

U.S. DEPARTMENT OF HOMELAND SECURITY
FEDERAL LAW ENFORCEMENT TRAINING CENTERS

Investigations



Homeland Security

STUDENT TEXT

HUMAN TRAFFICKING

5053

JAN/2016

115-500

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LESSON PLAN SYLLABUS

Lesson Title: HUMAN TRAFFICKING
Course Number: 5053
Course Date: JAN/2016

Program	Session or Option Number	EPOs Covered
CITP, UPTP, LMPT, RPOTP	A	1-2

Description:

This course will familiarize students with the definition of human trafficking to include Federal legislation, and provide identification of indicators of Human Trafficking. The text supplements the student computer based training activity.

Terminal Performance Objective:

Given a potential human trafficking situation, the law enforcement officer will recognize the indicators of human trafficking and as a result contact the proper agency to forward the information.

Enabling Performance Objective (EPO)

- EPO #:1. Define human trafficking, including federal legislation
- EPO #:2. Identify indicators of human trafficking

STUDENT SPECIAL REQUIREMENTS:

No special requirements.

METHOD OF EVALUATION:

Written Test

II. PRESENTATION

A. EPO #1.: Define human trafficking, including federal legislation

1. What is human trafficking?
 - a. Simply put, the loss of one's free will or "Modern-Day Slavery."
 - b. HUMAN TRAFFICKING - FORCED LABOR (18 USC 1590)
 - 1) Forcing or coercing a person to perform labor or services by threats of serious harm to the person or a third party, or physical restraint.
 - 2) Forcing or coercing a person to perform labor services by means of abuse or threatened abuse of the law or the legal process
 - c. HUMAN TRAFFICKING – SEX TRAFFICKING (18 USC 1591)
 - 1) Any adult who is made to engage in a commercial sex act (exchange of anything of value to any person for sex act) by means of force, fraud or coercion
 - 2) When a minor is caused to engage in a commercial sex act (the elements of force, fraud, or coercion needs not be proved).
 - d. As of 2013, with Wyoming passing its version of anti-human trafficking legislation, all 50 states and the District of Columbia have some form of human trafficking-related criminal statutes. (See: <http://www.polarisproject.org>) Most of these states require the elements of force, coercion or fraud to commit crimes of human trafficking.
2. The "Myths" of human trafficking
 - a. Slavery is history
 - 1) We always thought that once the Emancipation Proclamation was signed, or when the U.S. Civil War ended, or even the passing of the Civil Rights Act that slavery ended in our country. This is simply not true.
 - 2) According to the 2014 Trafficking in Persons Report, we see that 184 governments, worldwide, reported to the Department of State the number of identified human trafficking victims. That number is very low only 44,000. (2014 Trafficking in Persons Report, US State Department)
 - 3) That number is dwarfed by the numbers provided by some international organizations. For example, the International Labor Organization (ILO) has estimated that over 20 million persons are victims of human trafficking. (www.ilo.org)
 - 4) A reason for law enforcement concern is that discrepancy

between the 44,000 identified victims and the potential 20 million that are actually out there.

- 5) And why is slavery not history? It is a huge money maker for the traffickers. The ILO estimates that human trafficking is a \$140 Billion (yes, Billion) industry (See www.ilo.org). Traffickers are able to use human beings over and over again. They are a re-usable commodity. This is different than trafficking guns or drugs. With those items the seller has to return to the distributor for more. With humans, that is not necessary.
- b. It only applies to foreigners
 - 1) Again, this is simply not true. In fact, if we look at the two types of human trafficking, you will find that when speaking about sex trafficking (sex in exchange for something of value), the majority, nearly 70%, of identified victims in the U.S., are U.S. citizens. (U.S. Department of Justice, "Characteristics of Suspected Human Trafficking Incidents," 2011)
 - 2) However, when we look at forced labor cases (working for little or no wages, in deplorable conditions) the vast majority of those identified victims are foreign born (nearly 80%. U.S. Department of Justice, "Characteristics of Suspected Human Trafficking Incidents," 2011) Why would that be? Most likely because the types of work being performed by foreign born nationals are in the fields of agriculture, domestic service, and other jobs requiring manual labor.
 - c. It requires movement
 - 1) Human Smuggling (8 USC 1324): This crime requires the crossing of an international border. In fact, it is a crime against the border of another country. It also requires movement, or some form of transportation. Also, those being smuggled have voluntarily agreed to be smuggled.
 - 2) Human Trafficking: 18 USC 1591. This crime is all about human exploitation. Unlike smuggling, no movement is required. This is why so much confusion occurs. The word "trafficking" connotes movement, but that is a misnomer. In reality, one may be trafficked in one's home town. For trafficking, no movement is required. The person is involuntarily victimized (unlike smuggling where the person volunteers to be smuggled). Finally, the crime of human trafficking is a crime against the person, whereas the crime of smuggling is a crime against the border of another country.
 - d. Victims self-report to law enforcement
 - 1) According to ICE agents -Homeland Security Investigations

(HSI), very rarely do victims self-report to police that they may be trafficking victims. Most victims are too fearful to self-report to law enforcement. For those victims who are foreign and undocumented, they may have had their identity documents seized by the traffickers and then told that if the victims speak to the police, the trafficker will make every effort to deport them. Additionally, they may have been threatened with bodily harm or their families may have been threatened with bodily harm should the victim ever seek help from the police. The victims may have been physically beaten or threatened with sexual assault, or even raped, to prove that the trafficker will follow through on these threats. For these reasons, victims are unlikely to call 911 or report the incident.

2) They may believe they have a way out of their situation. Many victims may feel that they are in control of their situation. For example, a victim may have been told that after having sex with men just one more time, it will be the last time. Some victims do not even realize they are victims of human trafficking.

e. It does not happen in your backyard

Human trafficking occurs everywhere, in both urban cities and rural jurisdictions. (SEE CASE STUDIES)

B. EPO #2.: Identify indicators of human trafficking

1. A victim's behavioral indicators of human trafficking may consist of:
 - a. Not in possession of his/her own documents
 - b. Restricted movement, not exercising free will
 - 1) A victim may have perceived freedom, meaning, they appear to have the freedom come and go freely.
 - 2) The trafficker is still controlling the victim because the victim may be afraid to speak to police or anyone else due to threats.
 - c. Visible signs of physical violence or abuse
 - 1) Signs of lack of medical care such as several bruises in differing stages of healing, improperly healed broken limbs, tooth decay or malnourishment.
 - 2) Signs of torture (cigarette burns, ligature marks, etc...)
 - 3) Sexually transmitted diseases, evidence or signs of forced abortions.
 - d. Restricted or monitored communications
2. Situational indicators of human trafficking may consist of:

- a. Surveillance equipment
 - b. Unaccompanied minors without guardians
 - 1) Also may encounter a group with several children
 - 2) If there is a guardian, he or she does not know basic information about the child/children (birthdates, ages, grades in school)
 - c. Locks, fences, restraints, armed guards surrounding a dwelling or building
 - d. Overcrowded, unusual, or substandard living conditions
 - e. Evidence of Commercial sex trade
 - 1) Commercial sex paraphernalia
 - 2) Controlled substance consumption
 - f. Restricted or monitored transportation (ex: Employer loads women into a van every morning)
 - g. Ledgers showing debt calculations and other unreasonable deductions from pay
 - h. The trafficking victim does not handle money directly
 - 1) Cantinas using poker chips or cards
 - 2) Non-US currency only
 - i. Economically irrational and unreasonable work conditions (See Case Study #5)
 - 1) The trafficker fails to provide the employee the proper tools to perform the job function.
 - 2) A reasonable person would not do the work under these conditions.
 - 3) For example, shoveling snow using a clip board rather than a snow shovel. Another example could be painting a house with a fine, small paint brush.
 - j. No, or low-paid wages
 - 1) Employer is holding wages
 - 2) Job could be performed much more efficiently
 - 3 Inability to articulate wage or earnings
3. Indicators of sex trafficking at a truck stop (STUDENT CENTERED LEARNING ACTIVITY #1)
4. Recruitment of sex trafficking in a high school (STUDENT CENTERED LEARNING ACTIVITY #2)

5. Recruitment of sex trafficking victims by entrapment (STUDENT CENTERED LEARNING ACTIVITY #3)
6. Labor Trafficking at a rest area (STUDENT CENTERED LEARNING ACTIVITY #4)
7. Domestic Servitude Scenario (STUDENT CENTERED LEARNING ACTIVITY #5)
8. Tavern Scenario (STUDENT CENTERED LEARNING ACTIVITY #6)
9. Domestic Violence (STUDENT CENTERED LEARNING ACTIVITY #7)

REFERENCES

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US IMMIGRATION AND CUSTOMS ENFORCEMENT, TRAFFICKING IN PERSONS STRATEGY, EXECUTIVE SUMMARY (2007)

US IMMIGRATION AND CUSTOMS ENFORCEMENT DIRECTIVE CONCERNING TRAFFICKING IN PERSONS STRATEGY. (JULY, 2007)

ATTACHMENTS FOR STUDENTS