have charged the defendant with a Chapter 77 offense. The Institute included cases charged under the Mann Act without accompanying Chapter 77 offenses if public court pleadings clearly indicated that the defendant compelled an adult victim to engage in commercial sex through force, fraud, or coercion, or, in cases involving child victims, where evidence indicated that the defendant intended to sexually exploit the child for profit. The Institute also included cases charged exclusively under the Mann Act if federal prosecutors confirmed there was an identified victim of trafficking in the case. The Institute does not track cases charged exclusively under the Protect Act,<sup>107</sup> but does track Protect Act offenses if they are charged alongside another human trafficking offense.

### REVIEW OF PRESS RELEASES

The Institute carefully reviewed the press releases of the 94 federal districts to identify all articles discussing the indictment, arrest, trial, sentencing, or appeal of a human trafficking defendant in 2019. In addition to including cases where the government expressly labeled the case as a human

<sup>106</sup> Each district provides a different list of searchable statutes. Not every district allows each section of Chapter 77 to be searched. In those districts, we searched every Chapter 77 offense that was available to be searched using the District’s PACER site.

<sup>107</sup> Pub.L. 108–21, 117 Stat. 650, S. 151, enacted April 30, 2003.

trafficking case in the press release, the Report captures cases where the press release indicated substantial evidence of compelled or coerced labor, services, or commercial sex, or where the government charged the defendant with the transportation of a child for commercial sex. The Report includes four additional human trafficking cases that were active in 2019 as a result of this process.

## LETTERS TO THE UNITED STATES ATTORNEY'S OFFICES

To confirm the accuracy of the identified case list, the Institute mailed physical letters to all 94 U.S. Attorney's Offices, with a list of all of the 2019 initiated human trafficking cases that the Institute identified in their district. Half (47) of U.S. Attorney's Offices responded, providing 36 additional human trafficking cases for inclusion in the Report. Eight of the 36 were cases where the government charged the defendant with a Chapter 77 offense that the Institute team had not identified in its search of PACER, Westlaw, or Press Releases. The other 28 cases were cases with an identified human trafficking victim where the government charged the defendants with non-Chapter 77 offenses.

## REVIEW OF CASE LISTS BY MAIN JUSTICE COMPONENTS

The Institute provided a list of the 2019 initiated cases to the United States Department of Justice's Human Trafficking Prosecution Unit (HTPU) in the Criminal Section of the Civil Rights Division, and Child Exploitation and Obscenity Section (CEOS) in the Criminal Division. The HTPU provided an additional 12 cases that were not also provided by a U.S. Attorney's Office. All 12 cases were charged outside of Chapter 77.

## IDENTIFICATION OF CIVIL HUMAN TRAFFICKING CASES

In addition to the 606 active criminal cases in 2019, the Report captures 179 civil human trafficking cases that were active in 2019. The Institute identified the civil cases through an exhaustive search of the Human Trafficking Legal Center's (HTLC) database, WestLaw, Bloomberg, and Google. HTLC also confirmed our final list was complete with the exception of two cases that the Institute merged with other civil matters according to the methodology detailed in the following section. The Report

includes all civil human trafficking suits handled during 2019, regardless of their merits; however, the Report only captures cases in which the final amended complaint included a human trafficking claim.

## COLLECTION OF HUMAN TRAFFICKING CASE DATA

Upon the identification of a human trafficking case, the Institute reviewed the underlying pleadings and other related documents to capture essential information about the case, defendants, charges or claims, attorneys, and any related direct appeals. The Institute team specifically focused on complaints and charging instruments, key motions and briefs, plea agreements, verdict forms, sentencing memoranda, judgments, and appeal information. After the relevant information was collected and reviewed, the Institute added the case to a Salesforce database ("Database") designed expressly for the publication of the Report. At least two trained project attorneys separately reviewed the data in each case to ensure accuracy and completeness.

The Institute added all identified human trafficking cases that were active in 2019 to the Database for inclusion in the Report, including cases that U.S. Attorney's Offices or the Department of Justice submitted for inclusion by February 21, 2020. The Database already contained all active 2016, 2017, and 2018 cases identified through previous years' data collection and entry process. There are a number of other reasons why the *2019 Federal Human Trafficking Report* may include cases from 2016, 2017, and 2018 that were not in the 2017 report. The government may have added human trafficking charges to what was previously a non-human-trafficking case; U.S. Attorney's Offices may have identified a victim of human trafficking in an older case charged outside of Chapter 77; or cases may have been late additions to the PACER databases that the Institute searches.

## HUMAN TRAFFICKING CASES

A human trafficking "case" within the Report may include a single defendant or multiple related defendants who have been charged with trafficking one or more victims. Where multiple defendants are included under one "case," the defendants must have been related by a common victim and facts. The Report captures related defendants under one case even where the defendants are charged in separate charging instruments or where charges are initiated in separate case



numbers, so long as the facts indicate that the defendants were related through a commonly exploited victim or a common plan or scheme.

## ACTIVE & INACTIVE CASES

To qualify for inclusion in the Report, the human trafficking case—whether criminal or civil—must have been “active” in 2016, 2017, 2018, or 2019.<sup>108</sup> The Report considers a criminal case to be “active” if prosecutors initiated charges in federal court and at least one defendant is still awaiting trial or sentencing, or if at least one defendant still has the option to file a direct appeal. Similarly, the Report considers a civil case to be “active” if a plaintiff has filed a complaint in federal court and at least one defendant is still awaiting a final judgment or still has the opportunity to file a direct appeal. If a case is removed from state court to federal court, the active date is the date that the case was removed to federal court, not the date that the case was filed in state court.

The Report classifies a case as “inactive” where there are no charges or claims against any defendant left to be resolved and when the time for all defendants to directly appeal the final judgment or order of the court has expired. To put it another way, a case becomes “inactive” when the last defendant’s time for filing a notice of direct appeal has expired. The Report relies on Rules 4 and 26 of the Federal Rules of Appellate Procedure (“FRAP”) to calculate the date that the defendant’s time for filing a notice of direct appeal has expired.

In a criminal case, under FRAP 4(b), “a defendant’s notice of appeal must be filed in the district court within 14 days after the later of: (i) the entry of either the judgment or the order being appealed; or (ii) the filing of the government’s notice of appeal.” For a criminal case in which the defendant did not appeal the district court’s final judgment and did not file any subsequent motions upon which the district court must rule, the inactive date is 14 days beyond the judgment date.

In a civil case, under FRAP 4(a), a defendant’s notice of appeal generally “must be filed with the district court within 30 days after entry of the judgment or order appealed from.” A number of timing extensions are provided in civil cases where

the United States is a party to the case,<sup>109</sup> where one of several motions has been filed,<sup>110</sup> or where the appeal is filed by an inmate confined in an institute.<sup>111</sup> These timing exemptions are taken into consideration when calculating a case’s inactive date for purposes of the Report. For a civil case where the defendant did not appeal the district court’s final judgment and did not file any subsequent motions upon which the district court must rule, the inactive date is 30 days beyond the judgment date.

For a criminal or civil case where one or more defendants has appealed the district court’s judgment, and the appellate court has issued its decision on appeal, the case becomes inactive when the defendant’s time to appeal the appellate court’s decision to the Supreme Court has expired. Rule 13 of the Rules of the Supreme Court of the United States provides that “a petition for a writ of certiorari to review a judgment in any case, civil or criminal, entered by . . . a United States court of appeals . . . is timely when it is filed with the Clerk of [the Supreme] Court within 90 days after entry of judgment.” The Supreme Court may extend a party’s time for filing a writ of certiorari upon showing of good cause, for a period not exceeding 60 days, provided the extension is requested at least 10 full days before the petition is otherwise due. For a civil or criminal case where 90 days have passed since the appellate court rendered its decision and no additional entries have been added to the appellate docket, the case is deemed inactive upon the date that the time to file the petition of certiorari has expired.

In a criminal or civil human trafficking case, once there are no pending charges or claims against any defendant to be resolved and after the time for all defendants to appeal the final judgment or order of the court has expired, the case becomes inactive. Subsequent motions for post-conviction relief, such as a motion challenging the defendant’s conviction or sentence under 28 U.S.C. § 2255 or the filing of a habeas corpus petition under 28 U.S.C. § 2241, do not render the case active. Furthermore, clerical activity on the docket following the expiration of the defendant’s time to file a direct appeal, including the payment of a fine or restitution or a request for modification of a supervised term of release, does not reactivate an inactive case. Thus, the Report does not capture human trafficking cases where

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<sup>108</sup> The Report also includes cases that were “new” in 2000 to 2008 or 2015. The data are more limited for these years because they do not capture all active cases, only all new cases. Comprehensive data on all active cases from 2000 to present will be available in future Reports.

<sup>109</sup> See FRAP 4(a)(1)(B).

<sup>110</sup> See FRAP 4(a)(4).

<sup>111</sup> See FRAP 4(c).

the only activity in the case in 2019 includes a defendant's motion for post-conviction relief or payment of a fine or restitution to a victim in the case.

## CIVIL & CRIMINAL CASES

The Report classifies every case as "criminal" or "civil." Cases are "criminal" if the government charged a defendant with a federal crime through the filing of complaint, information, or indictment. Cases are "civil" if a plaintiff filed a civil complaint in federal court against a defendant.

## CASE TYPE: SEX TRAFFICKING & FORCED LABOR

The Report classifies every case as a "sex trafficking" case or "forced labor" case. If the facts included in public sources, news stories, and press releases indicate that the defendants compelled or coerced the victims to provide labor or services, the case is classified as "forced labor." Conversely, if the facts included in public court documents, news stories, and press releases indicate that the defendants compelled or coerced the victims to engage in a commercial sex act, the case is classified as "sex trafficking." Cases of attempt and conspiracy are included in both categories.

In the majority of human trafficking cases in the Report, the binary classification is clear and sufficient, as the facts or charges involved defendants compelling or coercing victims to perform either labor/services or sex, not both. However, seven criminal cases involved both sex trafficking and forced labor charges. For these cases, the Institute conducted a thorough review of the court docket and related materials to determine if the trafficking operation was primarily a sex trafficking or forced labor enterprise. The Report concludes that five of the seven cases were primarily sex trafficking with associated forced labor charges, and two of the cases were primarily forced labor with corresponding sex trafficking charges.

## INDUSTRIES & METHODS OF SOLICITATION

The 2017 and 2018 Federal Human Trafficking Reports included data on "business models." This year's report presents the same data using more specific terminology. In forced labor cases, the Report uses the term "industries" to refer to what was formerly "business models." The "industry" is defined as the business or industry where traffickers compel the victims to work or provide labor or services. In sex trafficking cases, the Report replaced

the term "business model" with "method of solicitation," defined as the physical location or online presence where traffickers solicit buyers. The method of solicitation is not categorized by the location where the commercial sex act took place, but instead asks where traffickers sought buyers. Where public documents identify more than one industry or method of solicitation in a case, the Report looks to that which was most frequently used.

The individual industries and methods of solicitation for forced labor and sex trafficking cases are defined in the Terminology section of the Report.

## HUMAN TRAFFICKING DEFENDANTS

### CRIMINAL DEFENDANTS

In general, the Report captures every defendant in a federal criminal human trafficking case, regardless of whether the government charged each defendant in the case with a human trafficking crime. By including all defendants in the case, the Report aims to capture the most accurate picture of human trafficking cases that are prosecuted in federal courts.

The Report does not include defendants whom prosecutors charged by complaint or information but never ultimately indicted, with the exception of defendants who waive their right to indictment in a plea agreement.

### IMPORTANT DATES

For each defendant, the Report tracks important dates in the criminal justice process, such as the date the government filed the initial charging instrument, the date the defendant pled guilty or went to trial, the date the district court entered the final judgment, and the date the defendant's time to directly appeal expires.

When the Report refers to "2019 active defendants," it considers all defendants whom the government charged in or before 2019 and whose time to file a direct appeal did not expire in or before 2019. In contrast, when the Report refers to "defendants in 2019 active cases," it captures all defendants prosecuted in a case that remains active in 2019, even if the government charged them prior to 2019 and their time to appeal expired before 2019 (i.e. they were never 2019 active defendants).

A defendant's "active" date is the date they were initially charged, and a defendant's inactive date is the date all of

the charges against the defendant are resolved and the defendant's window to directly appeal has expired, if applicable. For rare situations in which there are at least six months of unexplained inactivity on a defendant's docket, the Report considers the defendant inactive as of the date of the last activity on the docket. Project attorneys will continue to monitor these dockets on an annual basis in case new information becomes available.

The Report calculates a defendant's length of resolution as the number of months (i.e. 30 days) from a defendant's active date to a defendant's inactive date. This differs from the 2017 Report, when length of resolution was based on the entire case rather than each individual defendant.

When determining dates, the Report generally relies on the file stamp date in the court docket, unless the court docket indicated that the event occurred on a different date. When the docket revealed that an event occurred on a date different than the file stamp date, the Report relies on the date that the event in fact occurred.

#### MANNER RESOLVED, PUNISHMENT, & RESTITUTION

The Report also captures the manner in which the district court resolved the charges against each defendant: by dismissal, plea agreement, or trial. If the defendant was convicted, the Report tracks each defendant's sentence, including term of imprisonment, if any; amount of fine, if imposed; information about special assessments, if ordered; and amount of restitution to the victims, if ordered.

The Report tracks the total length of imprisonment to which a defendant in a human trafficking case is sentenced, not only the term of imprisonment ordered for human trafficking convictions. If the defendant was sentenced to time served, the Report considers the length of time the defendant was detained prior to trial as the term of imprisonment.

#### DEFENDANT'S PROFILE

When known, the Report includes general information about the defendant's profile, such as the gender of the defendant and the age of the defendant at the time of arrest. Where public sources identify the relationship that the defendant had with the victim prior to exploitation, the Report captures this data. In the 2017 Report, the Institute gathered information on defendant relationships with victims but did not specify a timeframe. The 2018

and 2019 Reports limit the data to how the defendant knew the victim *prior* to trafficking the victim. Accordingly, after the 2017 Report, the Institute eliminated the "Pimp" category to provide more meaningful information about the defendant-victim relationship pre-trafficking, rather than the defendant-victim relationship during the trafficking scheme. The "Pimp" category has been removed from all years to enable year-over-year comparisons.

#### "ANCILLARY" HUMAN TRAFFICKING CASES

In cases where human trafficking is an ancillary matter in the federal criminal case, the Report captures only defendants whom the government charged with a human trafficking crime. The Report categorizes human trafficking as an "ancillary" matter where it is clear that the primary purpose of the criminal enterprise was not human trafficking.

For example, if a federal case is primarily about health care fraud, and the government charged only one of 10 defendants with a human trafficking crime and the remaining nine defendants with non-human-trafficking-related offenses, the Report would consider human trafficking to be an "ancillary" matter in the case. The Report would capture information about the defendant that the government charged with a human trafficking crime but it would not include the other defendants who were unrelated to the trafficking crime.

Conversely, if a federal case charged only one of 10 defendants with a human trafficking crime and the remaining nine defendants with non-human-trafficking offenses related to the human trafficking scheme, revealing that the case was primarily about human trafficking, the Report would not consider human trafficking to be an "ancillary" matter. Accordingly, the Report would capture information about all of the defendants the government charged.

Of the new criminal cases in 2019, the Report found that human trafficking was an ancillary matter in two cases. For the remaining 143 criminal cases initiated in 2019, the Report includes all of the defendants and charges named in the charging instrument, not only those defendants charged with a human trafficking crime. It is important to note that in cases where trafficking is an ancillary matter, the case becomes "inactive" when the charges against the defendant charged with a trafficking crime are resolved, even where charges may still be pending against the other defendants.

## CIVIL DEFENDANTS

For civil human trafficking cases, the Report includes only defendants against whom plaintiffs have brought Chapter 77 claims. For each of these defendants, the Report tracks important dates in the civil process, such as the date the plaintiffs filed the suit, and the date of resolution, whether by dismissal, trial, or settlement. When determining dates, the Report generally relies on the file stamp date in the court docket, unless the court docket indicated that the event occurred on a different date. When the docket revealed that an event occurred on a date different than the file stamp date, the Report relies on the date that the event in fact occurred. For cases where the district court entered a judgment or default judgment, the Report discloses the amount of the judgment.

Where known, the Report also includes general information about the defendant's profile, such as the gender of the defendant, the age of the defendant when the plaintiff filed the suit, and the type of relationship that existed between the defendant and the victims prior to alleged exploitation, if any.

## HUMAN TRAFFICKING & NON-HUMAN-TRAFFICKING CHARGES

The Report captures each charge that the government filed against each defendant, including both human trafficking charges and non-human- trafficking charges. The Report relies on the final charging instrument against the defendant when determining the appropriate charges to include, unless the final charging instrument contained no human trafficking charge and immediately preceded a plea agreement. This combination of circumstances indicates the government reduced a defendant's charges as part of a plea agreement. In order to accurately reflect that the defendant pled down from a human trafficking charge, the Report relies on the last-in-time charging instrument that contains a human trafficking charge.

### HUMAN TRAFFICKING CHARGES

This Report categorizes any charge filed against a defendant under statutes within Chapter 77 of the U.S. Penal Code as a "human trafficking charge." For a list of these statutes, see page 71. Additionally, the Report categorizes attempt,

conspiracy, ITAR (18 U.S.C. § 1952), and RICO (18 U.S.C. § 1962) charges as a "human trafficking charge" where the underlying offense is clearly defined as a Chapter 77 offense.

### NON-HUMAN-TRAFFICKING CHARGES

All criminal charges other than those listed above as "human trafficking charges" are "non-human-trafficking charges." Non-human-trafficking charges include, *inter alia*, the following offenses: alien harboring (8 U.S.C. 1324); Mann Act (18 U.S.C. §§ 2421-2423); child pornography (18 U.S.C. § 2251-2252); and attempt (18 U.S.C. § 2), conspiracy (18 U.S.C. § 371), ITAR (18 U.S.C. § 1952), and RICO (18 U.S.C. § 1962) where the underlying offense falls outside Chapter 77.

### NUMBER OF CHARGES

In general, the number of "charges" that the Report captures for a defendant equals the total number of charges included in the final charging instrument against the defendant. Where the government files a superseding information that includes additional charges for the sole purpose of a plea agreement, the Report also captures the charges from the charging instrument immediately preceding the superseding information. In doing so, the Report aims to capture the most serious charges that the government brought against the defendant, as well as the ultimate charges included in the defendant's plea agreement.

Where human trafficking is considered an "ancillary matter,"<sup>112</sup> the Report includes all charges that the government brought against the defendant involved in the trafficking enterprise. This includes both human trafficking and non-human-trafficking charges filed against that defendant.

## HUMAN TRAFFICKING VICTIMS

### VICTIMS IN CRIMINAL CASES

The Report's ability to determine the total number of victims involved in federal human trafficking cases is limited. The Report captures only publicly available information about victims that the government identified by the name, initials, or pseudonym within one or more human trafficking charge

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<sup>112</sup> See the definition of "ancillary matter" under the Methodology's section on Human Trafficking Defendants.

or related charges listed in the charging instruments.<sup>113</sup> The actual number of victims in a case may be more than the government identifies in public filings. The victim-related findings in the Report should not be used as an estimate of the number of victims identified or assisted by the government or civil society organizations. This Report does not provide a prevalence estimate for the number of victims traffickers exploited during 2019.

#### ADDITION OF VICTIM VULNERABILITY, VISA, AND COUNTRY OF ORIGIN DATA

The 2019 Report includes three new datasets for victims: vulnerabilities, visas, and countries of origin.<sup>114</sup> All three datasets are extremely limited and reflect only publicly available information about victims in federal human trafficking cases charged under Chapter 77. As with all the data in the Report, it is inaccurate to construe these new datasets as prevalence estimates.

In response to requests from stakeholders, the Institute began collecting data on victim vulnerabilities in 2019. Project attorneys tracked 14 vulnerabilities: drug dependency or substance abuse, financial debt, foster care, history of child abuse or neglect, history of domestic violence, homelessness, irregular immigration status, LGBTQI, limited English language ability, mental disability, physical disability, prior trafficking victim, runaway, and truancy. Section 1.2.2 of the Report includes only the categories that public sources mentioned most frequently. Project attorneys entered vulnerability information in new cases only, making victim vulnerabilities the most limited of the three data sets. Since more victim information often becomes available at later stages of a case, the Federal Human Trafficking Report will likely have more robust data on victim vulnerabilities in future years.

Visa information is another dataset the Institute began tracking in 2019 in response to stakeholder requests. Project attorneys gathered visa information for all active cases, rather than just new cases, so the data pool is larger than that used for vulnerabilities. It is common, however, for public sources to leave out information about *whether* a victim traveled to

the United States on a visa and *what type* of visa, so the data almost certainly underrepresents the number of victims in every visa category.

Unlike vulnerability or visa information, victim country of origin is a datapoint the Institute has captured for three years, even though the Report did not present country of origin information until this year. This means, the Institute has country of origin data—where available in public sources—for all victims in federal human trafficking cases active in 2016 or later. The Institute does not report on the percentage of victims who were U.S. citizens versus foreign nationals, because public sources often omit country of origin information if the victim is a U.S. citizen, which means the data would skew deceptively toward foreign national victims.

#### VICTIMS IN CIVIL CASES

The Report relies on public court documents about the plaintiffs who filed a complaint to track victim information in civil human trafficking cases. For civil suits involving fewer than 10 plaintiffs, the Report captures information about each plaintiff-victim, including the gender and age of the victim, where known. For civil suits involving 10 or more plaintiffs, the Report captures information about the lead plaintiff in the case.

#### HUMAN TRAFFICKING APPEALS

Where a defendant has filed a notice of appeal in a criminal case, the Report tracks the timing and result of the appeal. The Report tracks only direct appeals that follow a final judgment in the case that are filed within the timeline set out in Rule 4 of the Federal Rules of Appellate Procedure. The Report captures information about direct appeals to an appellate court, as well as direct appeals to the United States Supreme Court.

The Report does not track interlocutory appeals. Furthermore, the Report does not capture appeals based on collateral attacks on the district court's judgment, such as motions to challenge a conviction or sentence under 28 U.S.C. § 2255 or the filing of a habeas corpus petition under 28 U.S.C. § 2241.

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<sup>113</sup> Related charges include Mann Act charges (18 U.S.C. §§ 2421-2423) if the victim was a child or there was evidence of force, fraud, or coercion; or the following charges, where the underlying crime was a Chapter 77 offense: attempt to commit human trafficking (18 U.S.C. § 2), conspiracy to commit human trafficking (18 U.S.C. § 371), ITAR to commit human trafficking (18 U.S.C. § 1952), or RICO to commit human trafficking (18 U.S.C. § 1562).

<sup>114</sup> Country of origin means “the country of nationality or of former habitual residence of a person or group of persons who have migrated abroad, irrespective of whether they migrate regularly or irregularly.” Key Migration Terms, International Organization for Migration, <https://www.iom.int/key-migration-terms>.



## DATA REVIEW

In an effort to provide an exhaustive review of federal human trafficking cases that were active in 2019, the Institute engaged in a comprehensive review process. Once a project attorney entered information about a case into the Database, a different project attorney was tasked with reviewing each field using the primary sources to confirm each entry was correct. The project attorneys raised questions and anomalies to the Report's authors for decisions. In addition, the project attorneys reviewed the Database through various topical reviews of reports to detect blank fields or unusual entries.

In addition to corresponding with government attorneys and non-profit organizations about the comprehensive identification of human trafficking cases during the reporting

period, the Institute conducted in-person meetings with Polaris, and the Department of Justice's Human Trafficking Prosecution Unit and Child Exploitation & Obscenity Section. Each of these groups provided verbal feedback, asked clarifying questions, and made recommendations.

Furthermore, the Institute hosted a group of survivors for a presentation on the Report's preliminary findings and a conversation about terms, searches, and context. The Institute incorporated recommendations and feedback.

In anticipation of the Institute's subsequent publication of annual reports on federal human trafficking cases, the Institute openly welcomes dialogue with interested parties about the substance or methodology of the 2019 Federal Human Trafficking Report, as well as proposed additions for the Report in future years.

# TERMINOLOGY

## INDUSTRIES

**AGRICULTURE:** When a trafficker compels a victim to provide labor for a farming business primarily engaged in growing crops, cultivating soil, or rearing animals for their byproducts.

**BAR OR CLUB:** When a trafficker compels a victim to provide labor or services at an establishment that serves alcohol or drinks as its primary business purpose.

**CONSTRUCTION:** When a trafficker compels a victim to provide labor at a commercial business focused on the process of building or repairing infrastructure, facilities, or residences.

**DOMESTIC WORK:** When a trafficker compels a victim to work for a family or household performing tasks such as cleaning or childcare, often living on-site.

**HEALTH AND BEAUTY SERVICES:** When a trafficker compels a victim to work at a business, the primary purpose of which is providing health or beauty services, such as manicures, haircuts, facials, and waxing.

**HOSPITALITY:** When a trafficker compels a victim to work at a hotel or in other hospitality services. This term is a broad industry category that focuses on lodging and tourism.

**MANUFACTURING:** When a trafficker compels a victim to work in any industry focused on the production or packaging of food or other merchandise to be sold, or any other industrial factory-type job.

**RESTAURANT OR FOOD INDUSTRIES:** When a trafficker compels a victim to work at a venue, the primary purpose of which is selling prepared food. This includes fast-food restaurants, sit-down restaurants, and food or ice cream trucks.

## METHODS OF SOLICITATION

**BROTHELS:** When a trafficker solicits buyers of commercial sex through an illegal establishment where in-house commercial sex is offered to customers.

**EROTIC SERVICES:** When a trafficker solicits buyers of commercial sex through a formal business with the primary purpose of supplying buyers with commercial sex or romantic companionship. This includes any time a potential victim provides commercial sex on an “out-call” basis. The victim may meet potential buyers at various types of locations (hotels, private residences, etc.).

**INTERNET:** When a trafficker solicits buyers of commercial sex through an online website or social media platform.

**MESSAGE PARLOR:** When a trafficker solicits buyers of commercial sex at a business that offers, or claims to offer, legitimate spa services. This includes legal massage parlors, as well as illicit massage parlors that claim to offer legitimate spa services but whose true purpose is to offer commercial sex to customers.

**PRE-EXISTING RELATIONSHIP:** When a trafficker solicits buyers of commercial sex among individuals they already know. An example of the pre-existing relationship method of solicitation would be a drug dealer who begins selling victims for commercial sex to his customers in addition to drugs.

**STREET-BASED COMMERCIAL SEX:** When a trafficker expects a victim to solicit or initiate commercial sex by walking a designated section of a street—often an area known for criminal activity—which is sometimes called a “track,” “stroll,” or “block.”

**STRIP CLUB:** When a trafficker solicits or expects a victim to solicit buyers or initiate commercial sex at a strip club.

**TRUCK STOP:** When a trafficker solicits or expects a victim to solicit buyers or initiate commercial sex at a truck stop.

## OTHER TERMINOLOGY

**ADULT:** Any person 18 years of age or older.

**BUYER CASE:** A case in which one or more of the defendants bought or attempted to buy commercial sex from a trafficking victim.

**BUYER DEFENDANT:** A defendant charged with buying or attempting to buy commercial sex from a person, knowing or in reckless disregard of the fact that the person is a trafficking victim. Buyer defendants can also be charged with buying or attempting to buy labor from a trafficking victim, but there were no active buyer defendants in forced labor cases in 2019. A buyer trafficker is a convicted buyer defendant.

**CHILD:** Any person under the age of 18.

**DISTRICT COURT:** The district court is categorized by the district of the trial court currently handling the case or that ultimately resolved the charges in the case.

**LIFE IMPRISONMENT:** A sentence for the defendant to remain in prison for the rest of their natural life. The Report captures life sentences that a court imposed against a defendant in a human trafficking case, even where the defendant was also convicted of other serious crimes.

**PHYSICAL ABUSE:** Physical abuse or other harm capable of causing injury that does not necessarily involve rape or other sexual assault.

**PRIMARY INVESTIGATIVE AGENCY:** The federal law enforcement agency that played the primary role in the investigation of a human trafficking case. If it is difficult to ascertain from public sources which agency played

the primary role, the primary agency is classified as the agency that initiated the investigation, if known.

**PUBLIC SOURCES:** Public court documents, press releases, news stories, and other publicly available information that the Institute searched during the collection and entry of case data for the Report. This includes case filings that the Institute purchased from PACER or documents the Institute retrieved from subscription legal databases.

**SEXUAL VIOLENCE:** Physical abuse in the form of rape or other sexual assault.

**STING CASE:** A deceptive operation that law enforcement use to catch a person committing a crime. This includes cases in which law enforcement respond to an advertisement posted by a trafficker selling a victim, and cases in which law enforcement advertise a fictitious victim to attract buyer traffickers.

## ABBREVIATIONS

**FBI:** Federal Bureau of Investigation

**HSI:** Homeland Security Investigations. The investigative branch of Immigration and Customs Enforcement in the Department of Homeland Security.

**PACER:** Public Access to Court Electronic Records. The federal government's public case database.

**TVPA:** Trafficking Victims Protection Act. The Report uses "TVPA" to refer to the law as originally enacted in 2000, as well as all of its subsequent reauthorizations.







# APPENDIX

# CHARGE & CONVICTION TABLES

## HUMAN TRAFFICKING CHARGES FILED AGAINST NEW DEFENDANTS IN SEX TRAFFICKING CASES IN 2019

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CHARGED	COUNTS CHARGED
18 U.S.C. § 1591: Sex Trafficking	165	370
18 U.S.C. § 1594(c): Sex Trafficking Conspiracy	97	100
18 U.S.C. § 1594(a): Attempted Sex Trafficking	22	27
18 U.S.C. § 1952: ITAR to Commit Sex Trafficking	13	25
18 U.S.C. § 1591(d): Obstructing Enforcement of Sex Trafficking	10	10
18 U.S.C. § 371: Conspiracy to Commit Sex Trafficking	7	7
18 U.S.C. § 1962: RICO to Commit Sex Trafficking	2	4
18 U.S.C. § 2: Attempt to Commit Sex Trafficking	1	2

## HUMAN TRAFFICKING CHARGES FILED AGAINST NEW DEFENDANTS IN FORCED LABOR CASES IN 2019

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CHARGED	COUNTS CHARGED
18 U.S.C. § 1589: Forced Labor	28	48
18 U.S.C. § 371: Conspiracy to Commit Forced Labor	15	15
18 U.S.C. § 1592: Unlawful Conduct with respect to Documents	12	14
18 U.S.C. § 1594(b): Forced Labor Conspiracy	9	13
18 U.S.C. § 1581: Peonage	2	2
18 U.S.C. § 1593A: Benefiting Financially from Human Trafficking	2	2

## HUMAN TRAFFICKING CONVICTIONS IN SEX TRAFFICKING CASES IN 2019

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CONVICTED	COUNTS OF CONVICTION
18 U.S.C. § 1591: Sex Trafficking	117	189
18 U.S.C. § 1594(c): Sex Trafficking Conspiracy	84	85
18 U.S.C. § 1952: ITAR to Commit Sex Trafficking	19	30
18 U.S.C. § 1594(a): Attempted Sex Trafficking	14	17
18 U.S.C. § 371: Conspiracy to Commit Sex Trafficking	8	11
18 U.S.C. § 1962: RICO to Commit Sex Trafficking	5	5
18 U.S.C. § 1591(d): Obstructing Enforcement of Sex Trafficking	4	4
18 U.S.C. § 1592: Unlawful Conduct with respect to Documents	1	1
18 U.S.C. § 1590: Trafficking for Peonage, Slavery, Involuntary Servitude, or Forced Labor	1	2

## NON-HUMAN-TRAFFICKING CONVICTIONS IN SEX TRAFFICKING CASES IN 2019

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CONVICTED	COUNTS OF CONVICTION
18 U.S.C. §§ 2421-2423: Mann Act	69	86
18 U.S.C. §§ 2251-2252A: Child Pornography	35	38
Drug-Related Offense	23	34
18 U.S.C. § 1952: ITAR	21	32
18 U.S.C. § 1956: Laundering of Monetary Instruments	18	18
18 U.S.C. § 371: Conspiracy to Commit Non-Human-Trafficking Offense	14	14
18 U.S.C. § 922(g): Felon in Possession of Firearm	8	8
18 U.S.C. § 1512: Witness Tampering	6	6
18 U.S.C. § 4: Misprision of Felony	6	6
18 USC § 924(c): Possession of a Firearm (Crime of Violence)	4	4
18 U.S.C. § 2425: Use of Interstate Facilities to Transmit Information about a Minor in Connection with Criminal Sexual Activities	1	1
18 U.S.C. § 2260A: Penalties for Registered Sex Offenders	1	1
18 U.S.C. § 2243: Sexual Abuse of a Minor or Ward	1	1
18 U.S.C. § 1959: Violent Crimes in Aid of Racketeering Activity	1	1
18 U.S.C. § 1503: Obstruction	1	1
18 U.S.C. § 1029: Fraud and Related Activity in Connection with Access Devices	1	1
18 U.S.C. § 1001: Statements or Entries Generally (False Statements)	1	1
18 U.S.C. § 2: Misprision	1	1
8 U.S.C. § 1324: Alien Harboring	1	1

## HUMAN TRAFFICKING CONVICTIONS IN FORCED LABOR CASES IN 2019

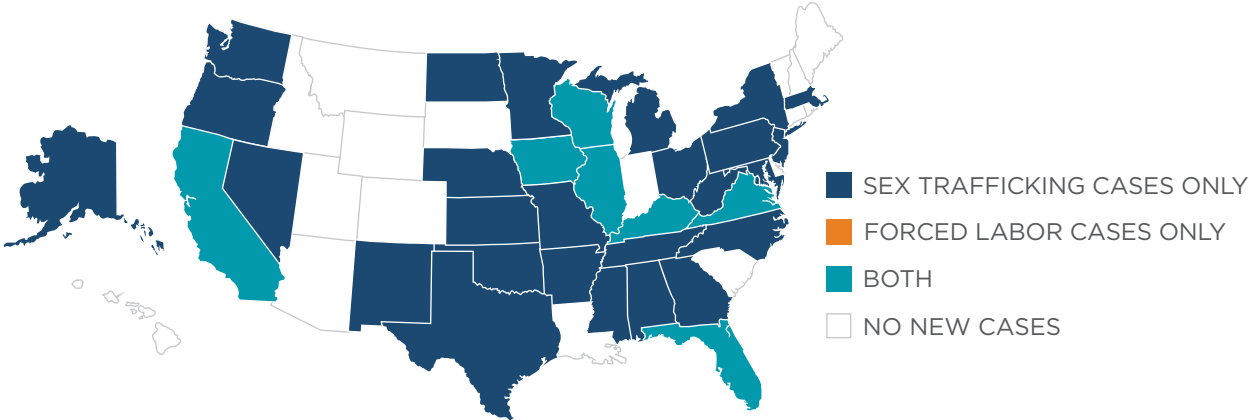
HUMAN TRAFFICKING OFFENSE	DEFENDANTS CONVICTED	COUNTS OF CONVICTION
18 U.S.C. § 1589: Forced Labor	8	10
18 U.S.C. § 371: Conspiracy to Commit Forced Labor	3	3
18 U.S.C. § 1592: Unlawful Conduct with respect to Documents	1	1

## NON-HUMAN-TRAFFICKING CONVICTIONS IN FORCED LABOR CASES IN 2019

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CONVICTED	COUNTS OF CONVICTION
8 U.S.C. § 1324: Alien Harboring	6	9
Drug-Related Offense	3	3
18 U.S.C. § 1546: Visa Fraud	2	2
18 U.S.C. § 4: Misprision of felony	2	2
42 U.S.C. § 1981: Equal Rights Violation	1	1
18 U.S.C. § 249: Hate Crimes	1	1
18 U.S.C. § 241: Conspiracy Against Rights	1	1

# MAPS OF FEDERAL CASES BY STATE

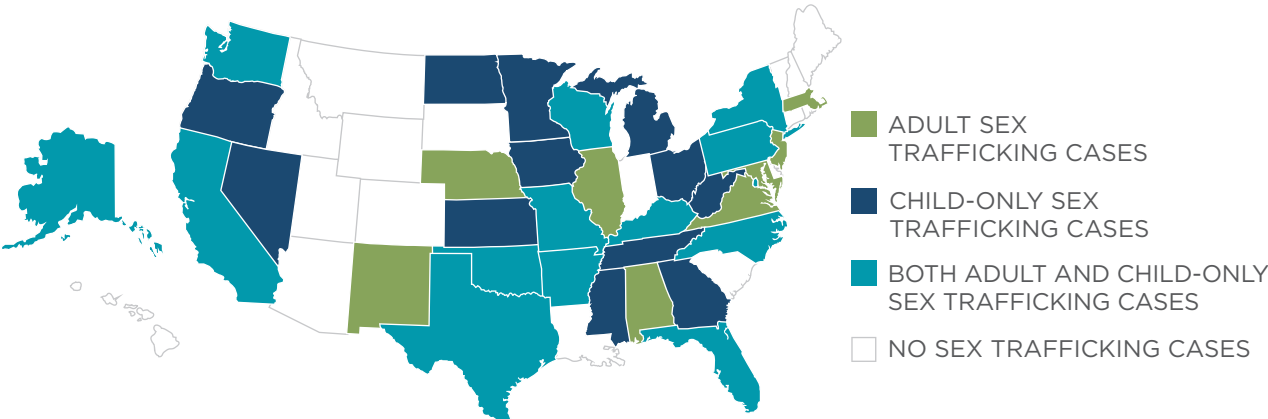
## NEW HUMAN TRAFFICKING CASES IN 2019



### US TERRITORIES



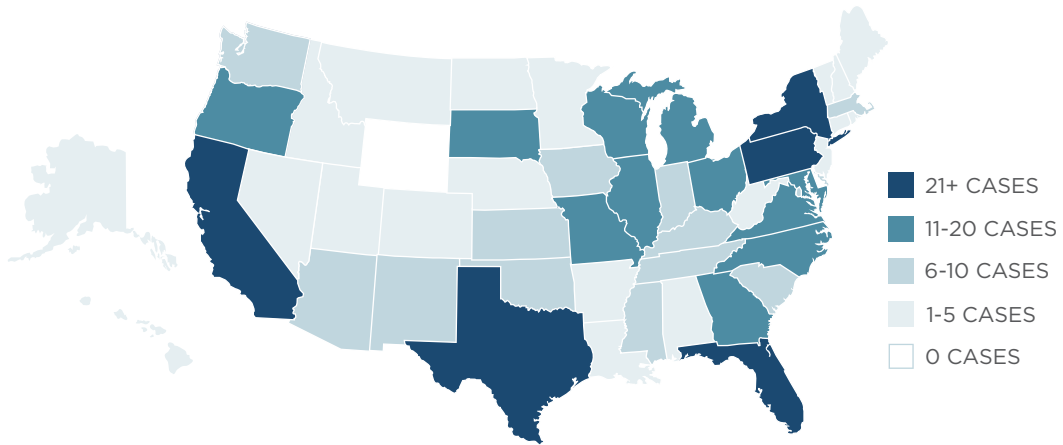
## NEW SEX TRAFFICKING CASES IN 2019



### US TERRITORIES



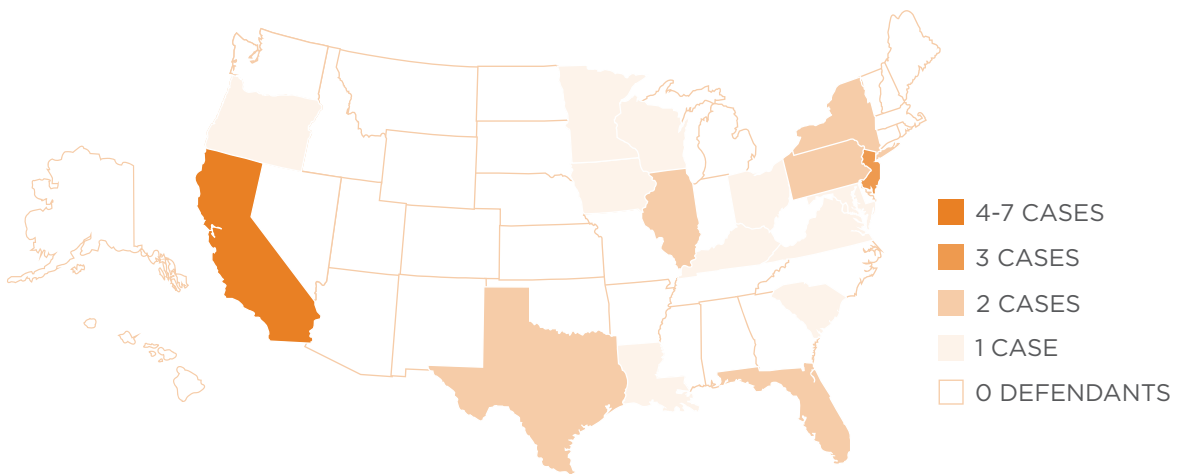
## ACTIVE SEX TRAFFICKING CASES IN 2019



### US TERRITORIES



## ACTIVE FORCED LABOR CASES IN 2019

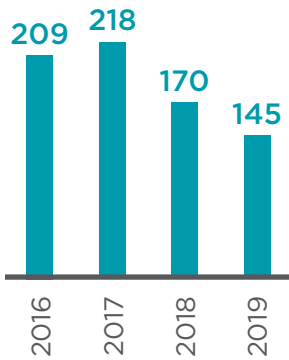


### US TERRITORIES

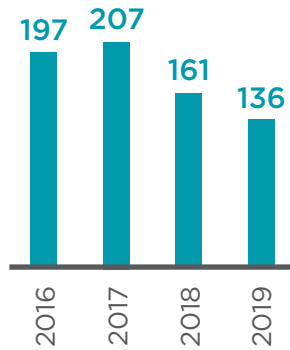


# YEAR-OVER-YEAR CHARTS

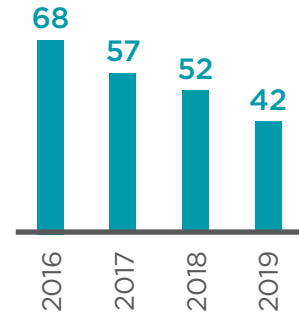
NEW CRIMINAL HUMAN TRAFFICKING CASES



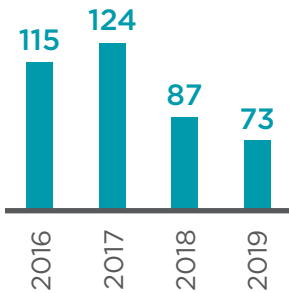
NEW CRIMINAL SEX TRAFFICKING CASES



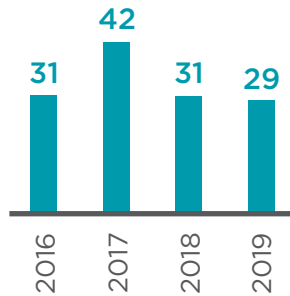
NEW CRIMINAL SEX TRAFFICKING CASES WITH ADULT VICTIMS



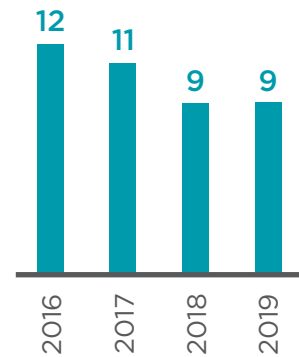
NEW CRIMINAL SEX TRAFFICKING CASES WITH CHILD VICTIMS ONLY



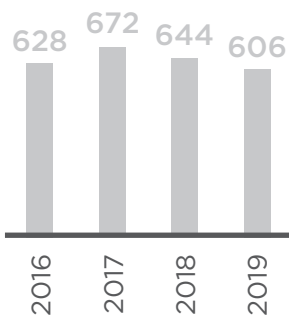
NEW CRIMINAL SEX TRAFFICKING CASES WITH BUYER DEFENDANTS



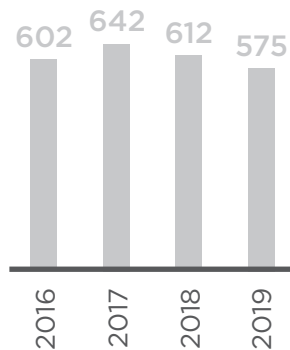
NEW CRIMINAL FORCED LABOR CASES



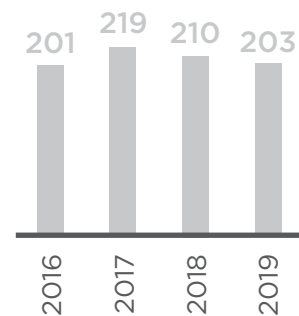
ACTIVE CRIMINAL HUMAN TRAFFICKING CASES



ACTIVE CRIMINAL SEX TRAFFICKING CASES

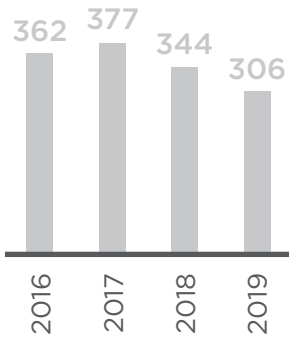


ACTIVE CRIMINAL SEX TRAFFICKING CASES WITH ADULT VICTIMS

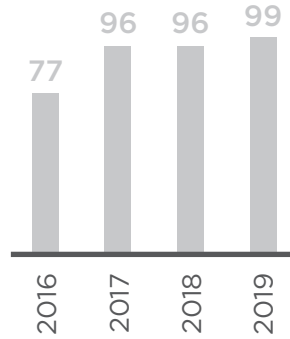




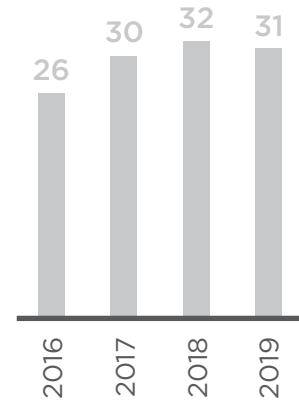
ACTIVE CRIMINAL SEX TRAFFICKING CASES WITH CHILD VICTIMS ONLY



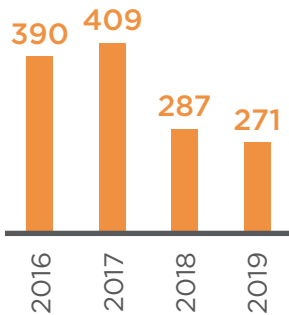
ACTIVE CRIMINAL SEX TRAFFICKING CASES WITH BUYER DEFENDANTS



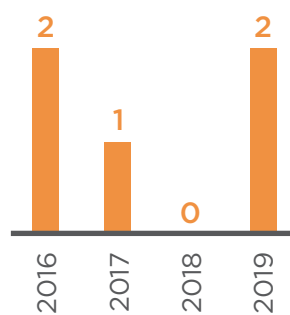
ACTIVE CRIMINAL FORCED LABOR CASES



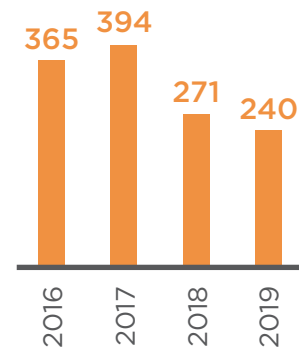
NEW CRIMINAL DEFENDANTS IN HUMAN TRAFFICKING CASES



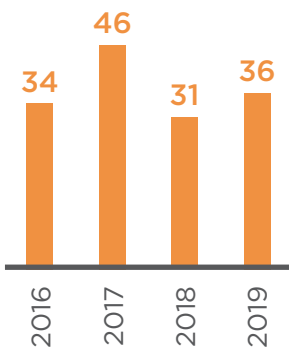
NEW ENTITY CRIMINAL DEFENDANTS IN HUMAN TRAFFICKING CASES



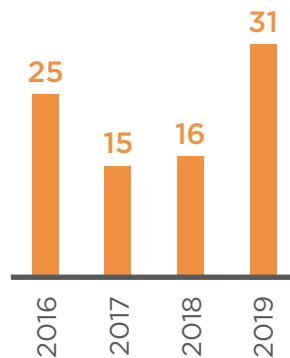
NEW CRIMINAL DEFENDANTS IN SEX TRAFFICKING CASES



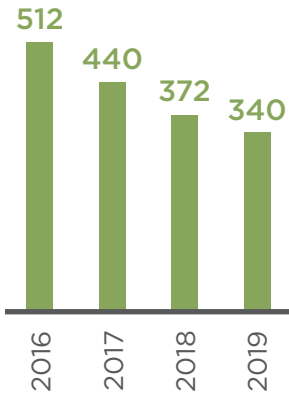
NEW CRIMINAL BUYER DEFENDANTS IN SEX TRAFFICKING CASES



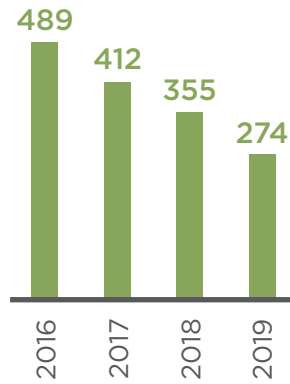
NEW CRIMINAL DEFENDANTS IN FORCED LABOR CASES



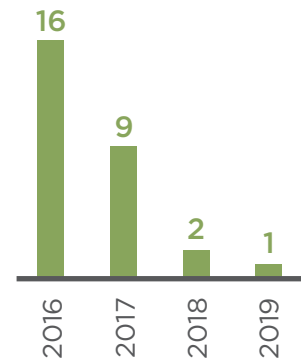
VICTIMS IDENTIFIED IN NEW CRIMINAL HUMAN TRAFFICKING CASES



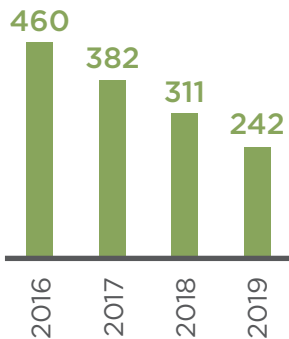
VICTIMS IDENTIFIED IN NEW CRIMINAL SEX TRAFFICKING CASES



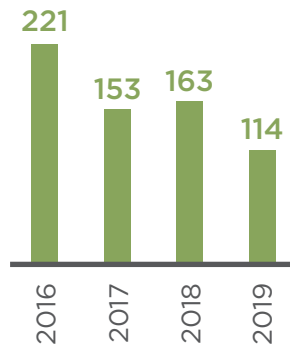
MALE VICTIMS IDENTIFIED IN NEW CRIMINAL SEX TRAFFICKING CASES



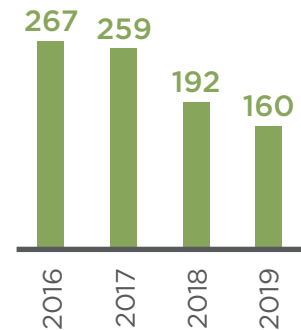
FEMALE VICTIMS IDENTIFIED IN NEW CRIMINAL SEX TRAFFICKING CASES



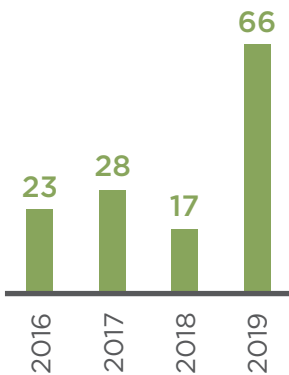
ADULT VICTIMS IDENTIFIED IN NEW CRIMINAL SEX TRAFFICKING CASES



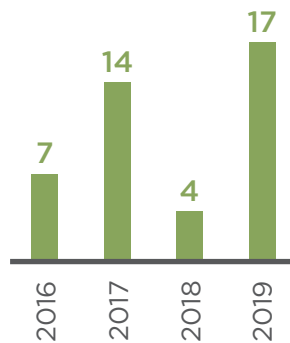
CHILD VICTIMS IDENTIFIED IN NEW CRIMINAL SEX TRAFFICKING CASES



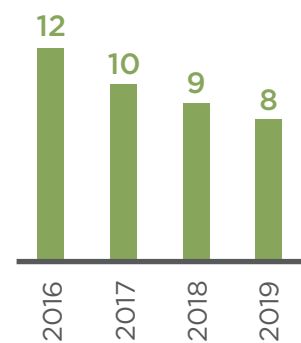
VICTIMS IDENTIFIED IN NEW CRIMINAL FORCED LABOR CASES



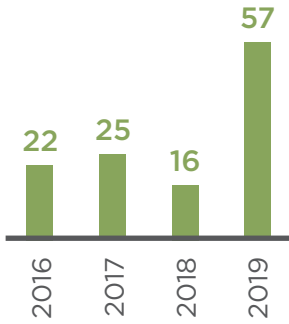
MALE VICTIMS IDENTIFIED IN NEW CRIMINAL FORCED LABOR CASES



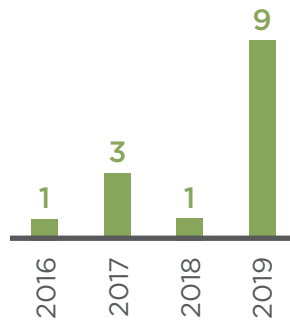
FEMALE VICTIMS IDENTIFIED IN NEW CRIMINAL FORCED LABOR CASES



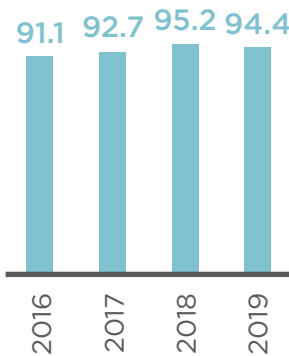
ADULT VICTIMS IDENTIFIED IN NEW CRIMINAL FORCED LABOR CASES



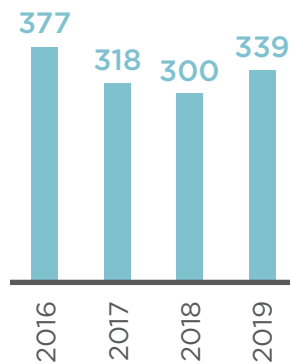
CHILD VICTIMS IDENTIFIED IN NEW CRIMINAL FORCED LABOR CASES



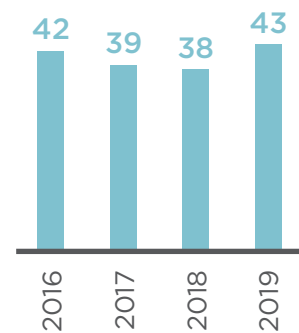
CONVICTION RATE IN HUMAN TRAFFICKING CASES



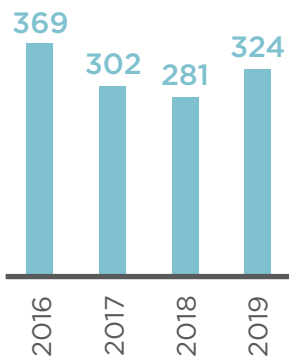
DEFENDANTS CONVICTED IN HUMAN TRAFFICKING CASES



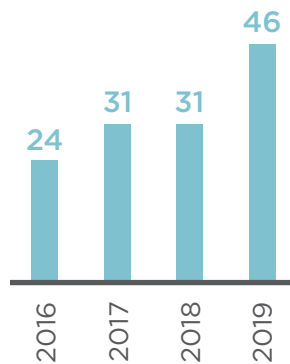
DEFENDANTS CONVICTED IN HUMAN TRAFFICKING CASES BY JURY TRIAL



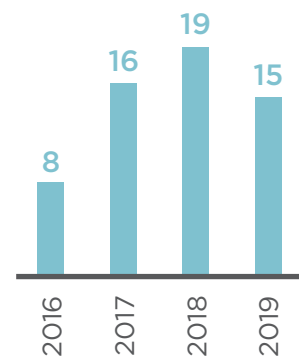
DEFENDANTS CONVICTED IN SEX TRAFFICKING CASES



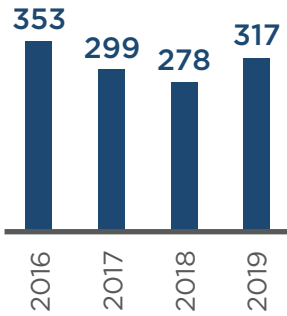
BUYER DEFENDANTS CONVICTED IN SEX TRAFFICKING CASES



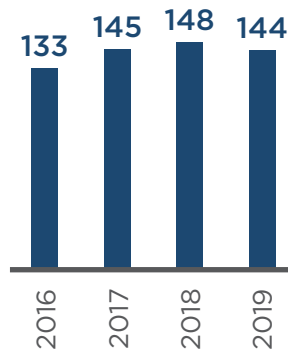
DEFENDANTS CONVICTED IN FORCED LABOR CASES



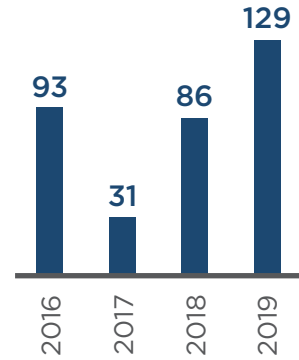
DEFENDANTS IN HUMAN TRAFFICKING CASES SENTENCED TO TERM OF IMPRISONMENT



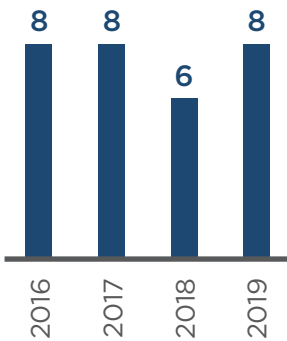
AVERAGE LENGTH OF SENTENCE FOR SEX TRAFFICKING DEFENDANT (MONTHS)



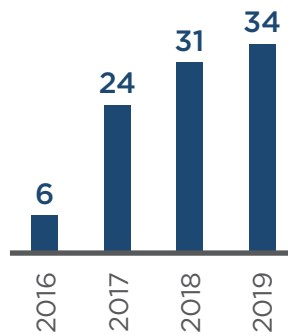
AVERAGE LENGTH OF SENTENCE FOR FORCED LABOR DEFENDANT (MONTHS)



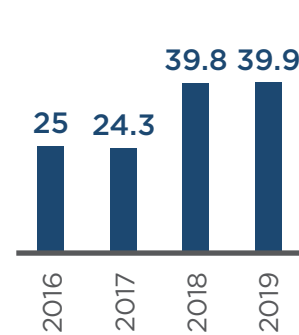
HUMAN TRAFFICKING DEFENDANTS SENTENCED TO LIFE IN PRISON



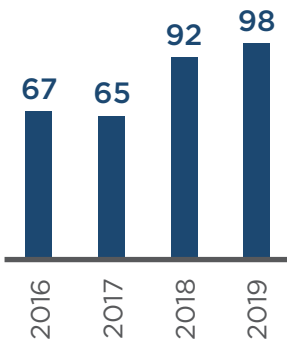
DEFENDANTS ORDERED TO PAY \$5,000 JVTA ASSESSMENT



DEFENDANTS ORDERED TO PAY MANDATORY RESTITUTION (%)



DEFENDANTS IN HUMAN TRAFFICKING CASES ORDERED TO PAY RESTITUTION



# FEDERAL JUDICIAL DISTRICT TABLES

## NEW CRIMINAL CASES & DEFENDANTS CHARGED IN 2019

DISTRICT	SEX TRAFFICKING CASES	DEFENDANTS IN SEX TRAFFICKING CASES	FORCED LABOR CASES	DEFENDANTS IN FORCED LABOR CASES	CASES CHARGED OUTSIDE TVPA
Alabama Middle	0	0	0	0	0
Alabama Northern	0	0	0	0	0
Alabama Southern	1	1	0	0	0
Alaska	3	3	0	0	2
Arizona	0	0	0	0	2
Arkansas Eastern	2	3	0	0	0
Arkansas Western	0	0	0	0	0
California Central	1	1	0	0	1
California Eastern	4	6	1	2	1
California Northern	2	3	0	0	0
California Southern	7	14	2	14	0
Colorado	0	0	0	0	0
Connecticut	0	0	0	0	1
Delaware	0	0	0	0	0
District of Columbia	5	9	0	0	5
Florida Middle	4	5	0	0	3
Florida Northern	1	1	0	0	2
Florida Southern	7	12	1	1	1
Georgia Middle	1	2	0	0	3
Georgia Northern	1	2	0	0	1
Georgia Southern	1	1	0	0	3
Guam	0	0	0	0	0
Hawaii	0	0	0	0	1
Idaho	0	0	0	0	1
Illinois Central	0	0	0	0	2
Illinois Northern	2	2	1	1	1
Illinois Southern	0	0	0	0	2
Indiana Northern	0	0	0	0	1
Indiana Southern	0	0	0	0	1
Iowa Northern	1	1	0	0	0
Iowa Southern	1	6	1	3	5
Kansas	1	1	0	0	1
Kentucky Eastern	2	7	1	2	0
Kentucky Western	1	1	0	0	0
Louisiana Eastern	0	0	0	0	0

DISTRICT	SEX TRAFFICKING CASES	DEFENDANTS IN SEX TRAFFICKING CASES	FORCED LABOR CASES	DEFENDANTS IN FORCED LABOR CASES	CASES CHARGED OUTSIDE TVPA
Louisiana Middle	0	0	0	0	0
Louisiana Western	0	0	0	0	1
Maine	0	0	0	0	0
Maryland	5	7	0	0	2
Massachusetts	1	1	0	0	0
Michigan Eastern	4	6	0	0	0
Michigan Western	0	0	0	0	0
Minnesota	1	2	0	0	0
Mississippi Northern	1	1	0	0	0
Mississippi Southern	1	3	0	0	0
Missouri Eastern	4	5	0	0	8
Missouri Western	3	3	0	0	1
Montana	0	0	0	0	1
Nebraska	1	1	0	0	3
Nevada	1	1	0	0	1
New Hampshire	0	0	0	0	0
New Jersey	1	3	0	0	0
New Mexico	2	8	0	0	1
New York Eastern	3	5	0	0	1
New York Northern	0	0	0	0	2
New York Southern	5	19	0	0	7
New York Western	3	3	0	0	4
North Carolina Eastern	3	4	0	0	2
North Carolina Middle	0	0	0	0	0
North Carolina Western	0	0	0	0	2
North Dakota	1	1	0	0	1
Northern Mariana Islands	0	0	0	0	0
Ohio Northern	2	2	0	0	0
Ohio Southern	2	2	0	0	0
Oklahoma Eastern	0	0	0	0	0
Oklahoma Northern	1	1	0	0	1
Oklahoma Western	2	5	0	0	2
Oregon	4	9	0	0	0
Pennsylvania Eastern	4	12	0	0	0
Pennsylvania Middle	0	3	0	0	0
Pennsylvania Western	0	0	0	0	0
Puerto Rico	3	3	0	0	1
Rhode Island	0	0	0	0	0
South Carolina	0	0	0	0	2
South Dakota	0	0	0	0	2
Tennessee Eastern	0	0	0	0	0
Tennessee Middle	0	0	0	0	1

DISTRICT	SEX TRAFFICKING CASES	DEFENDANTS IN SEX TRAFFICKING CASES	FORCED LABOR CASES	DEFENDANTS IN FORCED LABOR CASES	CASES CHARGED OUTSIDE TVPA
Tennessee Western	1	1	0	0	0
Texas Eastern	3	5	0	0	0
Texas Northern	4	10	0	0	3
Texas Southern	6	9	0	0	1
Texas Western	2	2	0	0	3
Utah	0	0	0	0	0
Vermont	0	0	0	0	0
Virgin Islands	2	2	0	0	0
Virginia Eastern	1	6	1	3	5
Virginia Western	0	0	0	0	0
Washington Eastern	4	5	0	0	0
Washington Western	0	0	0	0	1
West Virginia Northern	0	0	0	0	0
West Virginia Southern	2	2	0	0	0
Wisconsin Eastern	3	4	1	5	1
Wisconsin Western	2	3	0	0	0
Wyoming	0	0	0	0	2
<b>TOTAL</b>	<b>136</b>	<b>240</b>	<b>9</b>	<b>31</b>	<b>102</b>

### ACTIVE CRIMINAL CASES, ACTIVE DEFENDANTS & CONVICTIONS IN 2019

DISTRICT	SEX TRAFFICKING CASES	DEFENDANTS IN SEX TRAFFICKING CASES	FORCED LABOR CASES	DEFENDANTS IN FORCED LABOR CASES	SEX TRAFFICKING CONVICTIONS	FORCED LABOR CONVICTIONS
Alabama Middle	1	1	0	0	0	0
Alabama Northern	1	1	0	0	1	0
Alabama Southern	1	1	0	0	1	0
Alaska	5	5	0	0	1	0
Arizona	7	10	0	0	4	0
Arkansas Eastern	5	6	0	0	2	0
Arkansas Western	0	0	0	0	0	0
California Central	11	19	1	1	5	1
California Eastern	14	18	3	5	2	0
California Northern	8	12	1	1	3	1
California Southern	17	30	2	14	7	0
Colorado	2	2	0	0	2	0
Connecticut	4	4	0	0	4	0
Delaware	0	0	0	0	0	0
District of Columbia	6	11	1	1	1	0
Florida Middle	11	12	0	0	2	0
Florida Northern	4	4	0	0	2	0

DISTRICT	SEX TRAFFICKING CASES	DEFENDANTS IN SEX TRAFFICKING CASES	FORCED LABOR CASES	DEFENDANTS IN FORCED LABOR CASES	SEX TRAFFICKING CONVICTIONS	FORCED LABOR CONVICTIONS
Florida Southern	16	24	2	2	9	1
Georgia Middle	4	10	0	0	4	0
Georgia Northern	8	15	0	0	1	0
Georgia Southern	2	2	0	0	0	0
Guam	0	0	0	0	0	0
Hawaii	3	3	0	0	2	0
Idaho	3	3	0	0	3	0
Illinois Central	2	4	0	0	1	0
Illinois Northern	15	22	2	2	5	0
Illinois Southern	0	0	0	0	0	0
Indiana Northern	3	3	0	0	1	0
Indiana Southern	4	7	0	0	2	0
Iowa Northern	2	2	0	0	1	0
Iowa Southern	7	18	1	3	11	3
Kansas	7	8	0	0	6	0
Kentucky Eastern	3	8	1	2	0	0
Kentucky Western	3	3	0	0	2	0
Louisiana Eastern	1	1	1	5	1	4
Louisiana Middle	0	0	0	0	0	0
Louisiana Western	1	1	0	0	1	0
Maine	3	5	0	0	2	0
Maryland	20	28	1	1	12	0
Massachusetts	8	9	0	0	3	0
Michigan Eastern	17	42	0	0	11	0
Michigan Western	2	4	0	0	2	0
Minnesota	5	41	1	1	25	1
Mississippi Northern	4	5	0	0	1	0
Mississippi Southern	3	6	0	0	2	0
Missouri Eastern	10	13	0	0	5	0
Missouri Western	8	9	0	0	4	0
Montana	1	1	0	0	0	0
Nebraska	2	2	0	0	1	0
Nevada	5	6	0	0	1	0
New Hampshire	1	1	0	0	0	0
New Jersey	2	6	3	5	3	0
New Mexico	8	27	0	0	2	0
New York Eastern	14	34	2	4	5	1
New York Northern	1	1	0	0	0	0
New York Southern	26	60	0	0	14	0
New York Western	14	20	0	0	10	0
North Carolina Eastern	8	10	0	0	1	0
North Carolina Middle	0	0	0	0	0	0



DISTRICT	SEX TRAFFICKING CASES	DEFENDANTS IN SEX TRAFFICKING CASES	FORCED LABOR CASES	DEFENDANTS IN FORCED LABOR CASES	SEX TRAFFICKING CONVICTIONS	FORCED LABOR CONVICTIONS
North Carolina Western	3	4	0	0	2	0
North Dakota	5	8	0	0	3	0
Northern Mariana Islands	1	1	0	0	1	0
Ohio Northern	6	10	1	1	6	0
Ohio Southern	5	7	0	0	2	0
Oklahoma Eastern	0	0	0	0	0	0
Oklahoma Northern	4	5	0	0	3	0
Oklahoma Western	5	9	0	0	2	0
Oregon	11	18	1	2	3	0
Pennsylvania Eastern	22	37	1	1	12	0
Pennsylvania Middle	11	26	1	1	6	0
Pennsylvania Western	2	3	0	0	1	0
Puerto Rico	14	14	0	0	7	0
Rhode Island	2	3	0	0	3	0
South Carolina	8	14	1	1	4	1
South Dakota	11	12	0	0	7	0
Tennessee Eastern	3	3	0	0	0	0
Tennessee Middle	3	4	0	0	2	0
Tennessee Western	3	3	0	0	1	0
Texas Eastern	3	5	1	2	0	0
Texas Northern	21	44	1	2	12	2
Texas Southern	31	80	0	0	25	0
Texas Western	8	12	0	0	9	0
Utah	2	4	0	0	2	0
Vermont	4	8	0	0	5	0
Virgin Islands	3	4	0	0	0	0
Virginia Eastern	11	20	1	3	7	0
Virginia Western	1	1	0	0	0	0
Washington Eastern	8	9	0	0	0	0
Washington Western	2	2	0	0	1	0
West Virginia Northern	0	0	0	0	0	0
West Virginia Southern	3	3	0	0	1	0
Wisconsin Eastern	9	11	1	5	2	0
Wisconsin Western	7	9	0	0	4	0
Wyoming	0	0	0	0	0	0
<b>TOTAL</b>	<b>575</b>	<b>993</b>	<b>31</b>	<b>65</b>	<b>324</b>	<b>15</b>

## ABOUT THE HUMAN TRAFFICKING INSTITUTE

The Human Trafficking Institute exists to decimate human trafficking at its source by empowering police and prosecutors to stop traffickers. Working inside criminal justice systems, the Institute provides the embedded experts, world-class training, investigative resources, and evidence-based research necessary to free victims.



[www.TraffickingInstitute.org](http://www.TraffickingInstitute.org)  
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