

2022



FEDERAL

# HUMAN TRAFFICKING REPORT

A PUBLICATION OF

HUMAN  
TRAFFICKING  
INSTITUTE



## ACKNOWLEDGEMENTS

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# Special Thanks

The 2022 Federal Human Trafficking Report (FHTR) would not be possible without the support of numerous individuals who each played an essential role in preparing the FHTR for publication. The Human Trafficking Institute would like to extend a special appreciation to those who identified cases, entered case data, advised on content, made edits and recommendations, and provided overall support in the production of the 2022 FHTR.

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### HTI would also like to thank:

Members of the U.S. Advisory Council on Human Trafficking, other agencies, organizations, and individuals who provided valuable feedback and recommendations for the 2022 FHTR, as well as our donors for their generous support.

# Welcome Letter

## Dear Reader,

In an era where data shapes nearly all our day-to-day decisions, from the things we purchase to the relationships we establish, it is increasingly more important to examine how we can better use data to shape our response to combat human trafficking. This year, as we celebrate the 6th publication of the Human Trafficking Institute's (HTI) Federal Human Trafficking Report (FHTR), we continue to focus our efforts on transforming the data contained in the FHTR to evidence-based solutions. Boasting twenty-three years of federal human trafficking prosecutions, with 279 different data points from over 2,900 federal cases, the FHTR stands to serve as the single most exhaustive and comprehensive source of data on the federal response to human trafficking throughout the United States.

The purpose of the FHTR is to present practitioners with objective, quantifiable data in a manner such that it may be used to meaningfully shape the anti-trafficking response and produce positive outcomes in the fight against human trafficking. To fulfill this purpose, HTI continuously seeks new ways to expand and improve the collection, organization, and presentation of the data compiled in the FHTR. This year we sought to bring specific improvement in the clarity and consistency of the terminology used, as well as in the organization and presentation of the data collected.

One notable change this year is the cessation of the term "active" to refer to cases that are pending in the federal court system. The 2022 FHTR now refers to cases charged and awaiting final disposition in the federal court system as "pending". This shift in language is intended to create consistency in the terminology used by practitioners and in the FHTR. Secondly, to help make the 2022 FHTR more user friendly, you will find that the information contained in the report has been divided into smaller, more digestible sections.



Ideally, this will allow readers to quickly reference and locate certain data points using the table of contents.

Finally, to expand the scope of our data, the 2022 FHTR includes data from human trafficking cases charged under the federal human trafficking statutes contained in Chapter 77 of the United States Code, and human trafficking cases charged under other ancillary statutes, such as the federal Mann Act. The inclusion of data from these additional cases will help provide the most accurate depiction of our federal response to domestic human trafficking and will help us better understand how prosecutors and investigators use federal laws to hold traffickers accountable in the justice system. You can find more information on the statutes included in our Methodology section.

Data is the most persuasive and impactful tool we can use to create effective and efficient solutions to decimating human trafficking. We hope the 2022 FHTR brings meaningful new insight and information to help guide you in your efforts.

Sincerely,

Lindsey Lane  
*Senior Legal Counsel*

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*Executive  
Summary*



# Executive Summary

Human trafficking is the crime of using force, fraud, or coercion to compel an individual to work or to engage in a commercial sex act. Prosecuting human traffickers is part of a holistic approach to combating this pervasive form of exploitation. The Human Trafficking Institute's (HTI) annual Federal Human Trafficking Report (FHTR) provides an exhaustive review of human trafficking cases in the United States federal court system. To date, this is the only review of its kind. The FHTR presents data from both criminal forced labor and sex trafficking prosecutions.

## CRIMINAL HUMAN TRAFFICKING CASES 2022

### NEW CASES

**5** FORCED LABOR CASES    **178** SEX TRAFFICKING CASES



There were **183** NEW CRIMINAL CASES OF HUMAN TRAFFICKING filed in the federal court system. The number of new cases filed **DECREASED BY 24%** since 2021, when prosecutors filed 241 new criminal cases\*

### DEFENDANTS



Compared to 2021, there was a **37% DECREASE** in the number of new defendants charged in 2022. Since 2018, the number of defendants charged has **DECREASED BY 35%**<sup>^</sup>

**ONE** entity, a hotel, was charged with human trafficking

\* Based on the decrease from 241 new criminal human trafficking cases in 2021 to 183 new criminal human trafficking cases in 2022.

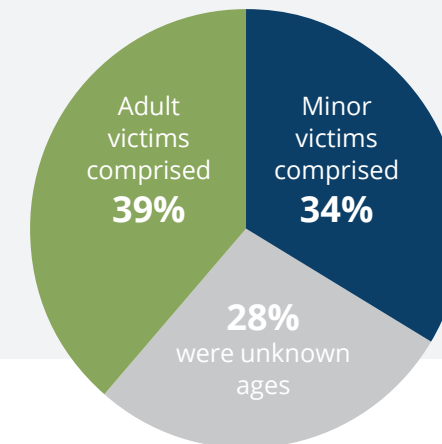
<sup>^</sup> Based on 71 federal districts filing a new criminal human trafficking case in 2021.

<sup>~</sup> Based on 364 criminal human trafficking defendants charged in 2018.

<sup>-</sup> Based on 227 criminal sex trafficking defendants in 2022.

## VICTIMS IN NEW CASES

There were **363** VICTIMS in new cases filed in 2022



## LENGTH OF EXPLOITATION

In the cases filed in 2022, victims of **SEX TRAFFICKING** spent an average of

**341 DAYS**

in exploitation by their trafficker.

The average number of days victims of **FORCED LABOR** spent in exploitation was

**693 DAYS**

## REFERRALS

The most commonly identified methods of referral in trafficking cases in 2022 were:

- Family Member
- Victim
- Task Force
- Medical Personnel
- Anonymous Tips
- Hotlines
- Social Workers
- NCMEC
- Confidential Informant
- Neighbor

## RECRUITMENT & SOLICITATION

In the 178 sex trafficking cases filed in 2022, the primary method traffickers used to solicit buyers of commercial sex was through the internet, **53%** of the time

Of the 347 sex trafficking victims in trafficking cases filed in 2022, **16%** were recruited on the internet

## TRANSPORTATION

Traffickers used various means of transportation to transport victims in 2022:

RIDESHARES	
UBER	6
LYFT	1
AIRLINES	
ALASKA AIRLINES	2
SOUTHWEST AIRLINES	1
JETBLUE	1
DELTA	1
BUSES	
GREYHOUND	3
LOCAL BUS SERVICE	1



## PAYMENT PLATFORMS

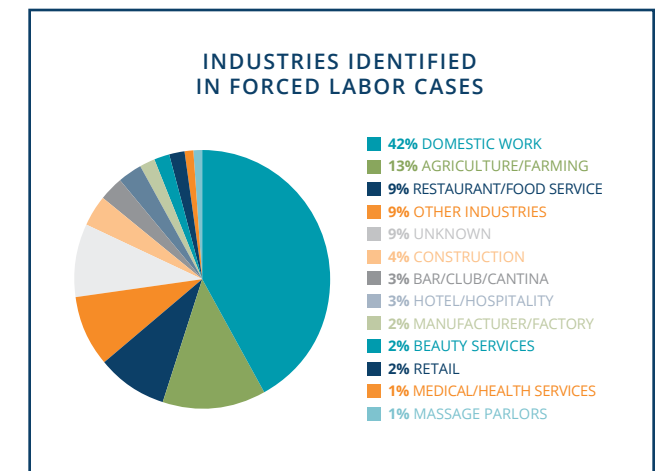
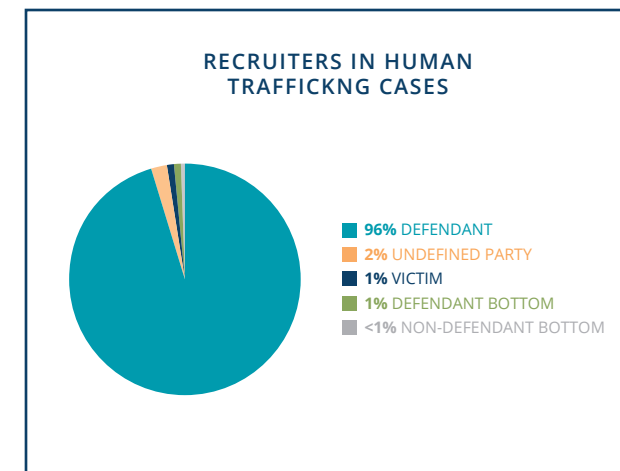
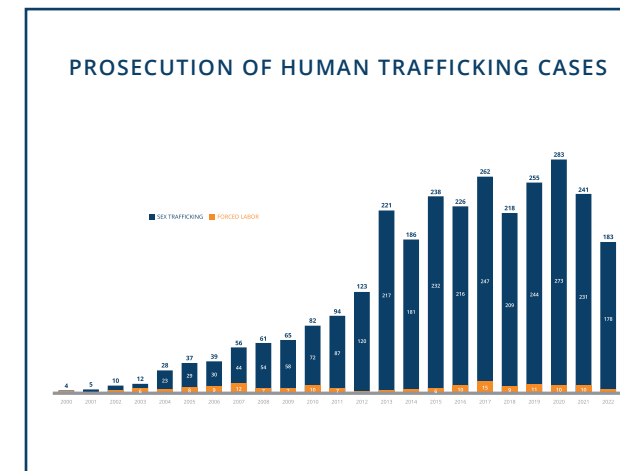
Between 2019-2022, the top 3 most frequently identified payment platforms used to purchase commercial sex were:

- VENMO
- CASH APP
- and PAYPAL

## INTERACTIVE DATA WEBSITE

The data published in the FHTR each year is only a small representation of the amount of data stored within the HTI database. Since 2021, additional data has been made available through the FHTR data subsites located on the HTI website. These interactive features allow readers to explore data within our database beyond the information provided in the published FHTR. Readers can now manipulate filters to review more information on:

- Prosecution of Human Trafficking Cases
- Victims in Cases by District
- Recruiters in Human Trafficking Cases
- Industries Identified in Forced Labor Cases



## VICTIM RESTITUTION



In 2022, **36%** (166) of all defendants convicted with a human trafficking crime were ordered to pay victim restitution, with a total of **625 victims\***

In 2022, **48%** (116) of the defendants were ordered to pay restitution, when restitution was mandatory^

[CLICK HERE TO VIEW THE INTERACTIVE DATA](#)

[DATA.TRAFFICKINGINSTITUTE.ORG](https://DATA.TRAFFICKINGINSTITUTE.ORG)

\* Based on 467 defendants sentenced in criminal human trafficking cases in 2022.

^ Based on 241 criminal human trafficking defendants sentenced in 2022 for Chapter 77 convictions.

# *Introduction*







# Introduction

In constructing an effective response to human trafficking, we must first understand how traffickers operate to recruit, coerce, and profit from the exploitation of victims. Human trafficking is a uniquely complex crime, and trafficking models vary widely depending on the trafficking scheme and methods used. Furthermore, traffickers often operate using psychological and emotional techniques that are not easily observed from the outside looking in. For this reason, we turn to data to help us create informed and targeted solutions to protect victims and stop traffickers.

The Federal Human Trafficking Report (FHTR) provides objective, quantifiable information to guide practitioners as they develop impactful responses to combat human trafficking. By examining specific data points year-over-year, the FHTR helps practitioners better recognize emerging trends, patterns, and relationships that may not be immediately recognizable in a crime that often occurs behind closed doors. The data provided in the FHTR is intended to serve as a resource and a tool for prosecutors, investigators, and practitioners in their efforts to combat human trafficking. **The FHTR is neither an indicator of the prevalence of human trafficking in the United States nor a reflection of the investigations and prosecutions that take place at the state level, outside the federal court system.**

“IN CONSTRUCTING AN EFFECTIVE RESPONSE TO HUMAN TRAFFICKING, WE MUST FIRST UNDERSTAND HOW TRAFFICKERS OPERATE TO RECRUIT, COERCE, AND PROFIT FROM THE EXPLOITATION OF VICTIMS.”

## SECTIONS

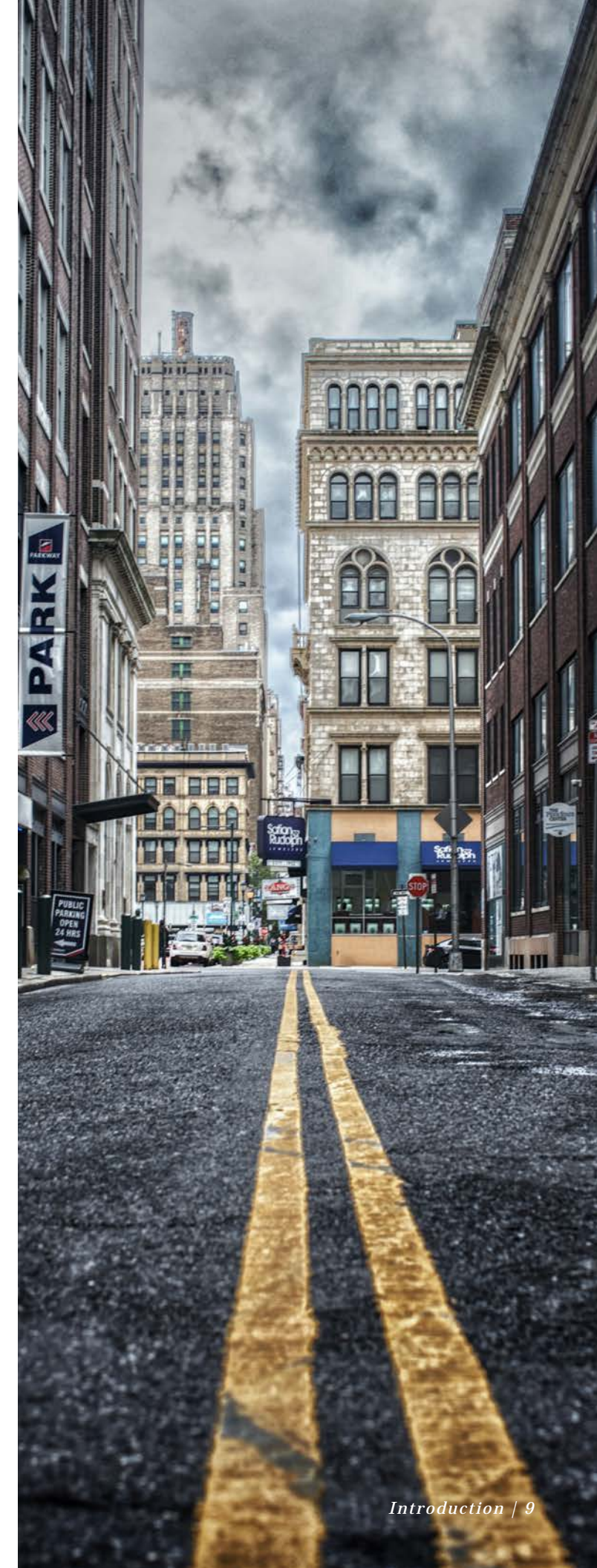
This year, to help make the 2022 FHTR more user-friendly, you will find that the information contained in the FHTR has been divided into ten smaller, more digestible sections. Ideally, this will allow readers to quickly reference and locate particular data points within the FHTR using the detailed table of contents.

## FOCUS ON NEW CASES

The FHTR database boasts twenty-three years of data, extracted from over 2,929 human trafficking cases filed since the Trafficking Victims Protection Act (TVPA) was enacted in 2000. The data featured in the FHTR highlights key findings and emerging trends extracted from new cases filed during each calendar year, to allow for year-over-year comparison. Important to note in the 2022 FHTR, is the inclusion of data extracted from cases filed both under the federal human trafficking statutes, and cases that involve human trafficking but are filed under other non-human trafficking statutes such as the Mann Act. The inclusion of data from these additional cases filed under other non-human trafficking statutes, will help us provide the most accurate depiction of our federal response to domestic human trafficking, and will help us better understand how prosecutors and investigators use federal laws to hold traffickers accountable in the justice system. For more information please see the Methodology section of the FHTR.

## NEW DATA FIELDS

In an attempt to gain as much information about human trafficking prosecutions as possible, we continue to add new data fields to the FHTR each year. The 2022 FHTR will feature several new data points, some of which include the identification of the rideshare or payment platform company used in the trafficking scheme, the use of expert testimony, the length of time victims are exploited by their trafficker, the role of state and local law enforcement agencies in federal investigations, whether children were present during a victim's exploitation, and whether a defendant was a United States Military service member.



SECTION 1:

# *Criminal Cases*





## SECTION 1: *Criminal Cases*

Dozens of human trafficking cases are filed in the federal court system every year, each one uniquely distinct from the others, and each representative of the many ways human trafficking occurs within the United States. Despite the individual differences between each case and the diverse tactics utilized by traffickers, it is still possible to discern recurring commonalities in trafficking models and schemes from the cases that are filed. For this reason, the FHTR examines each case that is filed for the valuable insight they bring.

Identifying the number and type of human trafficking cases filed in the federal court system each year is important to help measure the United States' federal response to combat trafficking. Likewise, distinguishing positive outcomes in high-performing districts helps shape and promulgate best practices among practitioners. This data can also help diagnose gaps in the federal response and support the development of evidenced-based solutions to improve how trafficking cases are investigated and prosecuted across the country.

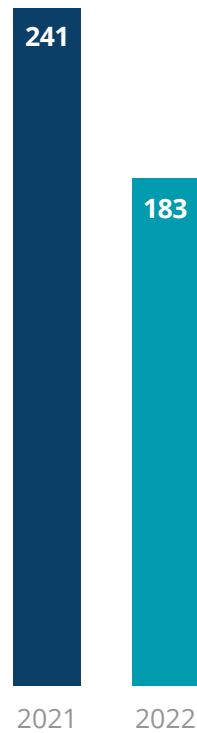
This section includes information on the number of criminal human trafficking cases filed in the federal court system in 2022 and breaks down those prosecutions by case type and district.

### 1.1 NEW CASES

In 2022, there were 183 new criminal cases of human trafficking filed in the federal court system. This number is a 24% decrease from 2021, when prosecutors filed 241 new criminal cases.<sup>1</sup> The number of new criminal human trafficking cases filed in 2022 signifies the second consecutive year of decline in federal prosecutions.

Human trafficking prosecutions often result from extensive investigations that can span over several months or even years. Likewise, many cases filed in the federal court system do not reach disposition within the same calendar year in which they were filed. The FHTR considers a criminal case to be pending in 2022 if the government filed charges in a federal court in any year and the case is still open with at least one defendant in the case awaiting trial or sentencing, or at least one defendant with time remaining to file a direct appeal. Of the 183 new criminal cases filed in 2022, 54 (30%)

#### NEW CASES FILED



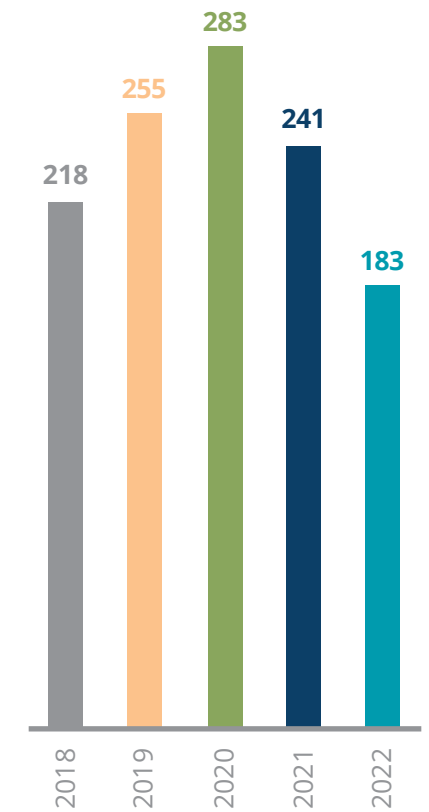
received disposition within the same year (2022). The remaining 129 (70%) cases were pending in the court system at the end of the 2022 calendar year.<sup>2</sup> Of the 54 cases that were both filed and disposed of within the 2022 calendar year, 5 cases were disposed of by jury trial, and the remaining 49 cases received disposition through plea agreement.

### 1.2 PENDING CASES

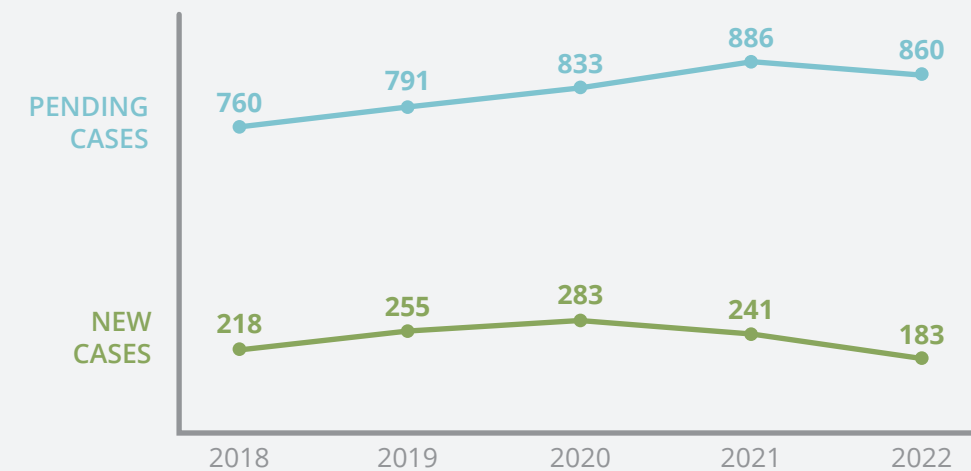
Pending cases require the continued attention and commitment of prosecutors, investigators, and victim service providers as they await disposition, including preparation for trial. At the conclusion of 2022, there were 860 human trafficking cases pending in the federal court system. This number is slightly lower than the 886 pending trafficking cases in 2021.

While COVID-19 brought numerous shutdowns, closures, and delays across the country from 2020-2021, a comparison of the number of cases pending in years prior to and subsequent to the COVID-19 pandemic does not indicate any significant effect on the number of human trafficking cases reaching disposition each year.

#### NEW CRIMINAL CASES OF HUMAN TRAFFICKING



#### PENDING CASES AND NEW CASES FILED



<sup>1</sup> Based on the decrease from 241 new criminal human trafficking cases in 2021 to 183 new criminal human trafficking cases in 2022.

<sup>2</sup> See Section 2.5 for further information on the length of disposition.

### 1.3 CASE TYPE

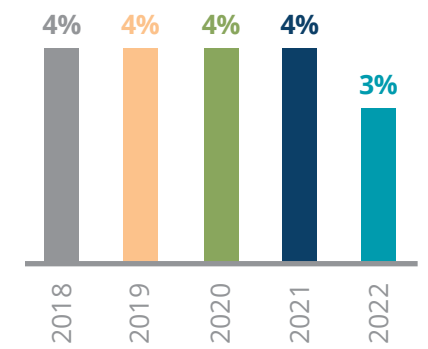
In 2022, 97% (178) of the 183 new criminal cases filed included at least one charge for sex trafficking. The remaining 3% (5) of new criminal cases filed involved at least one charge of forced labor.<sup>3</sup> While some cases can involve both sex trafficking and forced labor, there were no cases identified in 2022 containing both types of charges. Both the total number of new sex trafficking cases and the number of new forced labor cases decreased in 2022. From 2021 to 2022, sex trafficking cases decreased by 23%<sup>4</sup> and forced labor cases decreased by 50%.<sup>5</sup>

### NEW CRIMINAL HUMAN TRAFFICKING CASES 2022

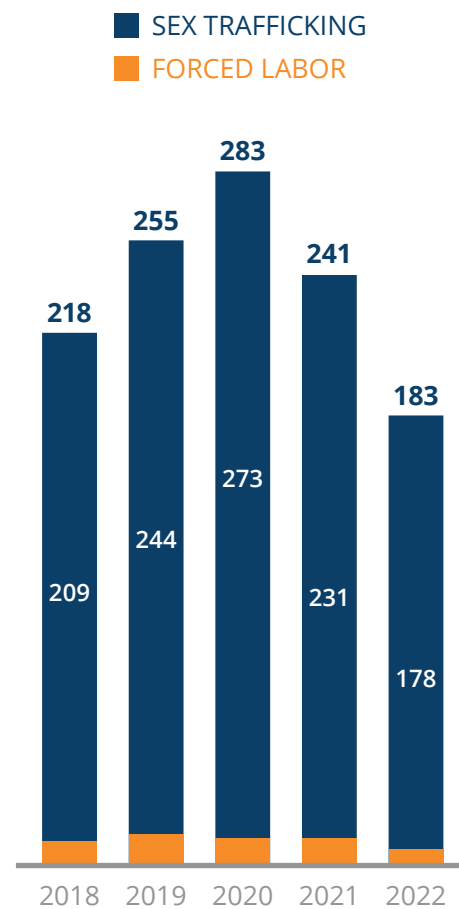


Both sex trafficking and forced labor are forms of human trafficking, and victims of both types of trafficking can experience serious harm because of the exploitation of their trafficker. Despite the severity of both forms of the crime, sex trafficking is historically charged at a much greater rate than criminal forced labor. Over the past 5 years, 4% of new criminal cases filed were forced labor, 96% were sex trafficking.<sup>6</sup> Since the enactment of the TVPA in 2000, only 6% of the cases filed were for forced labor.<sup>7</sup> The ratio of sex trafficking and forced labor cases in new cases filed has varied only slightly since 2017.

### PERCENTAGE OF NEW FORCED LABOR CASES FILED



### FIVE YEAR COMPARISON OF CASE TYPE



### WHY ARE THERE SO FEW FORCED LABOR CASES?

There is no single explanation as to why forced labor cases are charged less frequently than criminal cases of sex trafficking. However, there are many factors that may contribute to the lower rate of prosecution in comparison to sex trafficking.

First, sex trafficking is often more visible than forced labor, as it often involves noticeable activities that take place in public areas such as hotels or streets. Forced labor, however, often occurs in less prominent settings such as farms, factories, or within homes. The lack of visibility in forced labor cases makes it difficult to identify potential victims or gather evidence against a trafficker.

Secondly, many victims of forced labor may fail to recognize that they are being exploited by a trafficker and similarly, law enforcement and the public at large may fail to understand the distinctions between administrative labor violations and forced labor.

Third, forced labor investigations and prosecutions can be incredibly complex and difficult to prove, as they often involve issues such as debt bondage, immigration status, and methods of coercion that are distinct from those methods used in sex trafficking cases. Extrinsic, forensic, and corroborative evidence may be more difficult to obtain in comparison to more objective sex trafficking cases, and therefore cases of forced labor rely heavily on victim disclosure and testimony.

**While there are significantly fewer forced labor cases filed than commercial sex trafficking cases, this should not be considered as an indicator that there is less forced labor occurring in the United States. Information such as the data presented in the FHTR should be used to evaluate and shape best practices in the federal response to combat forced labor.**

<sup>3</sup> Based on 183 new criminal human trafficking cases filed in 2022.

<sup>4</sup> Based on the decrease from 231 sex trafficking cases in 2021 to 178 sex trafficking cases in 2022.

<sup>5</sup> Based on the decrease from 10 forced labor cases in 2021 to 5 forced labor cases in 2022.

<sup>6</sup> Based on 45 forced labor cases and 1,135 sex trafficking cases of 1,180 new criminal human trafficking cases filed between 2018 and 2022.

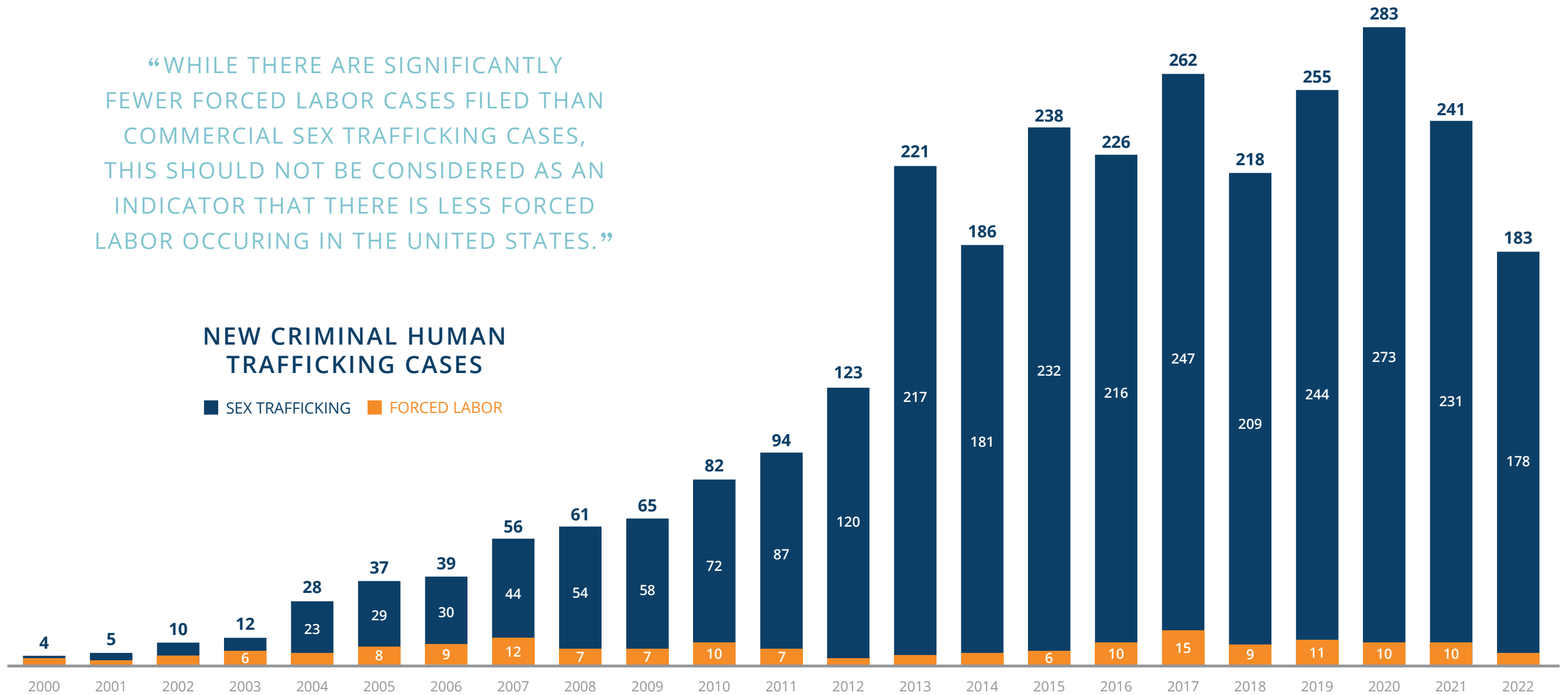
<sup>7</sup> Based on 168 of 2,929 new criminal trafficking cases filed since 2000.



“WHILE THERE ARE SIGNIFICANTLY FEWER FORCED LABOR CASES FILED THAN COMMERCIAL SEX TRAFFICKING CASES, THIS SHOULD NOT BE CONSIDERED AS AN INDICATOR THAT THERE IS LESS FORCED LABOR OCCURING IN THE UNITED STATES.”

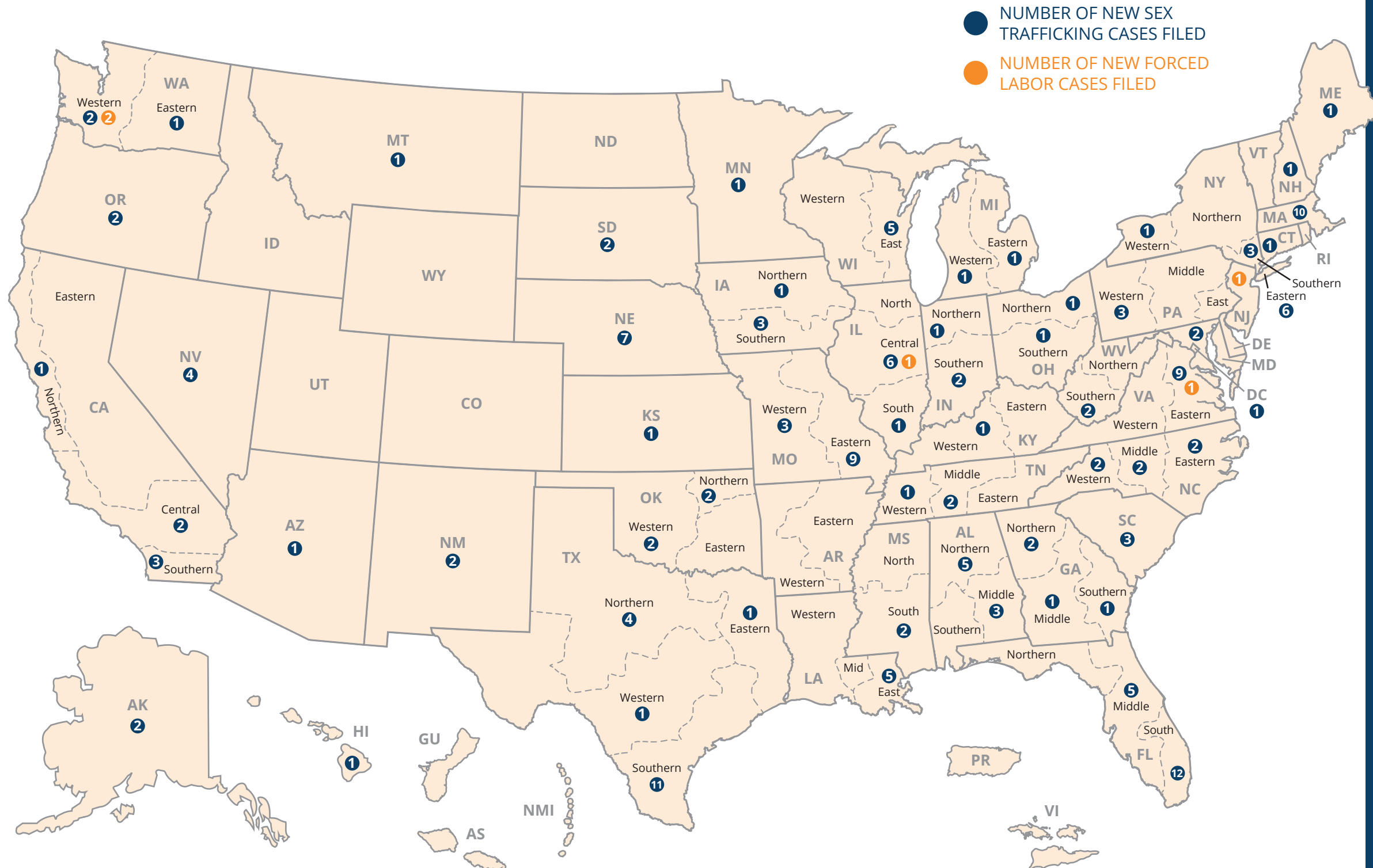
### NEW CRIMINAL HUMAN TRAFFICKING CASES

■ SEX TRAFFICKING ■ FORCED LABOR



## 1.4 CASE TYPE BY DISTRICT

In 2022, 64 of the 94 federal districts initiated at least one human trafficking case in 2022. This is a 10% decrease in the number of districts who filed a human trafficking case in 2021, down from 71 districts. There were 178 new criminal sex trafficking cases initiated across 63 of the 94 federal districts. Furthermore, 4 of the federal courts filed the 5 total forced labor cases initiated in 2022. The map below provides a visual representation of cases filed in each district court in 2022.



## Case Highlight

### UNITED STATES V. RALPH TOVAR, SOUTHERN DISTRICT OF FLORIDA

In 2022, the Southern District of Florida was the leading district out of the 94 federal court districts to charge new criminal sex trafficking cases. The Southern District of Florida initiated a total of 12 new sex trafficking cases in 2022. Not far behind, the Southern District of Texas initiated a total of 11 new sex trafficking cases in 2022.

Of the 12 new sex trafficking cases initiated in the Southern District of Florida, most cases resulted from undercover “sting” operations involving buyers of commercial sex. In *United States v. Ralph Tovar*, Tovar engaged in negotiations with undercover law enforcement officers in response to an advertisement for commercial sex. Tovar agreed to pay to engage in sexual activity with two minors, 13-years old and 15-years old. Upon meeting the undercover law enforcement officers, Tovar was arrested. After a three-day trial, the jury found Tovar guilty on two counts of attempted sex trafficking of a minor, 18 U.S.C. § 1591, and one count of attempted coercion and enticement of a minor to engage in sexual activity, 18 U.S.C. § 2422 (b). As of 2023, Tovar has been sentenced to 15 years for attempted sex trafficking of a minor and attempted enticement and coercion of a minor to engage in sexual activity.

Undercover operations such as this are an effective, proactive method to identify child sex traffickers, and protect victims of trafficking from exploitation. These operations are most successful with collaboration between agencies. The case was investigated by HSI Miami, with the assistance of the Broward Sheriff’s Office and the Miami-Dade Police Department. Assistant U.S. Attorneys Arielle Klepach and Eduardo Gardea, Jr. prosecuted the case.

SECTION 2:

# *Defendants*





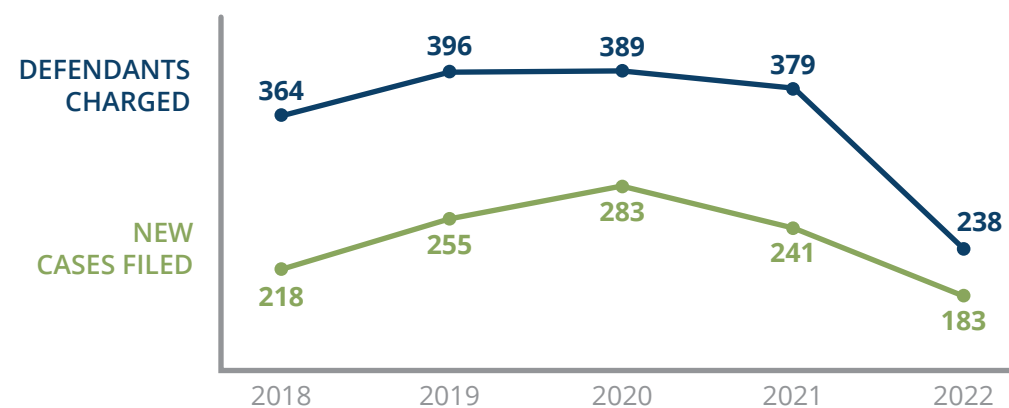
## SECTION 2: *Defendants*

The FHTR reports on the number of human trafficking cases filed in the federal court system each year, however, this number alone does not provide a complete understanding of the federal response to human trafficking. Instead, it is also important to examine the number of defendants charged each year. The number of cases filed in each district year-over-year helps us understand how many federal investigations and prosecutions are conducted across the country, but examining the number of defendants charged each year gives us a better picture of how many traffickers are being stopped from exploiting victims. For this reason, the FHTR examines both data points to provide a more holistic view of the federal response to human trafficking.

### 2.1 NEW DEFENDANTS

In 2022, there were 183 new criminal human trafficking cases filed against 238 defendants. This is a 37% decrease from the 379 defendants charged in 2021. The decrease in the number of defendants charged follows the 24% decrease in cases filed in 2022.<sup>8</sup> The number of defendants charged in 2022 is the lowest number of defendants charged since 2012.<sup>9</sup> The overall downward trend of decreasing defendants charged each year correlates to the decrease in new criminal cases filed.

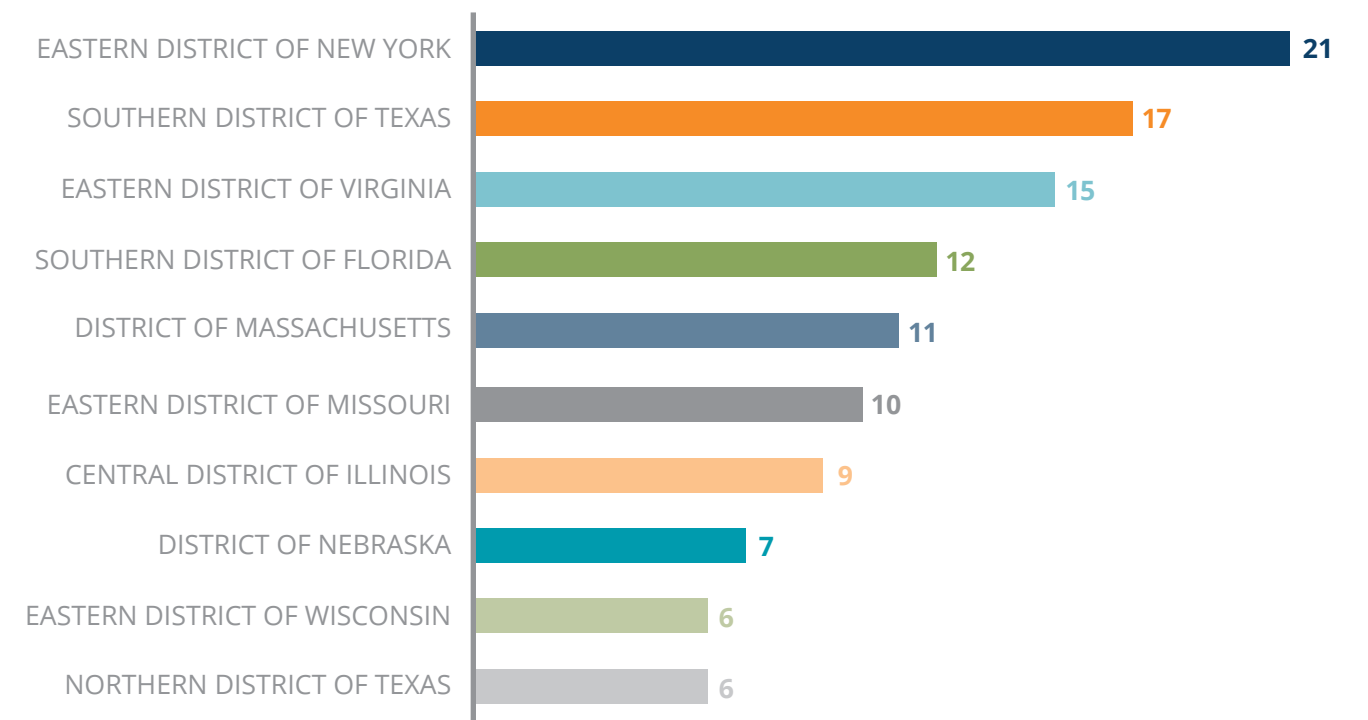
NUMBER OF NEW CASES FILED AND DEFENDANTS CHARGED



<sup>8</sup> Based on 379 criminal human trafficking defendants in 2021 and 241 criminal human trafficking cases in 2021.

<sup>9</sup> Based on 201 criminal human trafficking defendants in 2012.

DEFENDANTS CHARGED BY DISTRICT 2022



One of the most effective means to protect victims from exploitation by a trafficker is to stop the trafficker. Prosecuting the trafficker not only holds the trafficker accountable for the exploitation of the victim, but it also protects current victims from further exploitation by the trafficker and prevents future potential victims from being trafficked by the defendant. A third effect is that of deterrence to other potential traffickers who are deterred by the prosecution of the defendant. The arrest and prosecution of one trafficker can protect and prevent an exponential number of victims. There are several districts within the United States who led with the highest number of defendants charged for human trafficking in 2022.

The Eastern District of New York charged more defendants with human trafficking in 2022 than any of the other 94 federal districts. They also served as the only district to charge an entity (hotel) with human trafficking, as permitted under federal law.



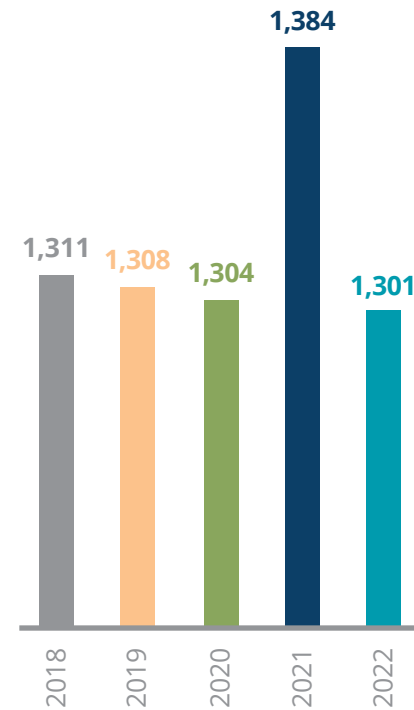
## 2.2 PENDING DEFENDANTS

At the conclusion of 2022, there were 1,301 pending criminal defendants in 860 pending cases in the federal court system. This number is down slightly from the number of pending criminal defendants at the conclusion of 2021 when there were 1,384 pending criminal defendants.<sup>10</sup> The number of pending criminal defendants has stayed relatively consistent over the last five years.

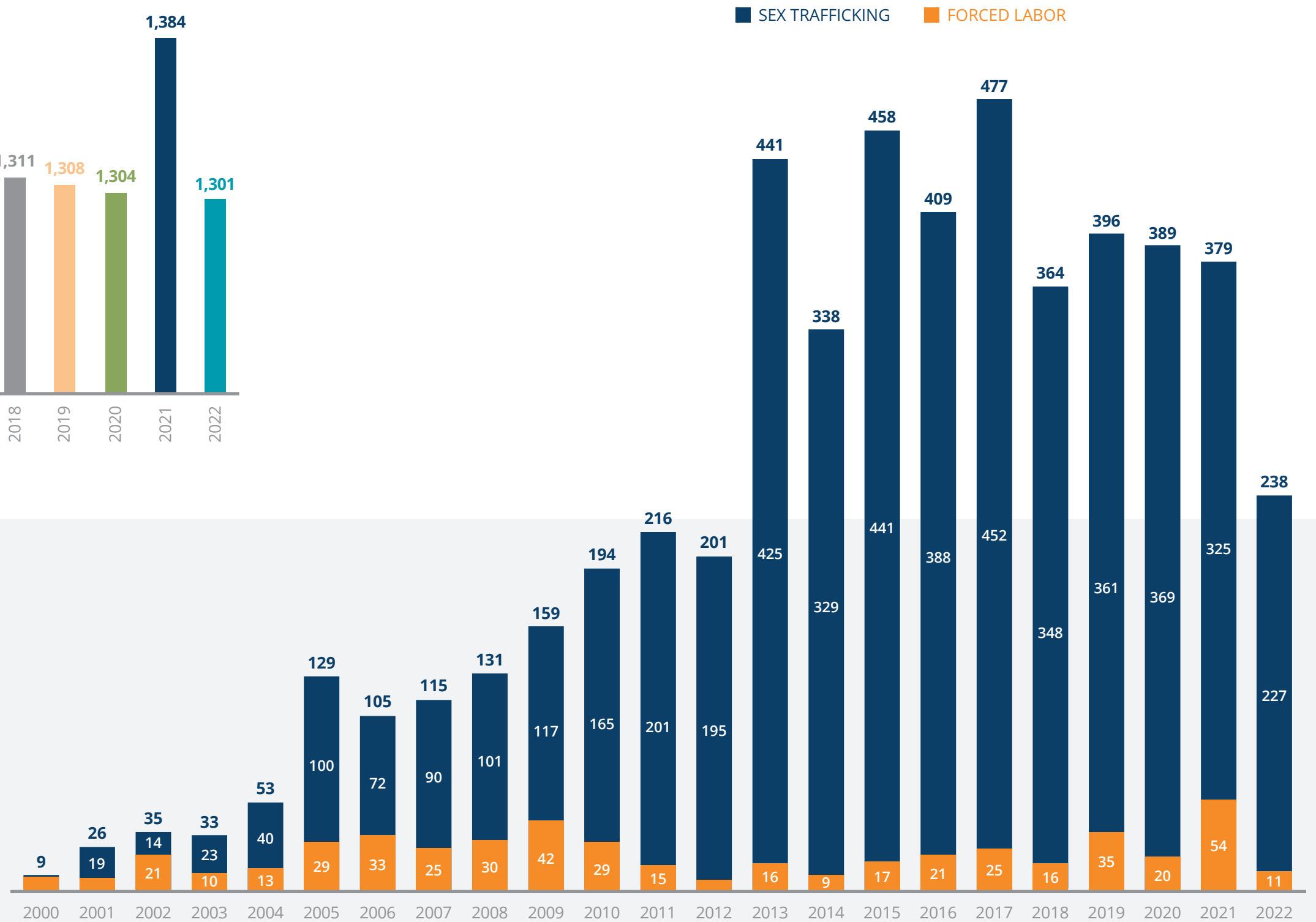
## 2.3 DEFENDANTS BY CASE TYPE

Consistent with previous years, there were far fewer new forced labor cases filed than sex trafficking cases in 2022, resulting in fewer defendants charged with criminal forced labor than sex trafficking. Of the 238 new defendants charged in 2022, 5% (11) were charged in criminal forced labor cases. In contrast, 95% (227) of new defendants were charged in criminal sex trafficking cases. In 2022, there were no defendants identified as charged with both criminal forced labor and sex trafficking charges.

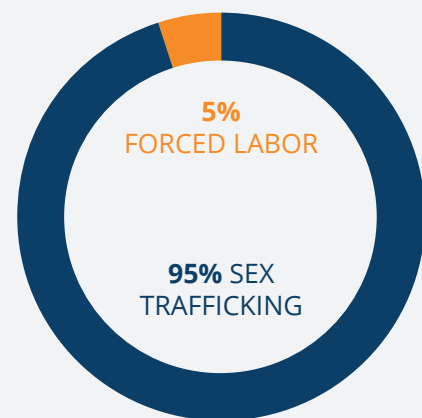
NUMBER OF PENDING CRIMINAL HUMAN TRAFFICKING DEFENDANTS



CRIMINAL HUMAN TRAFFICKING DEFENDANTS CHARGED BY CASE TYPE



NEW CRIMINAL DEFENDANTS 2022



<sup>10</sup> Based on 1,384 pending criminal human trafficking defendants in 2021.

## 2.4 ENTITY DEFENDANTS

In 2008, Congress amended the TVPA giving prosecutors more tools to hold traffickers accountable, including penalizing those who knowingly benefit financially from participating in a venture that engaged in trafficking crimes. This includes the ability to charge corporations with criminal trafficking offenses. In 2022, one (1) defendant was identified as a corporate entity. As a result, entities made up less than 1% (1) of all defendants in criminal human trafficking cases.<sup>11</sup> The single entity-defendant charged in 2022 was a hotel in a sex trafficking case.

Since 2018, no more than one entity per year has been criminally charged with a human trafficking offense.

### NEW CRIMINAL ENTITY & INDIVIDUAL DEFENDANTS IN HUMAN TRAFFICKING CASES 2022<sup>12</sup>



### ENTITY DEFENDANTS 2018-2022



<sup>11</sup> Based on 238 criminal human trafficking defendants in 2022.

<sup>12</sup> Based on 238 criminal human trafficking defendants in 2022.

## Case Highlight

### UNITED STATES V. DADARWALA, ET AL., EASTERN DISTRICT OF NEW YORK - HIMANSHU, INC. D/B/A SAYVILLE MOTOR LODGE

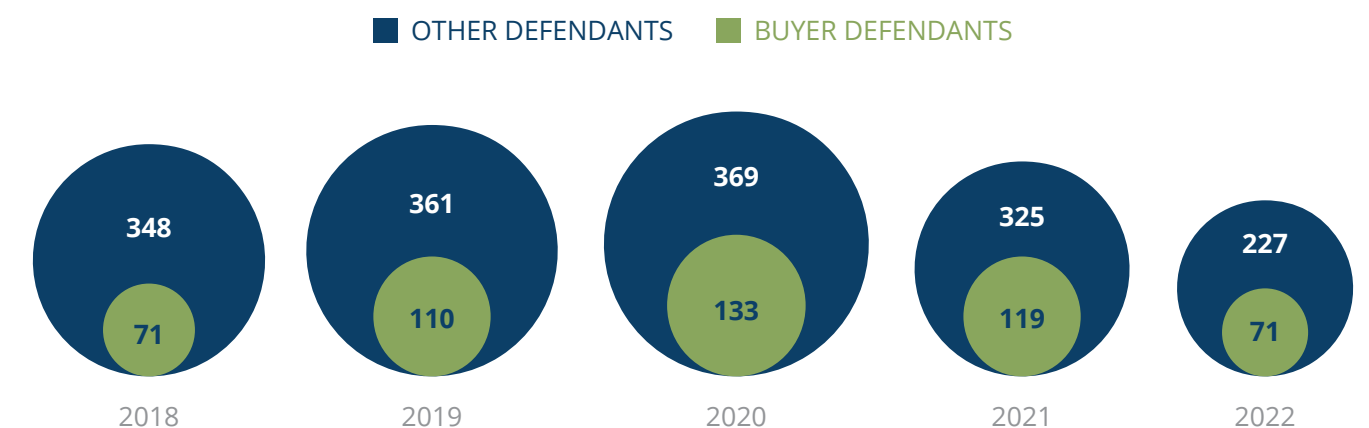
In 2022, the Eastern District of New York was the only district out of the 94 federal district courts to criminally charge an entity as allowed under the sex trafficking statute. In addition to the entity owners and their son, the hotel entity, Himanshu, Inc. d/b/a Sayville Motor Lodge, was charged with conspiracy for sex trafficking, 18 U.S.C. 1594(c). The Dadarwalas owned and operated the Sayville Motor Lodge since 1984, where they worked and resided. The sex trafficking conspiracy took place at the Sayville Motor Lodge from 2014 until 2018. The facts indicate that the Sayville Motor Lodge was a money-making refuge for prostitution, as the owner and employees conspired with pimps to traffic individuals in their hotel for financial gain. Several women, including a minor, were subjected to trafficking, drug addiction, and physical violence. The conspirators posted ads on the internet for commercial sex acts at set rates to occur at the Sayville Motor Lodge. The case was still pending in the Eastern District of New York at the end of 2022.

This case was investigated by the FBI's New York Field Office, and Suffolk County Police Department (SCPD), and is being prosecuted by Assistant U.S. Attorney Catherine Mirabile.

## 2.5 BUYER DEFENDANTS

Defendants who are charged with buying or attempting to buy commercial sex from a victim of human trafficking are referred to as "buyer defendants". Buyer defendants are a subset of individual sex trafficking defendants. In 2022, buyer defendants accounted for 31% (71)<sup>13</sup> of defendants charged in sex trafficking cases.

### BUYER DEFENDANTS



<sup>13</sup> Based on 227 criminal sex trafficking defendants in 2022.



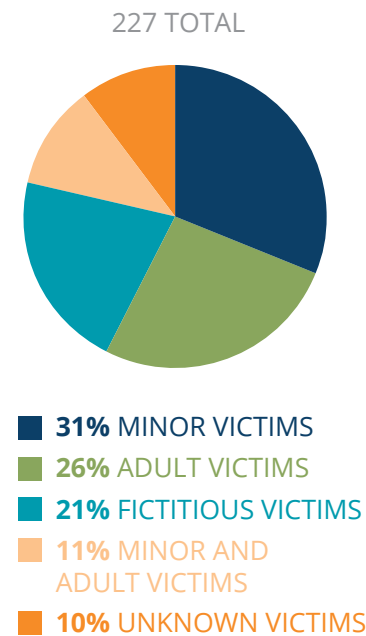
Understanding the scope of demand in buyer-defendant cases is also essential to developing effective, targeted interventions. In 2022, there were 22 buyer defendants identified as charged in cases involving real minor-only victims. Often, buyer defendants are charged with sex trafficking as a result of being arrested in an undercover or “sting” operation. During sting operations, law enforcement creates or poses as fictitious victims, and the defendant is subsequently arrested and charged after soliciting or attempting to engage in commercial sex with the fictitious victim. In 2022, there were 48 defendants charged as the result of sting operations where law enforcement posed as fictitious victims. There were 47 buyer defendants charged in cases involving fictitious victims only.

## 2.6 DEFENDANTS BY VICTIM TYPE

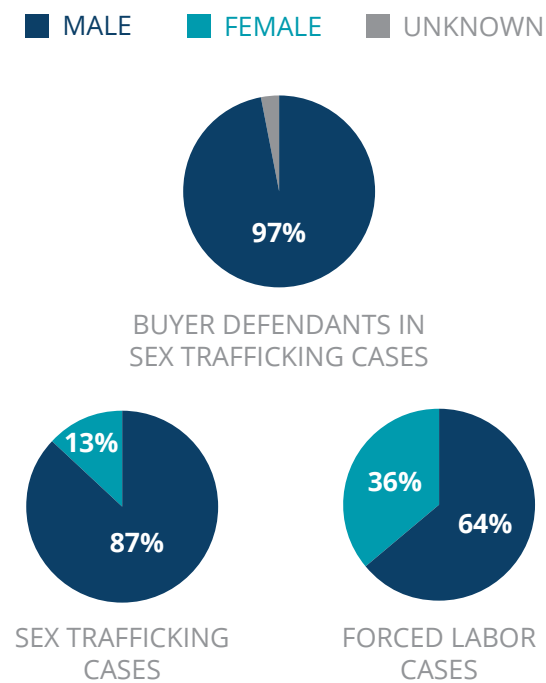
Much like understanding the scope of demand in human trafficking cases, it is essential to also examine the age range of victims of human trafficking to better understand the demographics of victims targeted by traffickers and recognize which age ranges are being protected by our federal response to human trafficking. To do so, the FHTR distinguishes between defendants charged with sex trafficking of a minor (minor-only), sex trafficking of an adult (adult-only), and sex trafficking of both minors and adults. Distinguishing between the three categories of victims not only gives us perspective on the demand for commercial sex, but it also allows for better examination of the ages of victims that are being protected by the federal justice system.

In 2022, of the 227 sex trafficking defendants, 71 (31%) were charged with crimes against minor-only victims. Comparatively, 59 (26%) sex trafficking defendants were charged with crimes against adult-only victims, 26 (11%) were charged with crimes involving both minor and adult victims, 48 (21%) included fictional victims, and 23 (10%) of defendants were charged with crimes against victims of unknown age. In 2022, no forced labor defendants were charged with crimes against minor-only victims; 4 defendants were charged with forced labor involving adult-only victims; and 7 defendants were charged with forced labor against both minor and adult victims.

### SEX TRAFFICKING DEFENDANTS BY VICTIM TYPE 2022



### GENDER OF DEFENDANTS 2022



## 2.7 DEFENDANT DEMOGRAPHICS

The FHTR captures a small amount of demographic information on new defendants, such as age and gender, using the limited amount of reliable publicly available documents. In 2022, new defendants ranged in age from 19 to 76 years old at the time of arrest. Defendants were on average 40 years of age. The average age of sex trafficking defendants was 39 years old, and the average age of buyer defendants was 41 years old. By comparison, defendants in new forced labor cases were older, averaging 60 years of age.

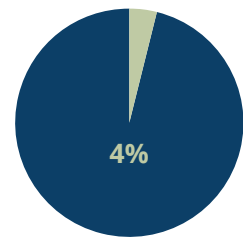
Of all new criminal defendants charged in 2022, 79% (188) were male and 13% (31) were female.<sup>14</sup> Gender was unknown for 8% (19) of defendants.<sup>15</sup> Male defendants made up a higher percentage in sex trafficking cases than forced labor cases: males made up 80% (181) of new defendants in sex trafficking cases compared to females, who comprised 12% (27).<sup>16</sup> The gender of 8% (19) of new sex trafficking defendants was unknown. Although the percentage of female defendants was higher in forced labor cases (36%, 4) than in sex trafficking cases, males still accounted for the majority (64%, 7) of defendants.<sup>17</sup> For buyer defendants, 69 of them were identified as male and the gender of the remaining 2 buyer defendants was unknown. When breaking the age demographics down by gender, male and female defendants were on average 53 and 42 years old, respectively.



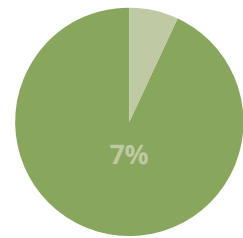
“IN 2022, NEW DEFENDANTS RANGED IN AGE FROM 19 TO 76 YEARS OLD AT THE TIME OF ARREST”

<sup>14</sup> Based on 238 criminal human trafficking defendants in 2022.  
<sup>15</sup> Based on 238 criminal human trafficking defendants in 2022.  
<sup>16</sup> Based on 227 sex trafficking defendants in 2022.  
<sup>17</sup> Based on 11 forced labor defendants in 2022.

### REGISTERED SEX OFFENDER DEFENDANTS 2022



SEX OFFENDERS OUT OF 227 TOTAL NEW SEX TRAFFICKING DEFENDANTS



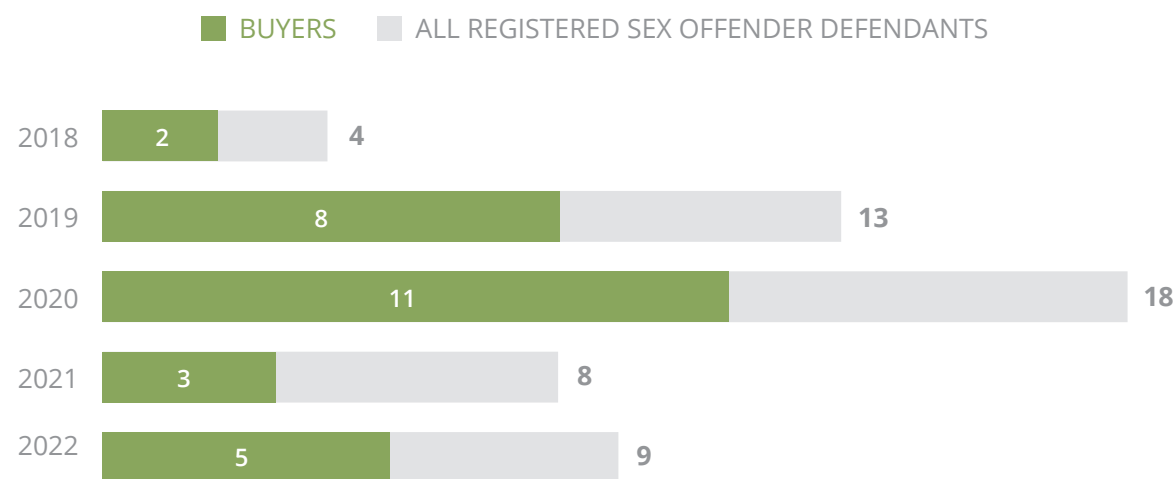
SEX OFFENDERS OUT OF 71 TOTAL BUYERS

## 2.8 DEFENDANTS ON THE SEX OFFENDER REGISTRY

One critical component to the federal response to criminal human trafficking, and crime in general, is the ability to measure recidivism and deterrence. Considering the relative newness of the federal (and state) human trafficking statutes, very little data on recidivism among traffickers exists. To collect and provide data to support this area, in 2022, the FHTR began collecting data on the defendant's placement on the sex offender registry prior to the time they committed a trafficking offense. Under the Sex Offender Registration and Notification Act (SORNA), defendants convicted of a federal sex trafficking offense under Chapter 77 or the Mann Act are required by law to register on the national sex offender registry.<sup>18</sup> Similarly, many state jurisdictions require defendants convicted of sex trafficking at the state level to register on the state sex offender registry, in compliance with state and federal laws. By collecting data on how many defendants charged in the federal court system were on the sex offender registry at the time they were charged with a criminal human trafficking case, the FHTR hopes to derive information on recidivism overtime.

In 2022, 4% (9) of new sex trafficking defendants were identified as being registered sex offenders prior to the charged trafficking offense.<sup>19</sup> Looking at the subset of buyer defendants, 7% (5) were registered sex offenders at the time of the offense.<sup>20</sup> The FHTR hopes to continue monitoring and developing this data point to provide more insight on defendant recidivism as it relates specifically to human trafficking.

### REGISTERED SEX OFFENDER DEFENDANTS



<sup>18</sup> Title I of the Adam Walsh Child Protection and Safety Act of 2006 (P.L. 109-248).

<sup>19</sup> Based on 227 sex trafficking defendants in 2022.

<sup>20</sup> Based on 71 buyer sex trafficking defendants in 2022.

## 2.9 DEFENDANT'S MILITARY AFFILIATION

In 2022, HTI began collecting data on the military affiliation of human trafficking defendants. In 2022, 2 defendants were identified as current members of the U.S. military. Both defendants identified were buyers of commercial sex.

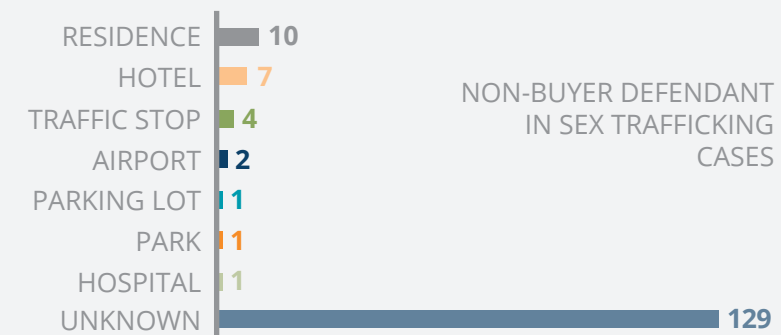
## 2.10 DEFENDANT'S ARREST LOCATION

In 2022, HTI began collecting data on the location where human trafficking defendants were arrested. Of the 238 new defendants in 2022, the defendant's location at the time of arrest could be determined for 64 (27%) defendants. Non-buyer sex trafficking defendants were most likely to be arrested at a residence (10) followed by hotels (7). By comparison, buyer sex trafficking defendants were most likely to be arrested at hotels (18) where they planned to meet with a victim for sex, followed by meet up locations at restaurants (6) and residences (5). Where the location of arrest was known, forced labor defendants were arrested at residences (1).

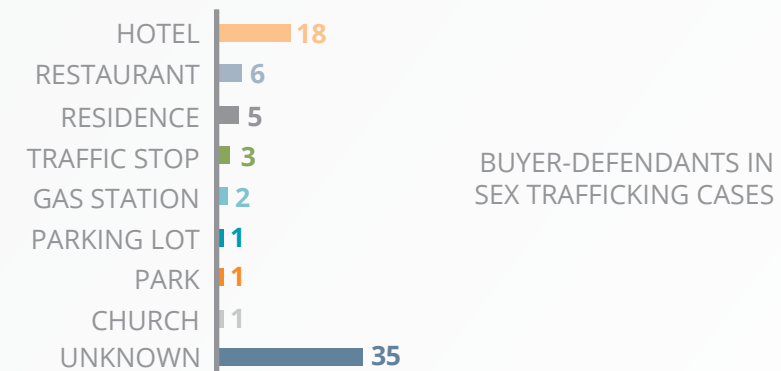
### DEFENDANTS WITH MILITARY AFFILIATION



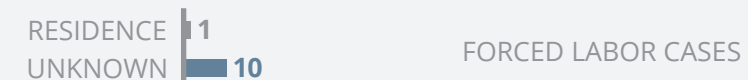
### LOCATION OF DEFENDANT'S ARREST 2022



NON-BUYER DEFENDANT IN SEX TRAFFICKING CASES

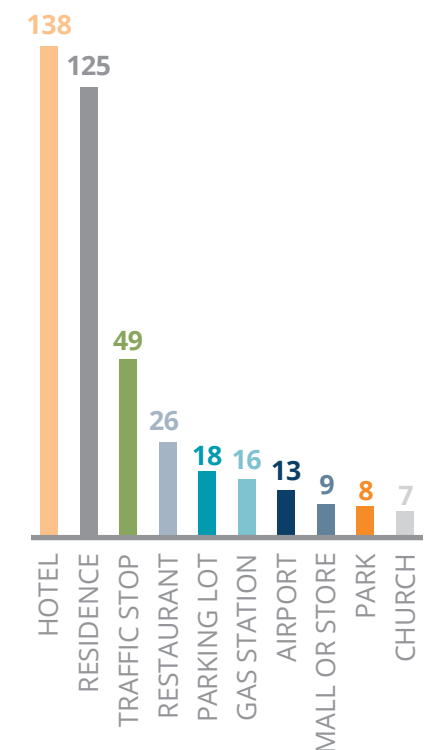


BUYER-DEFENDANTS IN SEX TRAFFICKING CASES



FORCED LABOR CASES

### TOP LOCATIONS OF DEFENDANT'S ARREST FROM 2019-2022



SECTION 3:

*Victims*





## SECTION 3: *Victims*

### 3.1 VICTIMS IN CRIMINAL CASES<sup>21</sup>

Despite many myths and misconceptions, human trafficking is not a crime of chance, but rather it is the result of calculated manipulation by a trafficker to exploit a victim. Traffickers carefully target and groom their victims, often preying on individuals who have unique vulnerabilities. They may use a variety of tactics to gain the trust of their victims, such as promising them a better life or threatening them or their loved ones. Once a victim is under their control, traffickers may use physical or non-physical abuse, also known as coercion, to maintain their power over them.

Human trafficking is a complex and multi-faceted crime that involves multiple actors, including traffickers, victims, and buyers. It is important to understand the dynamics of how traffickers recruit, coerce, and manipulate victims of human trafficking, and it is equally important to understand the characteristics of those who become victims. This allows us to work towards preventing the root causes of vulnerability, provide support to victims, and enforce accountability of the trafficker.

In 2022, there were 363 victims in the new human trafficking cases filed in the federal court system. Of the 363 victims, 278 were identified by prosecutors in pleadings—usually by initials or pseudonyms, for anonymity—and 85 victims were extracted by HTI through review of public sources. Data is limited to public information about federal prosecutions, thus, the total number of individuals harmed by the crimes for which new cases were filed in 2022 is likely underrepresented.<sup>22</sup> Most importantly, like all the data presented in the FHTR, it is inaccurate to use the following information as a reflection of the prevalence of victims in the United States, or to extrapolate demographic trends to victims beyond those named in federal prosecutions.

<sup>21</sup> The term “victim” is used throughout the FHTR to describe a person harmed by a criminal act. While the term may not adequately convey the resiliency and strength of those who have overcome the harms of human trafficking, the term “victim” is intentionally used for purposes of reporting data in the FHTR to maintain consistency with the legal definition and the language set forth in the federal laws.

<sup>22</sup> Public sources indicate at least 85 victims who were not named in pleadings that were impacted by crimes committed in new criminal human trafficking cases in 2022.

### 3.2 VICTIMS IN CRIMINAL CASES BY CASE TYPE

Of the 363 victims in new cases filed in 2022, 96% (347) were victims of sex trafficking and 4% (16) were victims of forced labor. The total number of victims in new cases filed in 2022 declined 38% from 2021, when there were 582 victims. In fact, 363 is the lowest number of victims in new criminal human trafficking cases since 2012.<sup>23</sup>

### 3.3 VICTIM DEMOGRAPHICS: GENDER & AGE

Because the amount of public information relating to victims in human trafficking cases is limited, the age of victims cannot always be determined. Of the 363 total victims in new criminal human trafficking cases in 2022, minor victims comprise 34% (122) of new victims, adults comprise 39% (141), and 28% (100) victims’ ages were unknown.

Of the 363 total victims in new criminal human trafficking cases, 66% (238) were identified as female, and 4% (13) were identified as male. Thirty-one percent (112) victims’ gender was unknown.<sup>24</sup>

Adult female victims accounted for 35% (126) of victims.<sup>25</sup> Minor females were the next-most represented victim demographic, comprising 26% (93) of victims.<sup>26</sup> There were zero adult males and 13 (4%) minor male victims.<sup>27</sup> The remaining 131 (31%) victims had unknown gender and age.

<sup>23</sup> When there were 332 victims.

<sup>24</sup> Based on 363 victims in new criminal human trafficking cases in 2022.

<sup>25</sup> Based on 363 victims in new criminal human trafficking cases in 2022.

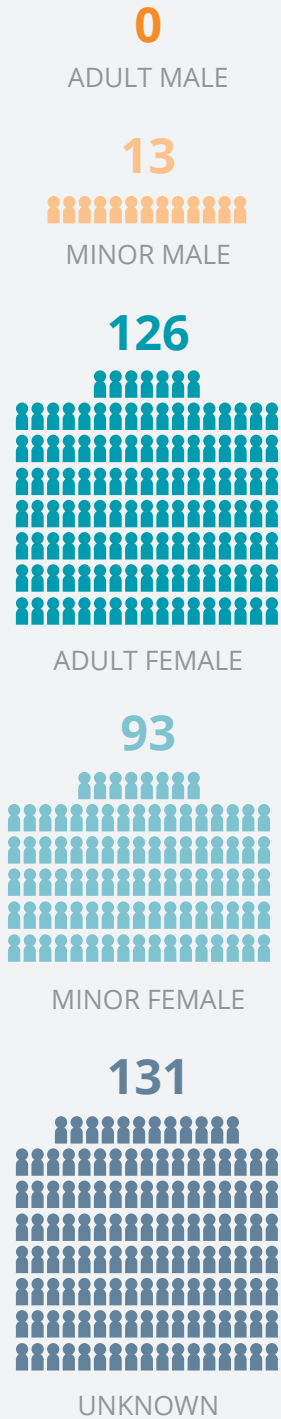
<sup>26</sup> Based on 363 victims in new criminal human trafficking cases in 2022.

<sup>27</sup> Based on 363 victims in new criminal human trafficking cases in 2022.

VICTIMS IN NEW CRIMINAL CASES BY CASE TYPE 2022



### VICTIMS IN NEW CRIMINAL CASES 2022



Although public sources rarely reveal information about gender identity or sexual orientation, no new victims in 2022 new criminal cases self-identified as lesbian, gay, bisexual, transgender, queer, or questioning (LGBTQ).<sup>28</sup> Because of the limited amount of publicly available information on the sexual orientation or sexual identity of victims, the number of persons within the LGBTQ community who are impacted by federal human trafficking may be underrepresented.

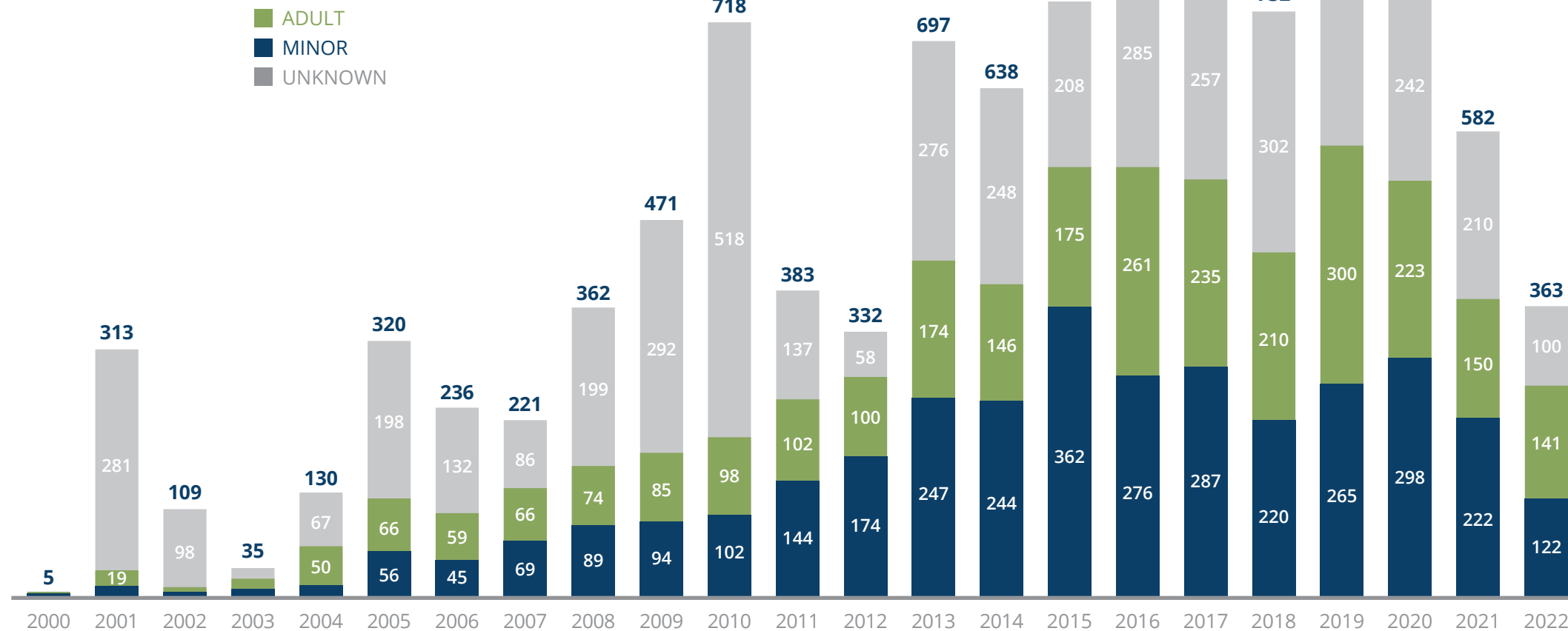
Historically, the ratio of adult to minor victims is close to equivalent. In 2022, the victim age breakdown followed this trend, with 34% (122) minors and 39% (141) adults.<sup>29</sup> Due to the lack of publicly available information, the age and gender of many victims cannot be determined.

In 2022, 67% (234) of victims in new sex trafficking cases were female, 4% (13) were male, and 29% (100) gender was unknown.<sup>30</sup> In contrast, 25% (4) of victims in new forced labor cases were female, compared to 0% (0) who were male, while 75% (12) were of unknown gender.<sup>31</sup>

### VICTIMS IN NEW CRIMINAL CASES BY GENDER 2022



### ADULT & MINOR VICTIMS IN NEW CASES



<sup>28</sup> The Report categorizes defendants and victims as “male,” “female,” or “other” based on how they self-identified when this information becomes publicly available. When there is no information on how an individual self-identifies, the FHTR categorizes based on how an individual is identified by law enforcement or others in public sources.

<sup>29</sup> Based on 363 victims in new criminal human trafficking cases in 2022.

<sup>30</sup> Based on 347 victims in new criminal sex trafficking cases in 2022.

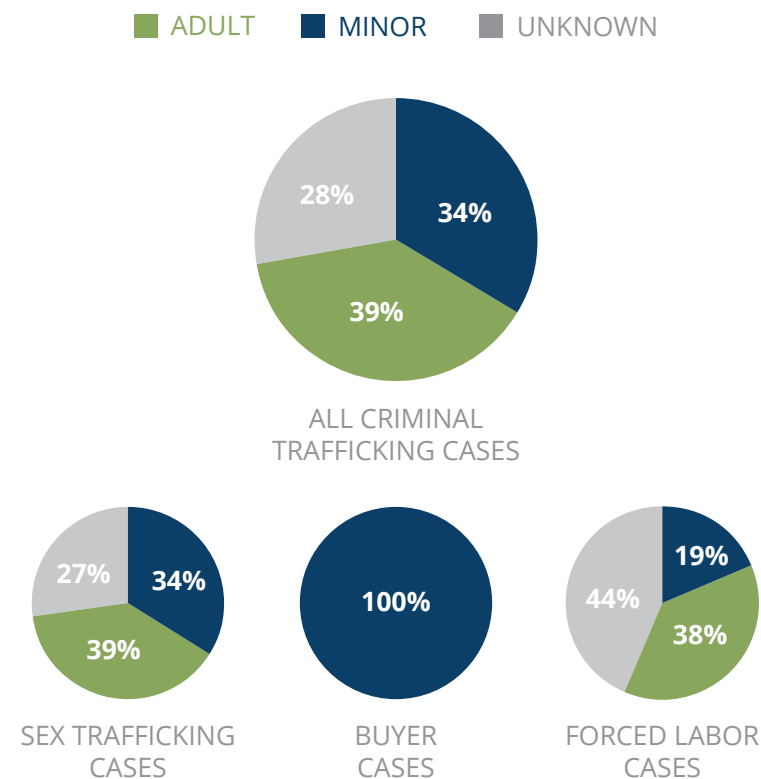
<sup>31</sup> Based on 16 victims in new criminal forced labor cases in 2022.



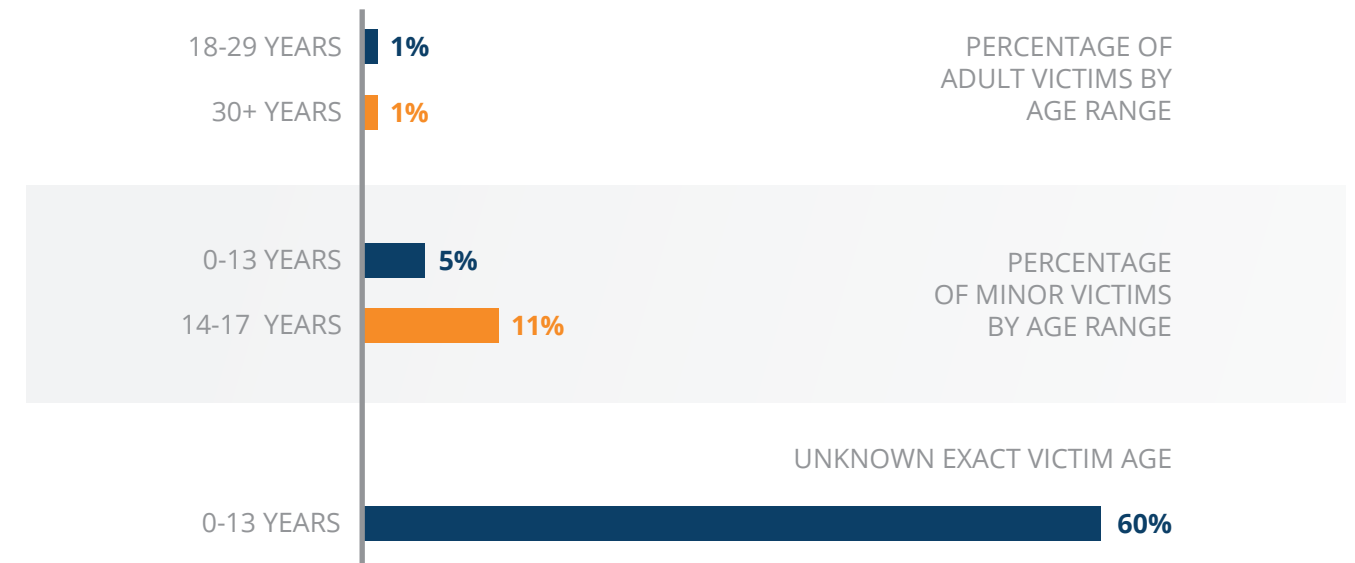
Overall, 34% (122) of victims in new human trafficking cases were minors, 39% (141) were adults, and 28% (100) were of unknown age.<sup>32</sup> Victims' ages varied, with the oldest being 46 years old and the youngest being 7 years old.<sup>33</sup> The average age of all real victims in sex trafficking cases was 16 years old.<sup>34</sup> The average age of victims in forced labor cases was 12 years old.<sup>35</sup> In some cases, traffickers exploit the same victim at various ages over the course of several years. For consistency, the FHTR uses the victim's age at the time the victim was recruited or first exploited by the trafficking conduct prosecuted in the case.

In the new sex trafficking cases filed in 2022, 34% (119) of victims were minors, and 39% (135) were adult victims, 27% (93) victims age at recruitment was unknown.<sup>36</sup> In the subset of cases involving buyer defendants, 100% (37) of real victims were minors. However, in contrast to sex trafficking cases, 38% (6) of victims in forced labor cases were adults, 19% (3) were minors, 44% (7) were unknown.<sup>37</sup>

### VICTIMS IN NEW CRIMINAL CASES BY GENDER 2022



### AGE RANGES OF VICTIMS IN NEW CRIMINAL SEX TRAFFICKING CASES 2022



The TVPA provides different penalties for convicted sex traffickers depending on the age range of victims. Sex trafficking of adults carries a minimum term of imprisonment of 15 years, irrespective of the victim's particular age.<sup>38</sup> The minimum term of imprisonment for trafficking of minors below 14 years old is also 15 years.<sup>39</sup> In 2022, 5% (19) of victims in new sex trafficking cases fell within this range.<sup>40</sup> The minimum term of imprisonment is reduced to 10 years for sex trafficking of a minor between 14 and 17 years of age,<sup>41</sup> which was the range for 11% (38) of victims in new sex trafficking cases in 2022.<sup>42</sup>

“IN SOME CASES, TRAFFICKERS EXPLOIT THE SAME VICTIM AT VARIOUS AGES OVER THE COURSE OF SEVERAL YEARS.”

<sup>32</sup> Based on 363 victims in new criminal human trafficking cases in 2022.

<sup>33</sup> Based on 263 victims in new criminal cases whose age at the time of recruitment or first exploitation was known.

<sup>34</sup> Based on 263 victims in new criminal sex trafficking cases whose age at the time of recruitment or first exploitation was known.

<sup>35</sup> Based on 4 victims in new criminal forced labor cases whose age was known.

<sup>36</sup> Based on 347 victims in new criminal sex trafficking cases in 2022.

<sup>37</sup> Based on 16 victims in new criminal forced labor cases in 2022.

<sup>38</sup> 18 U.S.C. § 1591(b)(2).

<sup>39</sup> 18 U.S.C. § 1591(b)(1).

<sup>40</sup> Based on 347 victims in new criminal sex trafficking cases in 2022.

<sup>41</sup> 18 U.S.C. § 1591(b)(2).

<sup>42</sup> Based on 347 victims in new criminal sex trafficking cases in 2022.





### 3.4 FICTITIOUS VICTIMS

HTI defines a fictitious victim as a fake or imaginary victim created by law enforcement for the purpose of engaging with targets in an undercover operation or sting. It is important to understand the role fictitious victims play in the federal response to human trafficking for several reasons. First, the demographics of the fictitious victim profiles created and used by law enforcement give us insight into the demand for commercial sex, specifically as it relates to child traffickers seeking to exploit minor children. By examining fictitious victim demographics, we can see what types of demographics are effective in eliciting buyers, which can in turn be used to shape how we

build profiles to be used in undercover operations. Furthermore, it is important to examine how fictitious victims can be used to identify real victims of human trafficking. It is interesting to note that the average age of fictitious victims used is three years less than the average age of real victims in the cases filed in 2022.<sup>43</sup>

In 2022, there were 57 fictitious victims in the 178 sex trafficking cases filed. This was a decrease from 2021 when 80 fictitious victims were used in human trafficking investigations and prosecutions. It is also important to note that even though a fictitious victim was utilized in an operation, human trafficking is never a “victim-less” crime.

	TOTAL NUMBER OF FICTITIOUS VICTIMS	AVERAGE AGE OF FICTITIOUS VICTIM	GENDER BREAKDOWN	HOW MANY WERE IN BUYER CASES?
2019	64	12	M: 7, F: 57	90% (58)
2020	95	13	M: 6, F: 89	86% (82)
2021	80	12	M: 5, F: 74, Unknown: 1	94% (75)
2022	57	13	M: 3, F: 52, Unknown: 2	96% (55)

<sup>43</sup> Compared to the average age of real sex trafficking victims of 16 years old.

## Case Highlight

### UNITED STATES V. GREGORY MASSEY, ET AL., EASTERN DISTRICT OF LOUISIANA

Throughout the United States, most undercover sting operations involve a law enforcement officer posing as a fictional minor or potential buyers in order to target individuals facilitating or seeking to purchase commercial sex. The use of sting operations can be a prominent tool in the identification and recovery of trafficking victims. In the Eastern District of Louisiana, a Louisiana State Police Special Victims Unit law enforcement officer posed as a buyer of commercial sex in the sting case of *United States v. Gregory Massey, et al.* In September 2022, defendants Gregory Massey and Patricia Hart, were both charged with conspiracy to commit sex trafficking by force, fraud, or coercion, and to entice individuals to travel in interstate commerce for the purpose of engaging in prostitution. Charges included: 18 U.S.C. § 1594(a) and (c); 18 U.S.C. § 1591(a)(1), 1591(a)(2), and 1591(b)(1); 18 U.S.C. §1952(a)(3) and 2; 18 U.S.C. § 2421; 18 U.S.C. § 1592; 18 U.S.C. § 922(g)(1) and 924 (e).

In the sting operation, the law enforcement officer contacted a phone number that was posted online offering sexual services, in which the officer arranged for the woman who responded to meet him in a hotel lobby. The woman arrived at the hotel lobby in a vehicle rented by Hart and driven by Massey. Upon the undercover officer and woman meeting, the woman agreed that the undercover officer would pay her for sex. Upon further investigation, another female victim was identified, and police interviews discovered that Hart and Massey took photos of the female victims to post sex ads online at MegaPersonals.com. Furthermore, it was discovered that the victims were denied food until commercial sex dates were finished for the day, they were physically attacked, had payment withheld, and were verbally threatened.

*United States v. Gregory Massey, et al.*, was investigated by the Louisiana State Police, HSI, and the FBI. The case is actively being prosecuted by Assistant U.S. Attorney Melissa E. Bücher.

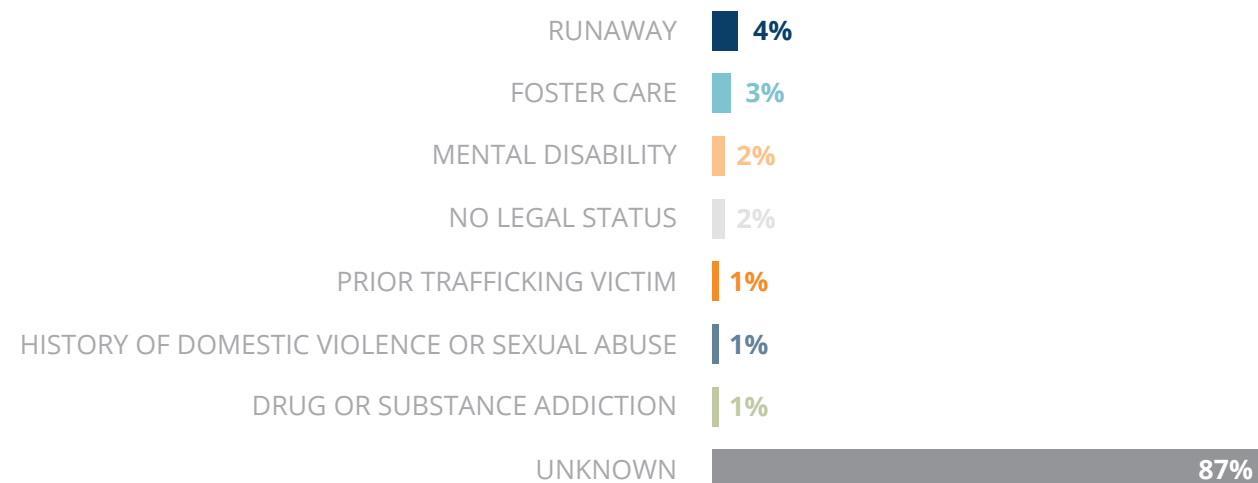


### 3.5 VICTIM VULNERABILITIES

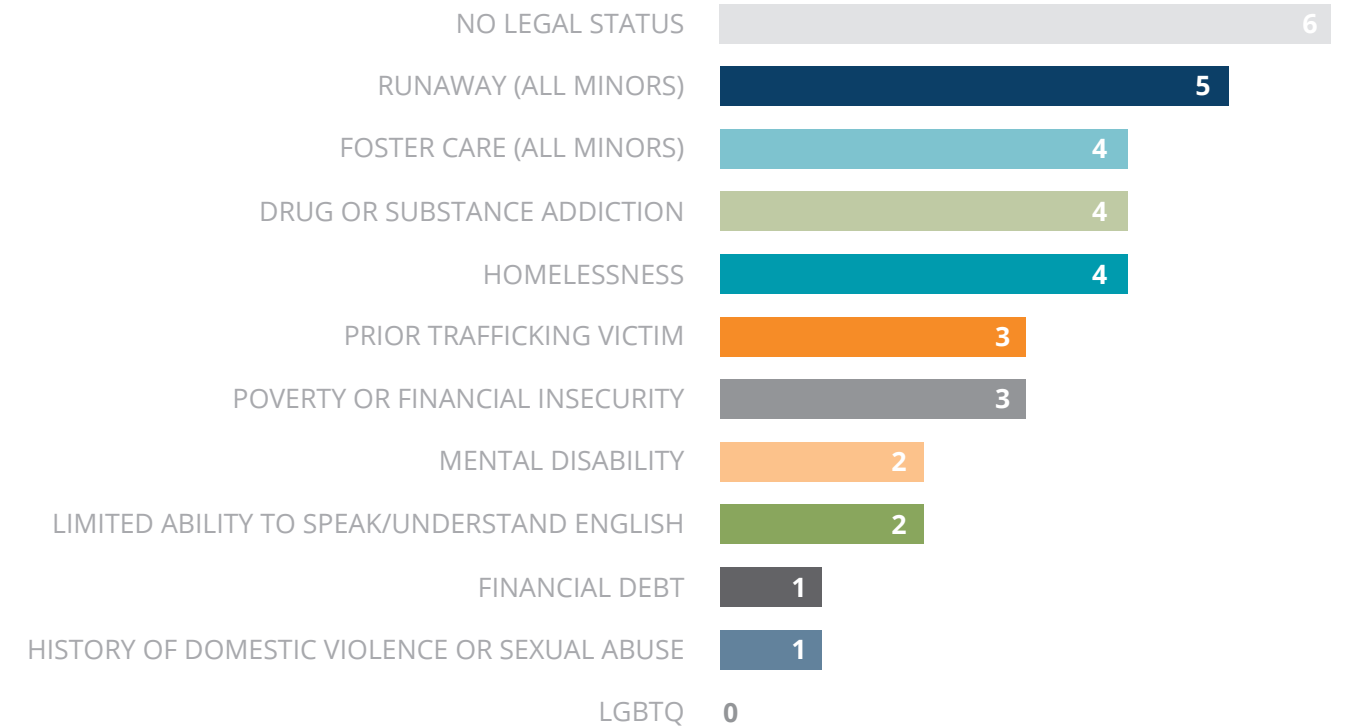
As discussed throughout the FHTR, human traffickers typically recruit and coerce victims by exploiting a victim's vulnerabilities. Often, a victim's pre-existing vulnerabilities make them particularly at risk of recruitment and coercion by traffickers. The FHTR found vulnerability data for 13% (16 of 122) of minor victims in new 2022 cases. For those minor victims, running away from home was the most common vulnerability (4%, 5), followed by: being in the foster care system (3%, 4); mental disability (2%, 2); no legal status (2%, 2); having been trafficked in the past (1%, 1); history of domestic violence or sexual abuse (1%, 1); and drug or substance addiction (1%, 1).<sup>44</sup> Vulnerabilities were unknown for 106 (87%) minor victims in 2022.

Similarly, the FHTR found vulnerability data for 13% (18 of 141) of adult victims in new 2022 cases. The top vulnerabilities for these adult victims included: Homelessness (3%, 4); no legal status (3%, 4); drug or substance addiction (2%, 3); poverty or financial insecurity (2%, 3); prior trafficking victim (1%, 2); and limited ability to speak/understand English (1%, 2).<sup>45</sup> Vulnerabilities were unknown for 123 (87%) adult victims in 2022.

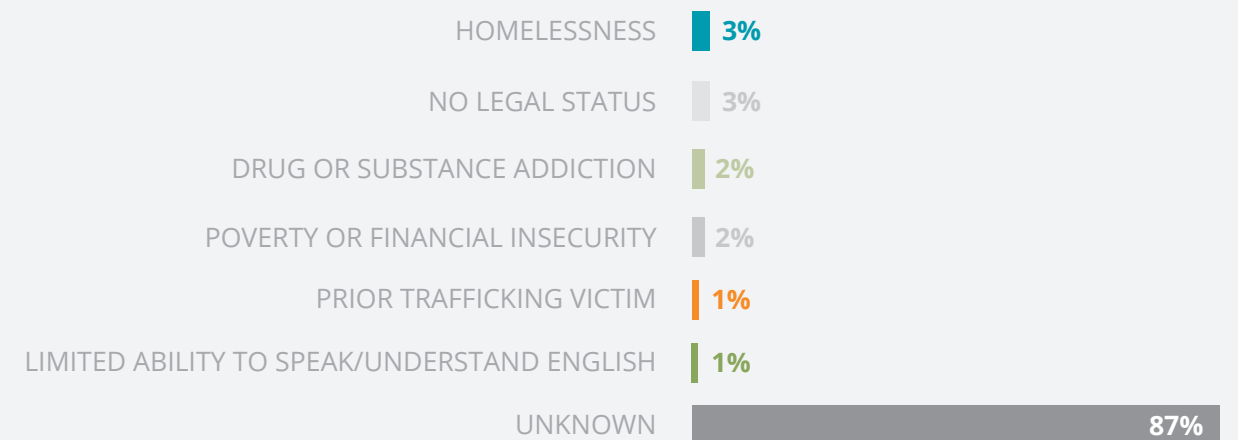
#### PRE-EXISTING VULNERABILITIES OF MINOR VICTIMS 2022



#### VULNERABILITIES OF VICTIMS IN NEW CRIMINAL CASES 2022



#### PRE-EXISTING VULNERABILITIES OF ADULT VICTIMS 2022

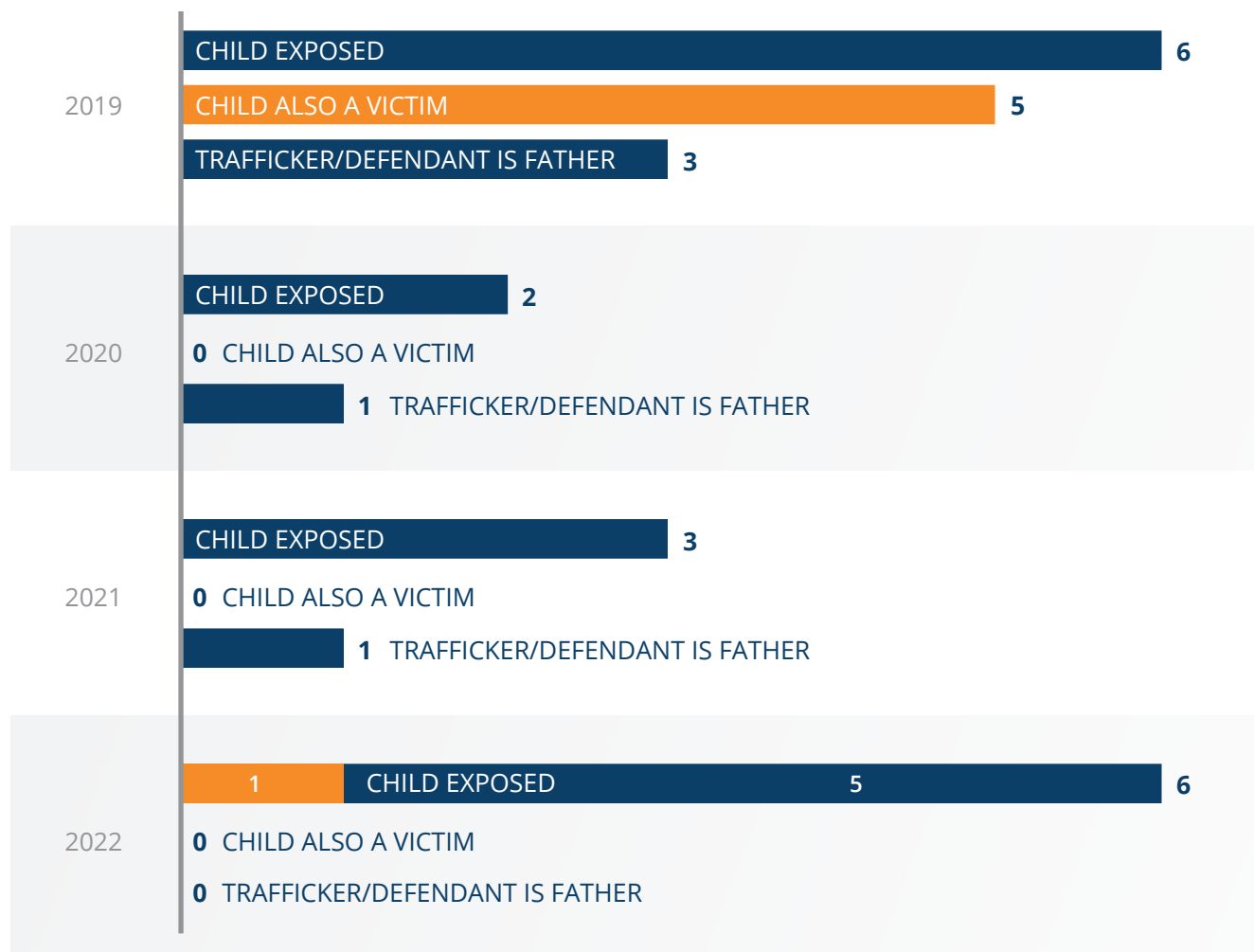


<sup>44</sup> Based on 12 minor victims in new 2022 criminal cases for whom at least one vulnerability was known. The percentages in this section do not add up to 100% because victims can have more than one vulnerability.

<sup>45</sup> Based on 10 adult victims in new 2022 criminal cases for whom at least one vulnerability was known. The percentages in this section do not add up to 100% because victims can have more than one vulnerability.

### VICTIMS WITH CHILDREN

■ SEX TRAFFICKING ■ FORCED LABOR



While the trauma that victims of human trafficking experience can be devastating, the scourge of trafficking can reach far beyond just the victims exploited. Recognizing the harm that human trafficking can cause to those exposed to the trafficking scheme, in 2022, the FHTR began tracking instances where the victim of trafficking had a child. Data points collected included whether that child was exposed to the trafficking scheme, whether that child also became a victim of trafficking, and whether or not the trafficker

was the biological parent of the child. This information is intended to help shed light on the harmful effects of human trafficking and the lasting impacts that exposure to trafficking can cause.

In reviewing cases filed in the federal court system, a trend often encountered in the fact patterns was the recruitment, trade, or exchange of a victim between traffickers and victims being trafficked over a period of time by different traffickers.

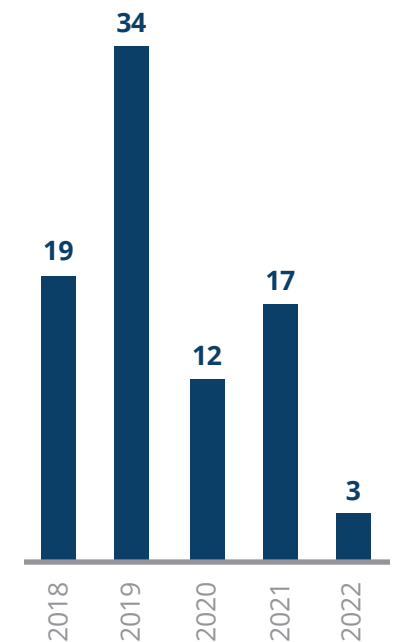
In 2022, there were three victims in the new cases filed, where there was evidence supporting that the victim had been previously trafficked. All three cases were sex trafficking cases. As noted throughout the report, the amount of information available upon the filing of a human trafficking case is limited, and information such as prior trafficking is often not available until such time as more information relating to the facts and circumstances of the case are made publicly available either at trial or plea. For this reason, cases from prior years often provide a better representation of data due to the amount of information that is available on cases which have already reached disposition.

In 2022, HTI began tracking the length of exploitation for victims in both sex trafficking and forced labor cases. Understanding the length of time that victims spend in a trafficking scheme can be incredibly insightful in shaping intervention for victims and care for survivors. It can also shed light on the impact of intervention, helping us understand the number of victims that are protected when a trafficker is removed from society through arrest and prosecution. When available, HTI entered close approximations or exact dates of victims' exploitation from beginning to end.

For victims of sex trafficking in the cases filed in 2022 for which a length of time could be determined, the average length of time victims spent in exploitation was 341 days. This length of time was fairly consistent with the previous years.

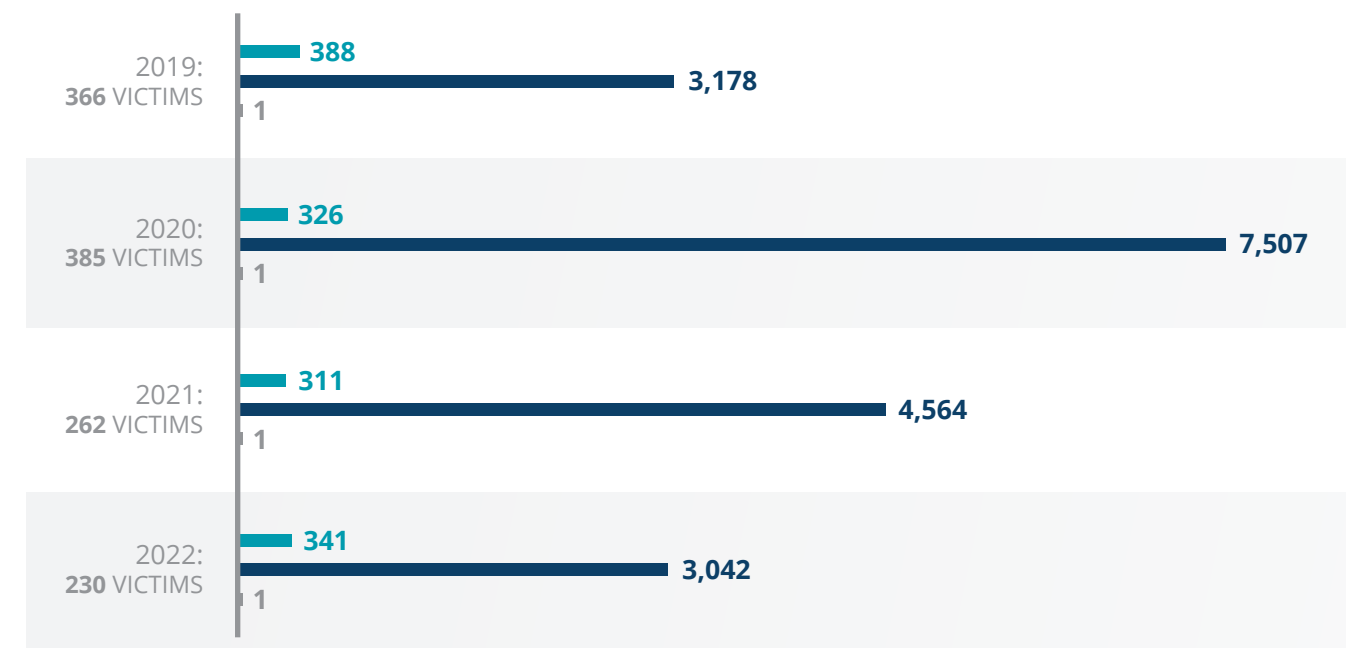
### PRIOR TRAFFICKING VICTIMS

■ SEX TRAFFICKING ■ FORCED LABOR



### LENGTH OF EXPLOITATION OF SEX TRAFFICKING VICTIMS WITH KNOWN LENGTH OF EXPLOITATION (DAYS)

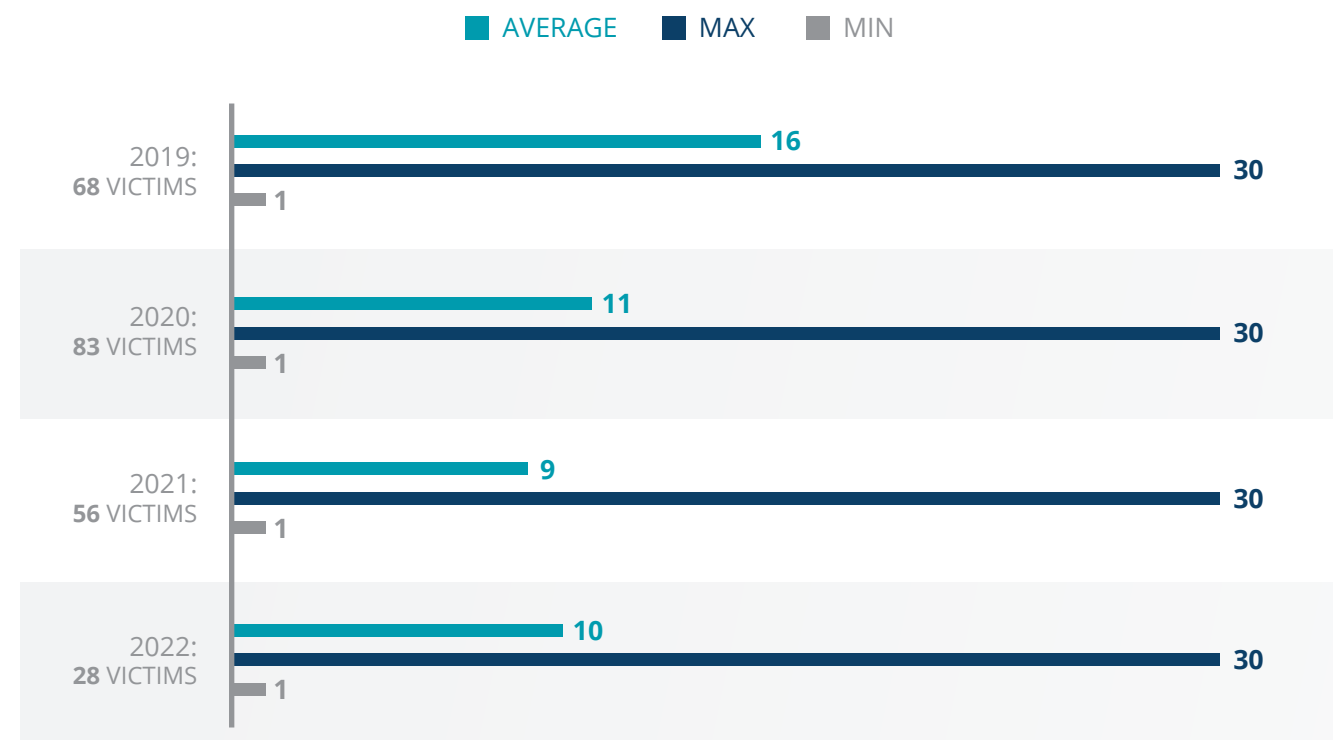
■ AVERAGE ■ MAX ■ MIN



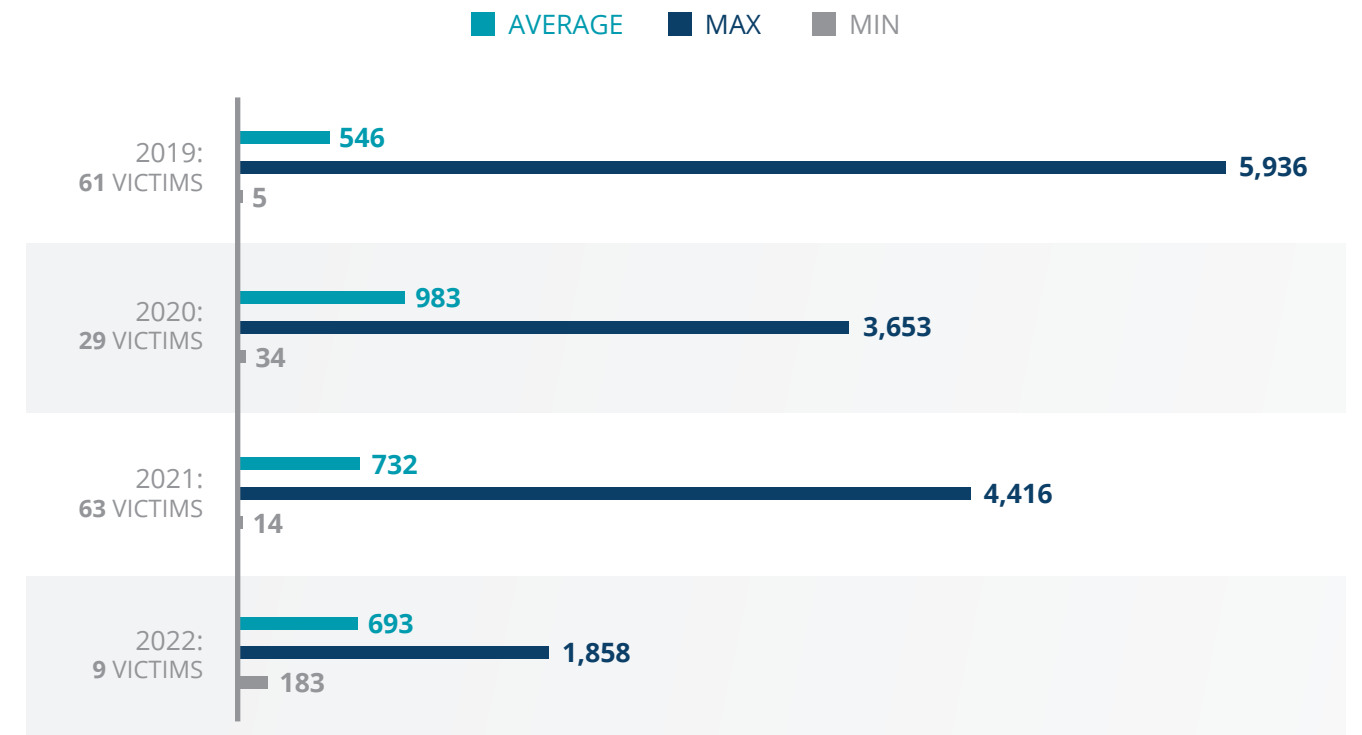


One of the largest gaps in reactive investigations is that law enforcement are unable to protect victims until after information of criminal human trafficking has been reported. However, reactive investigations can still be impactful in limiting the time a victim is exploited. For those victims trafficked for a length of time less than 30 days, the average length of exploitation from 2019-2022 was 11 days.

### LENGTH OF EXPLOITATION OF SEX TRAFFICKING VICTIMS IDENTIFIED AS BEING TRAFFICKED FOR LESS THAN ONE MONTH (DAYS)



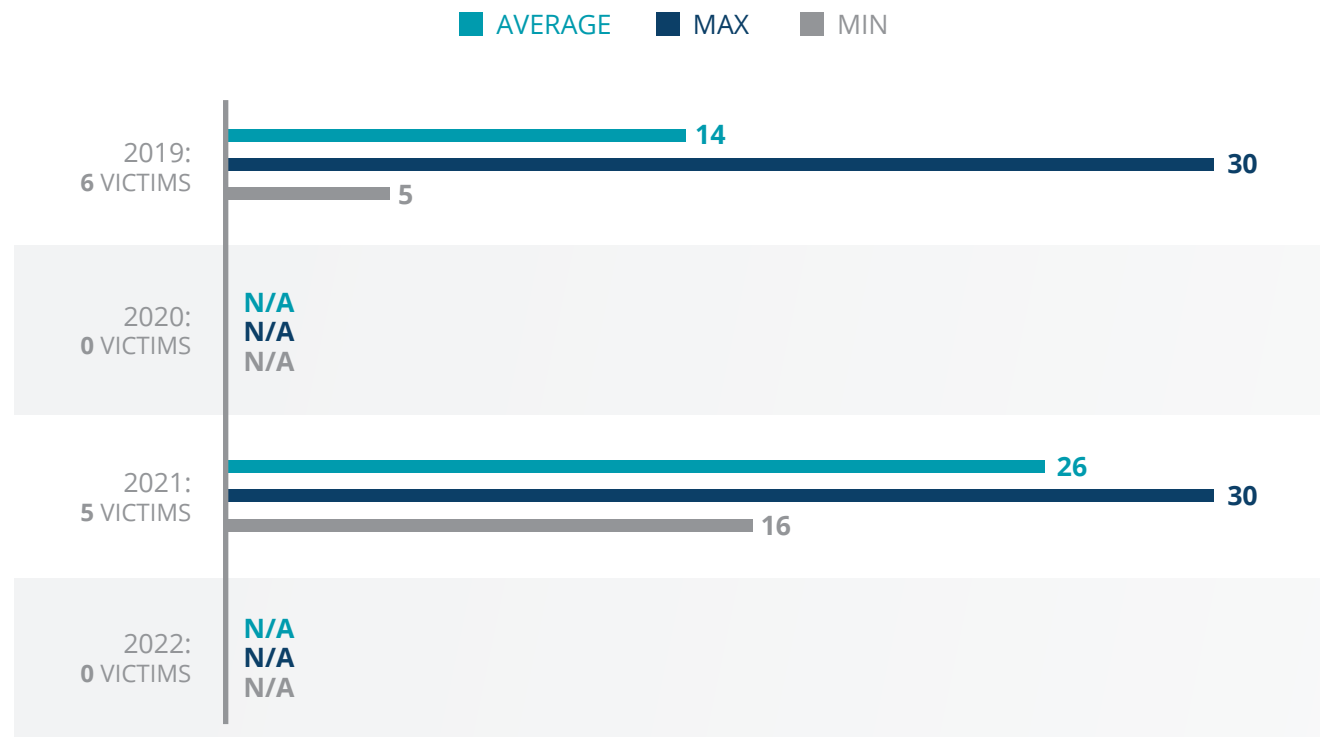
### LENGTH OF EXPLOITATION OF FORCED LABOR VICTIMS WITH KNOWN LENGTH OF EXPLOITATION (DAYS)



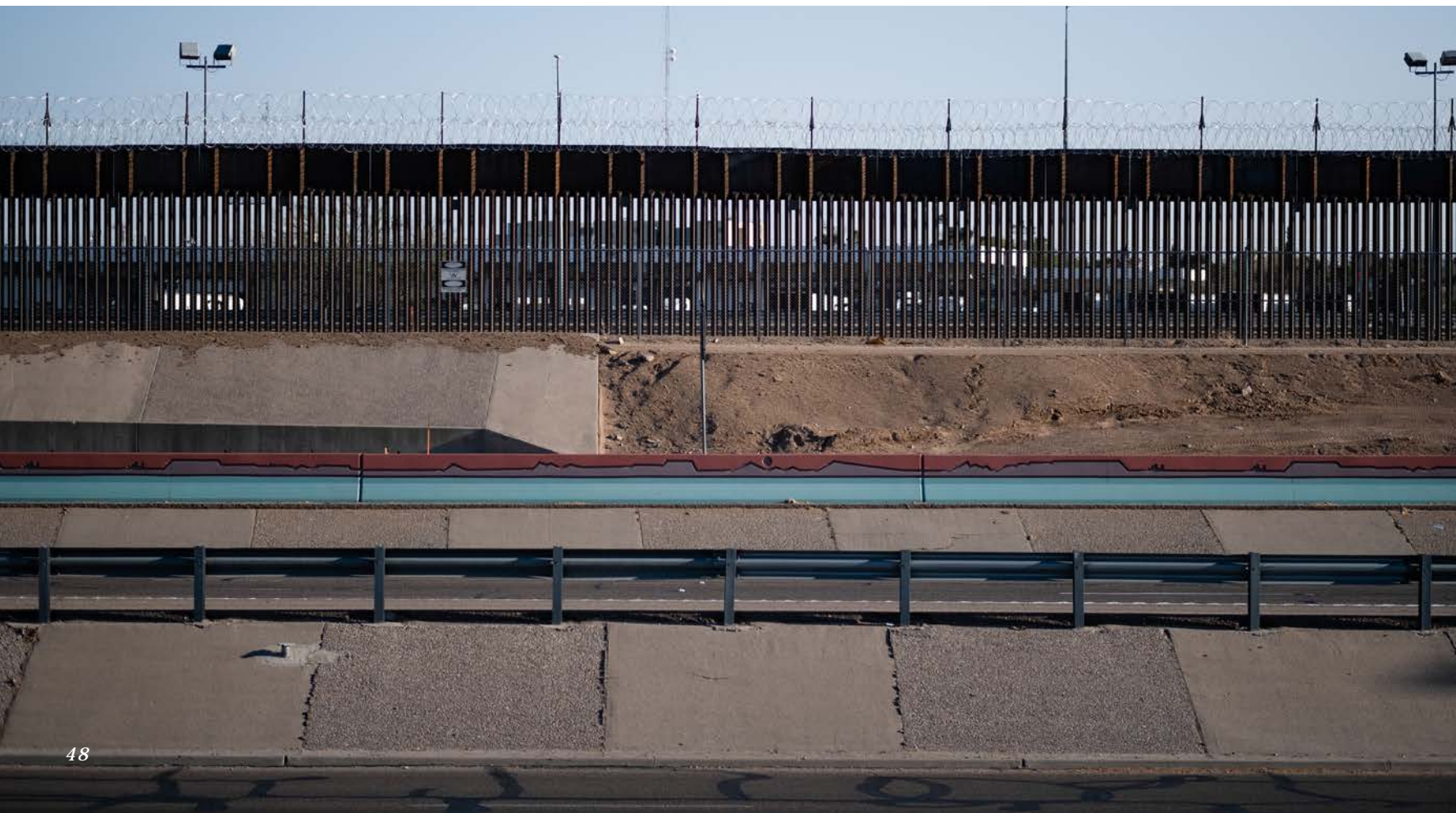
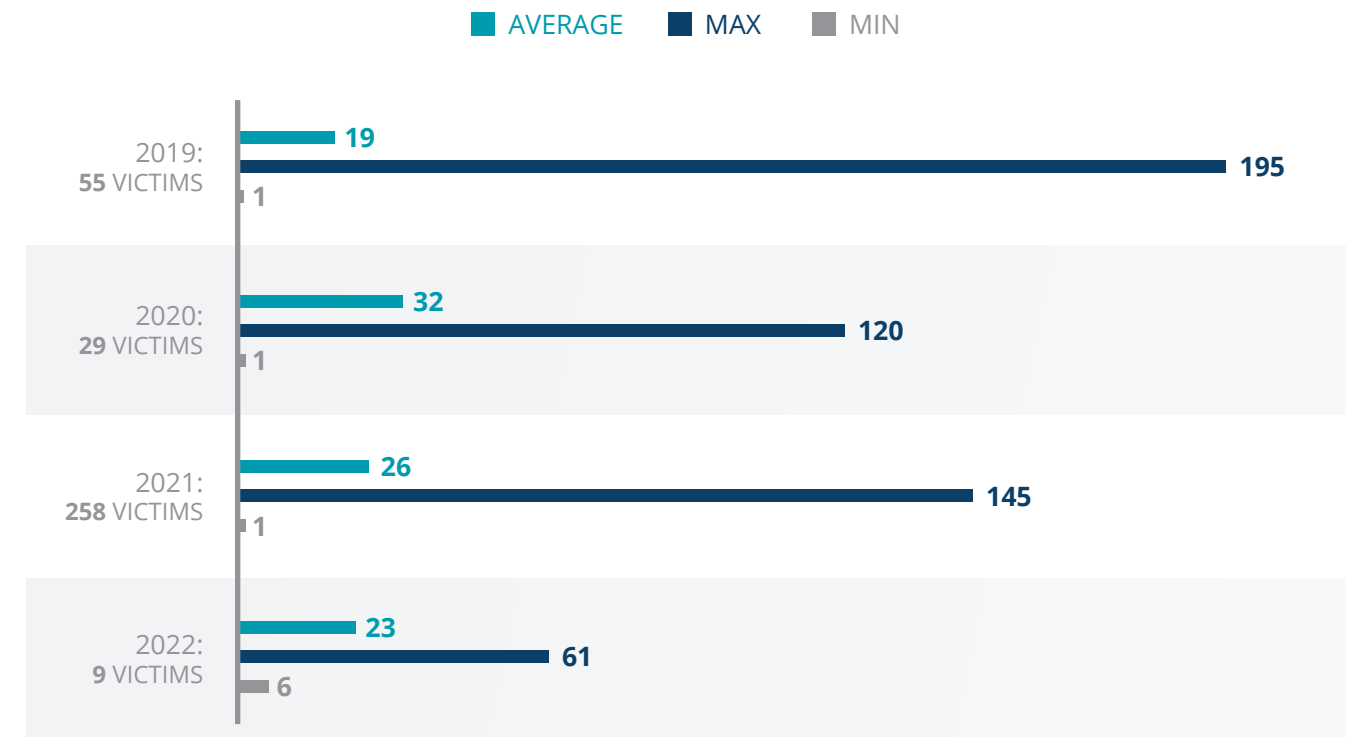
When examining the length of exploitation of victims in forced labor, the average time victims spent in exploitation was significantly higher than that of sex trafficking victims. In 2022, in cases from which a length of time of exploitation could be determined, the average length of exploitation for victims of forced labor was 693 months. Notably, the minimum a victim of forced labor was trafficked is 183 months, which is in sharp contrast to the minimum amount of time identified for sex trafficking victims which was 1 day.

“ONE OF THE LARGEST GAPS IN REACTIVE INVESTIGATIONS IS THAT LAW ENFORCEMENT ARE UNABLE TO PROTECT VICTIMS UNTIL AFTER INFORMATION OF CRIMINAL HUMAN TRAFFICKING HAS BEEN REPORTED.”

LENGTH OF EXPLOITATION OF FORCED LABOR VICTIMS IDENTIFIED AS BEING TRAFFICKED FOR LESS THAN ONE MONTH (DAYS)



LENGTH OF EXPLOITATION OF FORCED LABOR VICTIMS IDENTIFIED AS BEING TRAFFICKED FOR MORE THAN ONE MONTH (DAYS)



## Case Highlight

### UNITED STATES V. RENGEL RAMIREZ-MANZANO, WESTERN DISTRICT OF WASHINGTON

In 2022, in the Western District of Washington, the FBI investigated the smuggling of a victim into the United States from Mexico in the forced labor case of *United States v. Rengel Ramirez-Manzano*. While victims of forced labor may be vulnerable for a variety of reasons, the victim in this case faced financial debt, limited ability to speak or understand English, and faced poverty or financial insecurity. Per the complaint filed in September 2022, smugglers were allegedly paid \$17,000 by Ramirez-Manzano to bring a female victim into the United States from Mexico. The female victim believed she was coming to Washington to further her romantic relationship with the defendant. However, the female victim was subject to abuse and forced to work extenuating hours to pay the debt owed to her smugglers. The abuse the female victim faced included isolation, food restriction, withheld payment, physical abuse, and threats to kill her children. Law enforcement was notified of the case as the victim was able to escape and self-report to the Monroe Police.

As of 2023, Rangel Ramirez-Manzano has been indicted on four counts: forced labor, 18 U.S.C. § 1594(a); transporting an alien for financial gain, 18 U.S.C. § 1324(a)(1)(A)(ii) and 1324(a)(1)(B)(i); harboring an alien for financial gain, 18 U.S.C. § 1324(a)(1)(A)(iii) and 1324(a)(1)(B)(i); and bringing an alien to the United States for Financial Gain, 18 U.S.C. § 1324(a)(2)(A) and 1324(a)(2)(B)(ii), and 18 U.S.C. § 2. Assistant U.S. Attorney Kate Crisham is prosecuting the case.

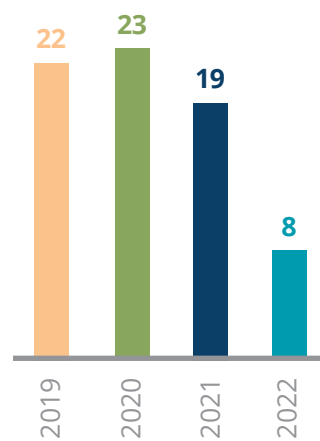
Reports suggest that the identification of victims of human trafficking is down across the globe, including in the United States.<sup>46</sup> Examining how referrals to law enforcement are made, particularly instances where victims self-report, can help us create effective awareness and protect victims of trafficking,

In 2022, there were 8 victims who identified as a trafficking victim by self-reporting. All 8 of the victims were victims of sex trafficking, and no victims of forced labor were identified as self-reporting in 2022.

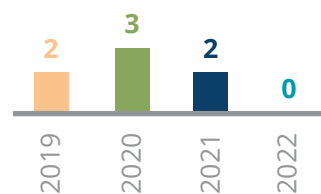
### 3.6 FOREIGN NATIONAL VICTIMS

Determining a victim's nationality is sometimes difficult due to the limited amount of information that is available in the public documents relating to human trafficking cases filed in the federal court system. In 2022, 93% (337) of victims were either U.S. citizens or their nationality was unknown, and 7% (26) of victims in new cases filed were foreign nationals.<sup>47</sup> The breakdown of victim nationality varied by case type. In sex trafficking cases, 6% (20) of victims were identified as foreign nationals,<sup>48</sup> while 38% (6) of victims in new forced labor cases were identified as foreign nationals.<sup>49</sup> Of the 26 victims identified as foreign nationals in new cases, 23% (6) were minors, while 77% (20) were adults.

SELF REPORTING VICTIMS OF SEX TRAFFICKING

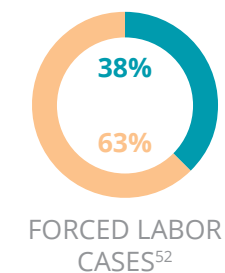


SELF REPORTING VICTIMS OF FORCED LABOR



### VICTIM NATIONALITIES 2022

- FOREIGN NATIONAL
- U.S. CITIZENS OR NATIONALITY UNKNOWN



“IT IS IMPORTANT TO NOTE THAT EVEN IF A VICTIM OF HUMAN TRAFFICKING IS IDENTIFIED AS A FOREIGN NATIONAL, IT DOES NOT MEAN THAT THE VICTIM WAS TRAFFICKED ACROSS BORDERS INTO THE UNITED STATES.”

It is important to note that even if a victim of human trafficking is identified as a foreign national, it does not mean that the victim was trafficked across borders into the United States.<sup>53</sup> However, data supports that in the federal human trafficking cases filed in 2022, 85% (22)<sup>54</sup> of foreign national victims were trafficked *into* the United States; 69% (16) in sex

trafficking cases and 15% (4) in forced labor cases.<sup>55</sup> For 8% (2) of those victims, exploitation occurred only *after* entering the United States and 0% (0) victims were identified as being exploited entirely abroad.<sup>56</sup> Within the foreign national victims, 73% percent (16) of victims trafficked into the country were adults and 27% (6) were minors.<sup>57</sup>

<sup>46</sup> UNODC, Global Report on Trafficking in Persons 2022, 7 (United Nations publication, Sales no.: E.23.IV.1).

<sup>47</sup> Based on 363 total victims in new 2022 criminal cases.

<sup>48</sup> Based on 347 victims in new 2022 criminal sex trafficking cases.

<sup>49</sup> Based on 16 victims in new 2022 criminal forced labor cases.

<sup>50</sup> Based on 363 total victims in new 2022 criminal cases.

<sup>51</sup> Based on 347 victims in new 2022 criminal sex trafficking cases.

<sup>52</sup> Based on 16 victims in new 2022 criminal forced labor cases.

<sup>53</sup> Illegal movement of a human across borders is considered smuggling. Human trafficking involves the recruitment, harboring, transportation, obtaining, or provision of a person for the purpose of forced labor or commercial sexual exploitation, which sometimes can include movement across borders.

<sup>54</sup> Based on 26 foreign national victims in new criminal human trafficking cases in 2022.

<sup>55</sup> Based on 26 foreign national victims in new criminal human trafficking cases in 2022.

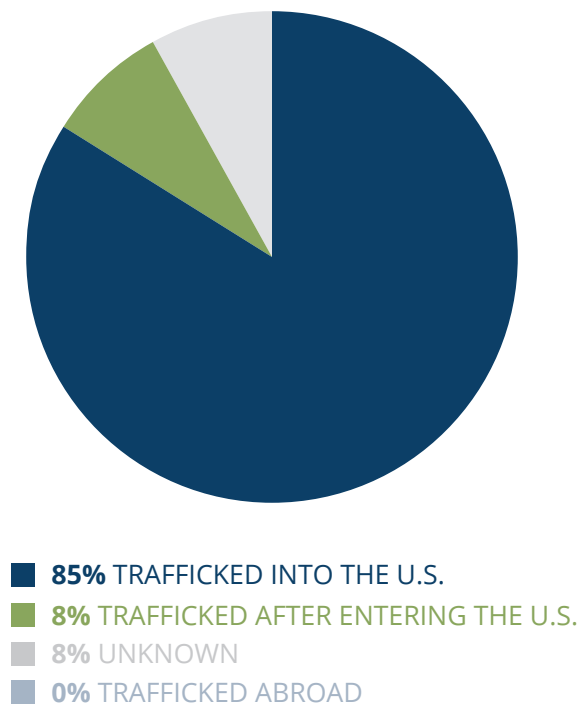
<sup>56</sup> Based on 26 foreign national victims in new criminal human trafficking cases in 2022.

<sup>57</sup> Based on 22 foreign national victims in criminal human trafficking cases that were trafficked into the United States in 2022.

When foreign nationals enter the United States, with or without authorization, they can become uniquely vulnerable to human trafficking. Twenty-three percent (6) of foreign national victims were undocumented prior to being trafficked, 8% (2) had limited English language skills, and 4% (1) in financial debt.<sup>58</sup> Traffickers often exploit these vulnerabilities once an individual has entered the country. As mentioned above, 8% (2) of foreign national victims were trafficked after entering the United States, both of whom were adults in sex trafficking cases.<sup>59</sup>

Foreign national victims identified in 2022 new cases traveled to the United States from Guatemala (3); Mexico (11); China (8).

**TRAFFICKING TRENDS OF FOREIGN NATIONAL VICTIMS 2022**



## Case Highlight

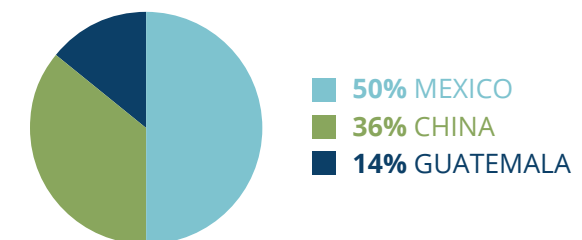
### UNITED STATES V. ANDREW GOLOBIC, SOUTHERN DISTRICT OF OHIO

A former deportation officer was charged in Ohio with multiple criminal charges, including 18 U.S.C. § 1591 Sex Trafficking, 18 U.S.C. § 1591(d) Obstructing Enforcement of Sex Trafficking, two counts of 18 U.S.C. § 1512 Witness Tampering, two counts of 18 U.S.C. § 242 - Deprivation of Rights Under Color of Law, 18 U.S.C. § 1519 Destruction, alteration, or falsification of records, for his actions against at least two females under his supervision while he served as a deportation officer with U.S. Immigration and Customs Enforcement. The charge of Deprivation of Rights Under the Color of Law is a federal statute used against law enforcement or officials who have used their position or power to deny the rights of others.

In his position as a deportation officer, Golobic oversaw immigrants who were being supervised by the Alternatives to Detention program, which is designed to provide supervision of immigrants in lieu of detention during deportation proceedings. It was during this time that Golobic used force, fraud, or coercion to exploit at least two persons within the program.

This case is an example of the unique vulnerabilities faced by foreign national victims, and the variety of charges that can be used to ensure faith in the justice system and hold traffickers accountable for the exploitation of vulnerable populations. The case was investigated by Special Agent J. William Rivers of the FBI and Special Agent John R. Pias, of the DHS Office of the Inspector General. Kenneth L. Parker, U.S. Attorney for the Southern District of Ohio, is prosecuting the case.

**TRAFFICKING TRENDS OF FOREIGN NATIONAL VICTIMS 2022**



<sup>58</sup> Based on 26 foreign national victims in new criminal human trafficking cases in 2022.

<sup>59</sup> Based on 26 foreign national victims in new criminal human trafficking cases in 2022.

SECTION 4:

*Human  
Trafficking  
Schemes*







## SECTION 4:

# Human Trafficking Schemes

Human trafficking is a multi-billion-dollar industry, profiting from the exploitation of our most vulnerable populations, particularly women and children.<sup>60</sup> Understanding how traffickers operate is critical to developing effective policies and strategies to combat human trafficking. This section explores both sex trafficking and forced labor trafficking schemes to help us better understand how traffickers recruit, coerce, and transport victims, how traffickers solicit buyers, and the locations where human trafficking operations occur.

### 4.1 CRIMINAL SEX TRAFFICKING SCHEMES

While human trafficking occurs in many different forms, the most common human trafficking cases filed in United States federal courts involve criminal sex trafficking. In 2022, 97% (178) of the new federal human trafficking cases filed involved sex trafficking.<sup>61</sup> Forced labor cases accounted for 3% (5) of the human trafficking cases filed.<sup>62</sup>

#### 4.1.1 SINGLE AND MULTIPLE DEFENDANT TRAFFICKING MODELS

There is often a misconception that human trafficking only occurs in large criminal syndicates, where victims are taken against their will and exploited by organized crime rings. This concept has been sensationalized in popular movies and social media. In reality, criminal sex trafficking schemes can range from small-scale, individually run operations, to larger, more complex and sophisticated crime rings. In 2022, 83% (148) of the 178 sex trafficking cases filed involved a trafficking model that included only one defendant. The remaining 17% (30) included a trafficking model involving multiple defendants. Within those cases involving multiple defendants in

#### NEW SEX TRAFFICKING AND FORCED LABOR CASES FILED 2022



<sup>60</sup> Department of Homeland Security Center for Countering Human Trafficking, *Countering Human Trafficking: Year in Review*, January 2022, <https://www.dhs.gov/sites/default/files/2022-02/CCHT%20Annual%20Report.pdf>.

<sup>61</sup> Based on 183 new criminal human trafficking cases filed in 2022.

<sup>62</sup> Based on 183 new criminal human trafficking cases filed in 2022.

2022, one (1) case was identified as involving gang-directed sex trafficking, and one (1) case was identified as involving an organized criminal syndicate.<sup>63</sup>

When reviewing single and multiple defendant sex trafficking models, there were 227 victims involved in the 148 single-defendant cases, for an average of 1.5 victims per case. In the 30 cases involving multiple defendants in the trafficking model, there were 120 victims involved, for an average of 4 victims per case.

## Case Highlight

### UNITED STATES V. SIYANG CHEN ET AL., EASTERN DISTRICT OF NEW YORK

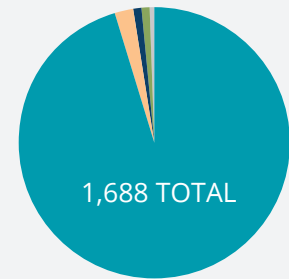
In April 2022, the Eastern District of New York indicted 9 defendants for numerous charges, including sex trafficking, after a months-long investigation of a violent sex trafficking ring operating out of Queens, New York. From April 2019, the defendants operated a violent and organized racketeering operation that included commercial sex throughout the United States. The defendants recruited women who were mostly from China and lacked legal immigration status in the United States. The women were transported across the country to hotels and apartments to work in commercial sex for weeks at a time. To eliminate competition and intimidate victims, the traffickers directed violent beatings of the women engaging in commercial sex outside their trafficking ring, under the guise that the assaults would not be prosecuted because the victims were not legally present in the United States. The defendants directed assailants to pretend to be buyers of sex and then once in the hotel room with the victim, the assailant would zip tie the victim, beat them with hammers, bats, and other objects, and rob them.

The type of trafficking model represented in this organized criminal ring is less common than other models, however, the level of brutality and trauma inflicted can be significant, spanning over a lengthy period of time and involving numerous victims. The complexity of these types of criminal organizations that span multiple jurisdictions and involve vulnerable populations are difficult to investigate and prosecute. However, the collaboration between multiple agencies resulted in the prosecution of nine violent traffickers and protected numerous victims.

This case was investigated by the FBI, the New York Police Department, the USAO of Nebraska, HSI, ICE, the Beaverton Oregon Police Department, Michigan State Police, Missouri Highway Patrol, Oklahoma City Police Department, Overland Kansas Police Department, Omaha Nebraska Police Department, Overland Park Kansas Police Department, Southfield Michigan Police Department, and Troy Michigan Police Department. The case is being prosecuted by Assistant U.S. Attorneys Matt Galeotti, Kayla Bensing and Sophia Suarez.

<sup>63</sup> Based on 178 new criminal sex trafficking cases filed in 2022.

### RECRUITER OF VICTIM IN SEX TRAFFICKING 2018-2022



- 96% DEFENDANT
- 2% UNDEFINED PARTY
- 1% VICTIM
- 1% DEFENDANT BOTTOM
- <1% NON-DEFENDANT BOTTOM



### LOCATION OF RECRUITMENT IN SEX TRAFFICKING CASES

To create a better understanding of how traffickers recruit victims, the FHTR collects information on where the recruitment of the victim takes place. This can help dispel common myths and misconceptions while also helping us better identify locations where awareness initiatives could be helpful in educating the public. Within the new cases filed in 2022, there were 67 (19%) victims for whom at least one location of recruitment could be identified.<sup>66</sup> Of the 347 sex trafficking victims, 54 (16%) were recruited on the internet, 4 (1%) at school, 3 (1%) at a residence, 2 (1%) on the street, 2 (1%) at hotels, and 2 (1%) were recruited at a bus stop. Other locations include the victim’s residence, a carnival, a group home, and at work. There was insufficient information to determine the location of recruitment for 280 (81%) sex trafficking victims.<sup>67</sup>

The internet has remained the most common location for recruitment of victims of trafficking for 23 years.<sup>68</sup> Since 2000, the FHTR has identified 11% of sex trafficking victims as being recruited online, primarily through social media platforms, web-based messaging applications, online chat rooms, dating apps, classified advertisements, or job boards.<sup>69</sup>

### 4.1.2 RECRUITMENT OF VICTIMS IN SEX TRAFFICKING CASES

A common misconception about human trafficking is that victims are kidnapped and forced into a trafficking scheme. While victims may be abducted by a trafficker, this is incredibly rare. Instead, traffickers often use a variety of subtle ways to recruit their victim based upon the victim’s unique vulnerabilities. Traffickers may also use other people to recruit on their behalf, and they may recruit victims in a variety of locations. This section will discuss common recruitment methods, recruiters, and locations identified in the human trafficking cases prosecuted in the United States federal courts.

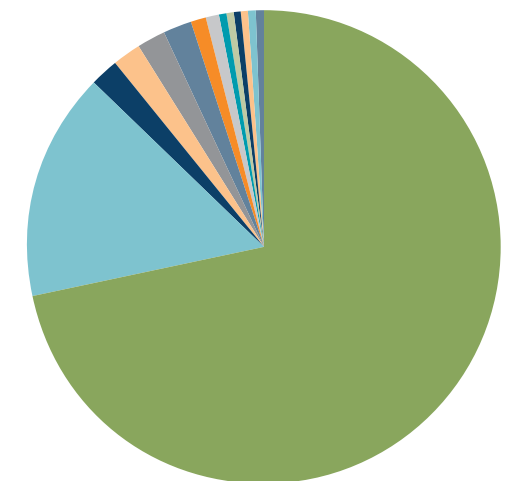
#### RECRUITERS IN SEX TRAFFICKING CASES

Traffickers may recruit victims themselves, or they may use other people to help recruit victims, depending on the age or vulnerability of the victim. In 2022, among the 347 victims of sex trafficking, the FHTR identified who the recruiter was for 199 (57%) victims. The defendant recruited the victim in 191 (55%) of those instances, 1 (<1%) was recruited by a defendant “bottom,” 1 (<1%) victim was recruited by another victim, 2 (1%) were recruited by a non-defendant “bottom,” and 4 (1%) victims were recruited by undefined individuals not party to the criminal case.<sup>64</sup> There was insufficient information to identify the recruiter for the remaining 148 (43%) victims.<sup>65</sup>

### LOCATION OF VICTIM RECRUITMENT IN CRIMINAL SEX TRAFFICKING CASES 2019-2022

2,318 TOTAL

- 74% UNKNOWN
- 16% INTERNET
- 2% HOTEL
- 2% STREET
- 2% RESIDENCE
- 2% FOREIGN COUNTRY
- 1% VARIOUS OTHER LOCATIONS
- 1% SCHOOL
- <1% MALL/STORE
- <1% OFFICE
- <1% PARTY
- <1% BUS STOP
- <1% SHELTER
- <1% RESTAURANT



<sup>64</sup> Based on 347 victims in new criminal sex trafficking cases filed in 2022.

<sup>65</sup> Based on 347 victims in new criminal sex trafficking cases filed in 2022.

<sup>66</sup> Based on 347 victims in new criminal sex trafficking cases filed in 2022.

<sup>67</sup> Based on 347 victims in new criminal sex trafficking cases filed in 2022.

<sup>68</sup> Based on 904 of 8,607 victims recruited on the internet from 2000-2022.

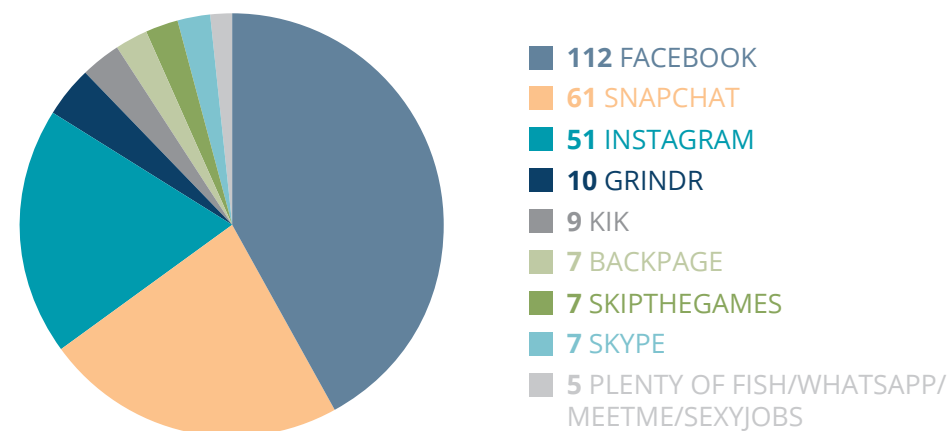
<sup>69</sup> Based on 904 of 8,607 victims recruited on the internet from 2000-2022.



### PLATFORMS USED TO RECRUIT VICTIMS IN SEX TRAFFICKING CASES

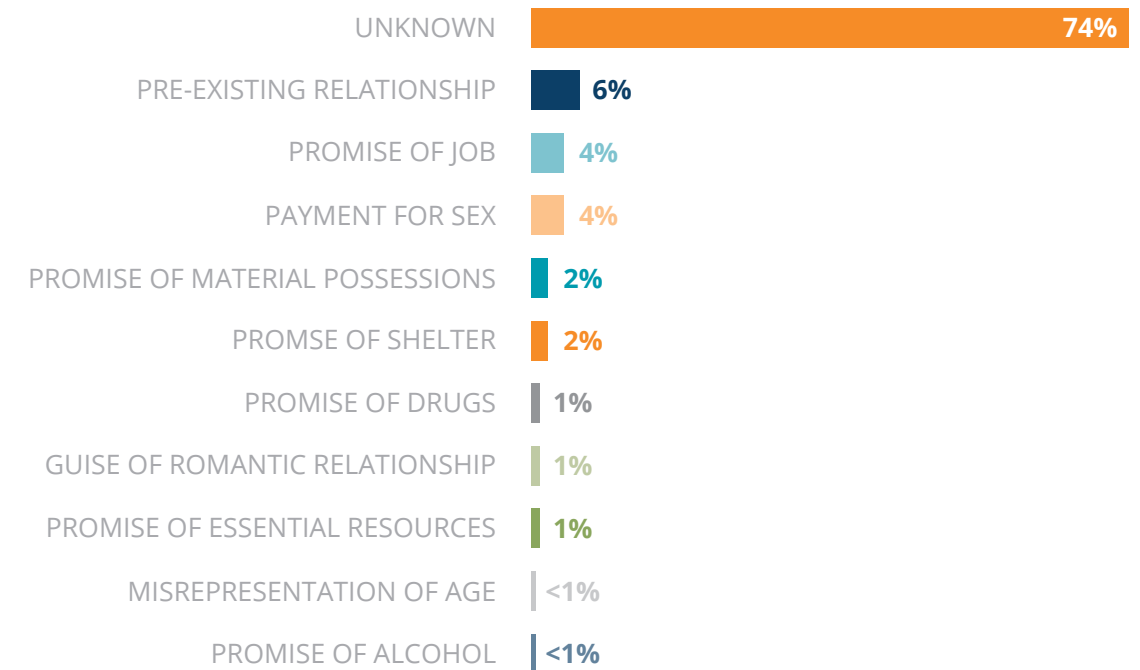
Each year the FHTR identifies an expanding list of platforms used to recruit victims of trafficking. As technology and trends change, so do the platforms and apps used by traffickers. For this reason, data is an incredibly powerful source to inform practitioners of the latest trends and uses of technology to guide them in their work to combat trafficking. Within the new cases filed in 2022 the most commonly identified platforms used by traffickers to recruit victims were: Snapchat (11); Instagram (8); Kik (3); Grindr (3); Video Games (2); Facebook (2); Discord (2); Yubo (1); Tinder (1); Omegle (1); Live.me (1); and Gate of Chaos (1). This is the second year in a row that Snapchat was the most commonly identified platform for the recruitment of sex trafficking victims.<sup>70</sup>

### TOP 10 PLATFORMS USED IN RECRUITMENT OF VICTIMS 2019-2022



<sup>70</sup> Based on Snapchat being used 19 times to recruit victims in 2021.

### METHODS OF RECRUITMENT IN SEX TRAFFICKING CASES 2022



### METHODS OF RECRUITMENT IN SEX TRAFFICKING CASES

Traffickers use numerous methods to recruit victims of trafficking, often tailoring their technique based upon the specific vulnerabilities or interests of the victim. There were 61 (18%) victims of criminal sex trafficking with at least one known method of recruitment in the cases filed in 2022.<sup>71</sup> Within those cases, 20 (6%) victims were recruited via a pre-existing relationship, 15 (4%) via promise of a job offer, 14 (4%) through payment for sex, 7 (2%) by promise of material possessions, 6 (2%) by promise of shelter, 5 (1%) with a promise of drugs, 5 (1%) by guise of a romantic relationship, 4 (1%) through promise of essential resources, 1 (<1%) by misrepresentation of age, and 1 (<1%) with the promise of alcohol. Information was insufficient to identify a method of recruitment for 257 (74%) sex trafficking victims.<sup>72</sup>

Three methods identified were commonly used by traffickers specifically to recruit minor victims of sex trafficking: pre-existing relationships with the minor, payment for sex, and the promise of material possessions. Some of the most common material possessions promised to recruit minor victims of sex trafficking were travel, a luxurious or better life, and a promise of vape or tobacco. In the one case identified as a misrepresentation of age, the defendant pretended to be a minor and recruited young girls under the guise of also being a high school student.



<sup>71</sup> Based on 347 victims in new criminal sex trafficking cases filed in 2022.

<sup>72</sup> Based on 347 victims in new criminal sex trafficking cases filed in 2022.

# Case Highlight

## UNITED STATES V. DAVID ALAN QUARLES, MIDDLE DISTRICT OF FLORIDA

In *United States v. David Alan Quarles*, the defendant operated a trafficking scheme for decades. Frequenting strip clubs and bikini bars, Quarles recruited vulnerable victims, many facing housing insecurities and victims who had recently aged out of foster care. Quarles promised to provide the victims with financial support, love, and a family. He then coerced victims through means of physical violence and sexual, psychological, and financial abuse. In addition to victims being recruited locally, non-U.S. citizens were trafficked into the United States for the purposes of commercial sex. Once within the scheme, victims were directed to engage in commercial sex acts, which were advertised online and set up by Quarles and co-conspirators. The victims were forced to turn over all profits and had to get approval to spend money on necessities. Quarles was found guilty at trial of conspiracy; sex trafficking by force, threats, fraud, or coercion; importation of an alien for the purpose of prostitution; transportation of an individual in interstate commerce for the purpose of prostitution; and using a facility of interstate commerce in aid of prostitution. He was sentenced to 35 years in federal prison.

This case was investigated by HSI, the Coast Guard Investigative Service, and the Miami-Dade Police Department. Assistant U.S. Attorney Lisa M. Thelwell is the prosecutor on the case.

Unlike the misconception that victims are abducted and forced into trafficking, victims often know their trafficker, or know the person recruiting them on behalf of the trafficker. Of the victims in new 2022 criminal sex trafficking cases 25 (7%) were recruited through a pre-existing relationship with the recruiter, in which the recruiter took advantage of their relationship with the victim or the victim's relationship with someone else to recruit them.<sup>73</sup> In new criminal sex trafficking cases filed in 2022, pre-existing relationships included recruitment by: a mutual friend (2%, 8); intimate partner (2%, 7); school staff (1%, 4); employer (1%, 2); family member (<1%, 1); and other relationships (1%, 3). Since 2000, 10% (889) of victims were recruited through a pre-existing relationship with their recruiter.<sup>74</sup>



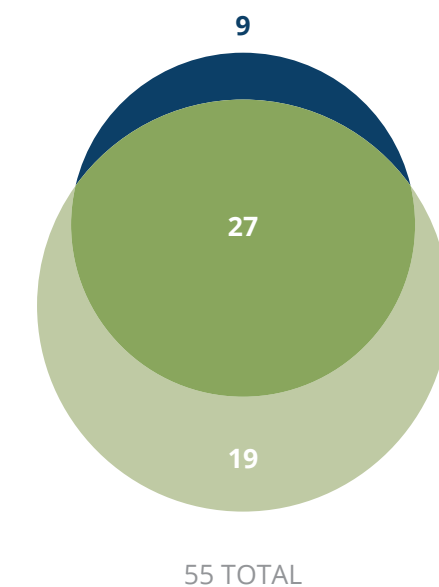
### 4.1.3 COERCION IN SEX TRAFFICKING CASES

One question often asked regarding sex trafficking operations is how traffickers maintain control over victims in the trafficking scheme if they are not physically bound or held. There is no simple explanation to this question, other than the ties that bind victims to trafficking can often be invisible to the outside eye. Understanding how traffickers use physical, non-physical, and sometimes violent methods of coercion to keep victims within their control can help us improve our investigations and prosecutions, and better support the mental, emotional, and psychological needs of victims of trafficking.

In 2022, 11% (19) of sex trafficking cases filed involved coercion exclusively through non-physical means.<sup>75</sup> In 15% (27) of sex trafficking cases, victims experienced both physical and non-physical forms of coercion.<sup>76</sup> There were 9 cases in 2022 that included only violent coercion. The use of both physical and non-physical forms of coercion has been consistently present in cases over the past five years.<sup>77</sup> There were 123 sex trafficking cases in 2022 in which the method of coercion could not be identified, and 71 cases involved buyers of commercial sex and therefore did not have a method of coercion.

#### PHYSICAL & NON-PHYSICAL COERCION IN NEW CRIMINAL SEX TRAFFICKING CASES 2022

■ PHYSICAL ■ NON-PHYSICAL ■ BOTH



<sup>73</sup> Based on 347 victims in new criminal sex trafficking cases filed in 2022.

<sup>74</sup> Based on 8,607 sex trafficking victims in cases filed between 2000-2022.

<sup>75</sup> Based on 178 new criminal sex trafficking cases filed in 2022.

<sup>76</sup> Based on 178 new criminal sex trafficking cases filed in 2022.

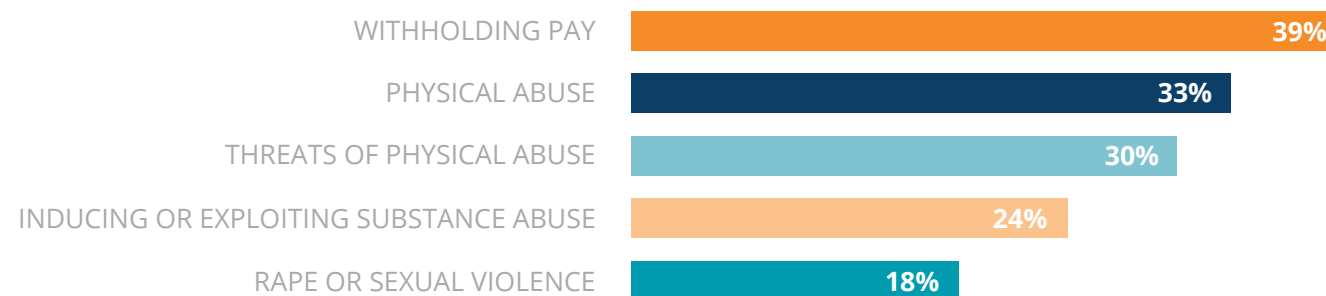
<sup>77</sup> Based on 61 cases in 2021, 97 cases in 2020, 101 cases in 2019, 112 cases in 2018, and 154 cases in 2019.

In 2022, the FHTR identified multiple methods of coercion in the cases filed. The top five categories of coercion in cases involving adult victims were withholding pay (39%, 13), physical abuse (33%, 11), threats of physical abuse (30%, 10), inducing or exploiting substance abuse (24%, 8), and rape or sexual abuse (18%, 6).<sup>78</sup> The other identified means of coercion for adults included: brandishing weapons (12%, 4); physical isolation (12%, 4); threats to family members (12%, 4); withholding identification documents (9%, 3); access to a victim’s family or child (9%, 3); misrepresentation of a job (9%, 3); withholding access to electronics (6%, 2); threats of deportation (6%, 2);

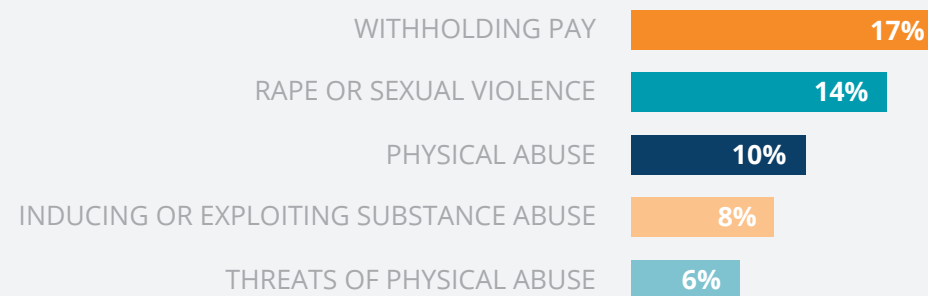
branding or tattoos (6%, 2); fraudulent romance (6%, 2); fear of gang violence (6%, 2); electronic surveillance (6%, 2); withholding immigration documents (3%, 1); verbal or emotional abuse (3%, 1); threats to other victims or third parties (3%, 1); language barrier (3%, 1); debt manipulations (3%, 1); withholding access to food (3%, 1); chains or shackles (3%, 1); cages or locked rooms (3%, 1); and abuse of position or power.

Since 2018, the top five categories of coercion of adult victims were: withholding pay (104); physical abuse (86); threats of physical abuse (74); inducing/exploiting substance addiction (56); and rape or sexual assault (39).

### METHODS OF COERCION IN NEW CRIMINAL SEX TRAFFICKING CASES INVOLVING ADULT VICTIMS 2022



### METHODS OF COERCION IN NEW CRIMINAL SEX TRAFFICKING CASES INVOLVING MINOR VICTIMS ONLY 2022



<sup>78</sup> Based on 33 new adult-only criminal sex trafficking cases filed in 2022.

## Case Highlight

### UNITED STATES V. MCGLOTHER, ET AL., MIDDLE DISTRICT OF TENNESSEE

In April 2022, Charles McGlother, Karen Bailey, and Charles Sumner were charged with multiple counts of sex trafficking, conspiracy to commit sex trafficking, and drug related offenses in the Middle District of Tennessee for operating a sex trafficking ring over a period spanning a decade. Pleadings state the defendants recruited women who were recovering from drug addiction, had small children, and lacked stable housing. The defendants provided the victims and their children with housing and drugs, and then used them to coerce the victims into performing commercial sex acts. Furthermore, they controlled access to the victim’s children, and did not allow them to leave with the children without a chaperone.

This case is an example of how traffickers identify and target pre-existing vulnerabilities, and use those vulnerabilities to recruit, coerce, and profit from victims. While there are no allegations in this investigation that the victims were physically bound or held in the trafficking scheme, exploitation of a substance abuse problem, lack of stable housing, and the presence of children can give a trafficker tremendous control over a victim of trafficking.

This case was investigated by HSI, the Bureau of Alcohol, the ATF, and the Metropolitan Nashville Police Department. Assistant U.S. Attorney Brooke K. Schiferle is prosecuting the case.

Because children cannot consent to perform commercial sex, federal legislation does not require that prosecutors prove the element of coercion in sex trafficking cases involving a minor.<sup>79</sup> However, the FHTR gathers information on the coercive methods used by traffickers to control minor victims to better understand how traffickers operate. In 2022, coercive methods were identified in 27 new

criminal sex trafficking cases filed where *only* a minor victim was involved. The 5 most identified coercive means in criminal sex trafficking cases involving only minor victims were: withholding pay (17%, 11); rape or sexual violence (14%, 9); inducing or exploiting substance abuse (8%, 5); physical abuse (10%, 6); and threats of physical abuse (6% 4).<sup>80</sup>

“FEDERAL LEGISLATION DOES NOT REQUIRE THAT PROSECUTORS PROVE THE ELEMENT OF COERCION IN SEX TRAFFICKING CASES INVOLVING A MINOR.”

<sup>79</sup> According to 18 U.S.C. § 1591, a person commits sex trafficking of a minor if they knowingly recruit, entice, harbor, transport, provide, obtain, advertise, maintain, patronize, or solicit by any means a person under the age of 18 years and the minor will be caused to engage in a commercial sex act. § 1591 does not require force or coercion. Minors cannot consent to commercial sex, thus commercial sex acts with a minor meet the threshold for federal sex trafficking of a minor. 18 U.S.C. § 1591 (2018).

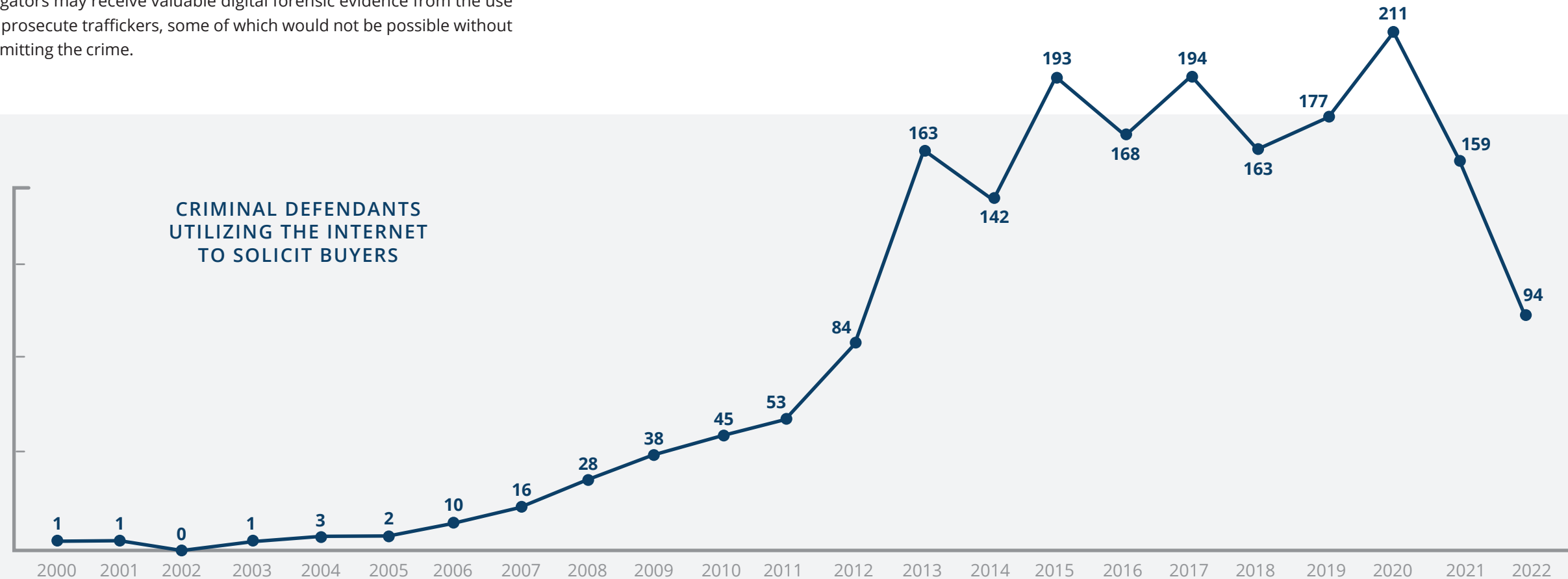
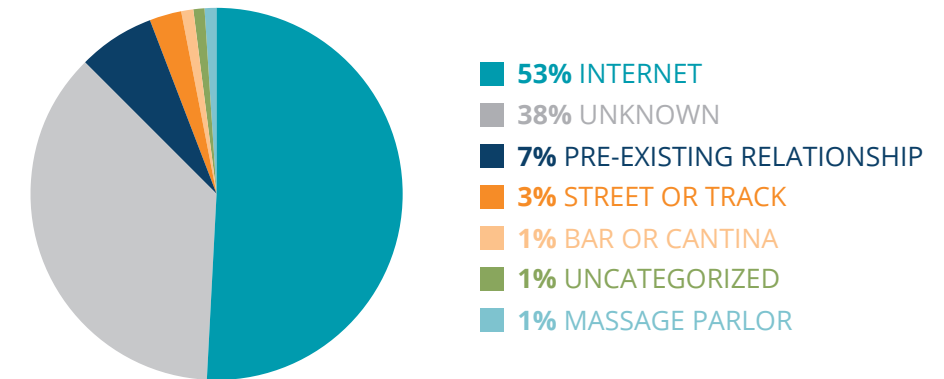
<sup>80</sup> Based on 63 new minor-only criminal sex trafficking cases filed in 2022.

#### 4.1.4 SOLICITATION OF BUYERS IN SEX TRAFFICKING CASES

While the commercial sex industry has existed for centuries, *how* the industry operates has changed significantly in recent decades with the introduction of technology and the internet. Access to the internet and mobile devices allows buyers of commercial sex to purchase commercial sex easily and discreetly through online platforms and social media. Moreover, technology has enabled the use of tools, such as online payment systems and GPS tracking apps, which facilitate the solicitation of commercial sex. In 2022, the primary method traffickers used to solicit buyers of commercial sex was through the internet (53%, 94).<sup>81</sup> Less frequently, defendants solicited buyers through a pre-existing relationship (4%, 7), on the street or track (2%, 4), at a bar or cantina (1%, 2), using uncategorized methods (1%, 2), and at massage parlors (1%, 1).<sup>82</sup> In 68 (38%) cases, there was insufficient information to determine the method of solicitation.<sup>83</sup>

While the percentage of cases utilizing the internet to solicit buyers decreased in 2022, from 69% in 2021 to 53% in 2022, this number may ultimately increase for 2022, as more information becomes publicly available when cases reach disposition.<sup>84</sup> Since 2000, as the internet has become more commonly used, so has its use in the solicitation of buyers for the purposes of commercial sex. While the internet may have made commercial sex more accessible to buyers, it should be noted that the use of the internet also creates a digital footprint for law enforcement to use in an investigation against traffickers. Investigators may receive valuable digital forensic evidence from the use of the internet that helps identify victims and prosecute traffickers, some of which would not be possible without technology and the use of the internet in committing the crime.

METHODS OF SOLICITATION IN NEW CRIMINAL SEX TRAFFICKING CASES 2022



<sup>81</sup> Based on 178 new criminal sex trafficking cases filed in 2022.

<sup>82</sup> Based on 178 new criminal sex trafficking cases filed in 2022.

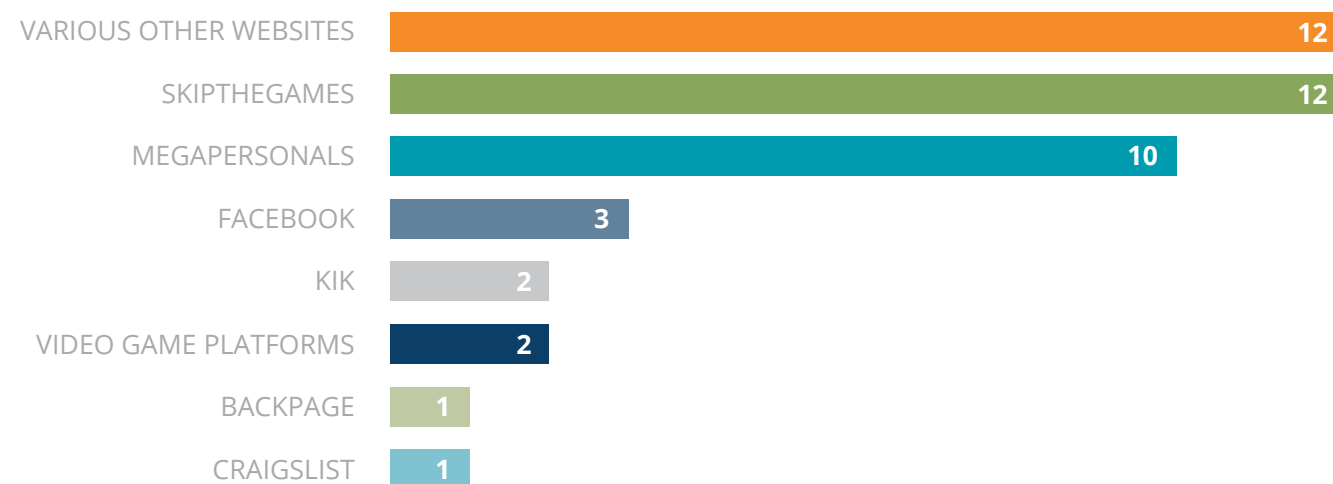
<sup>83</sup> Based on 178 new criminal sex trafficking cases filed in 2022.

<sup>84</sup> Based on 69% (159 of 231) in 2021 and 53% (94 of 178) in 2022 in criminal sex trafficking cases.



The number of platforms used in the solicitation of commercial sex increases each year as technology and social media continue to expand. Of the new cases filed in 2022, the most commonly identified sites used were: SkipTheGames (7%, 12); MegaPersonals (6%, 10); Facebook (2%, 3); Kik (1%, 2); video game platforms (1%, 2); Backpage (<1%, 1); Craigslist (<1%, 1); and other various websites (7%, 12).<sup>85</sup>

**ONLINE PLATFORMS USED FOR SOLICITATION OF COMMERCIAL SEX BUYERS 2022**



<sup>85</sup> Based on 69% (159 of 231) in 2021 and 53% (94 of 178) in 2022 in criminal sex trafficking cases.

## Case Highlight

### UNITED STATES V. COLLIN MARSHALL NEWTON, WESTERN DISTRICT OF KENTUCKY

The rapid expansion of the internet and the anonymity it provides allows crimes that may not take place elsewhere, possible. An emerging domain in which this is true is online video gaming. In the Western Kentucky case *United States v. Collin Marshall Newton*, the defendant connected with his victims via the video game *Fortnite*, which is popular among school-aged children. The game enables strangers to play and chat together online.

Once Newton met his victims— boys twelve and thirteen years old at the time— online, he offered to pay them cash and in-game currency for sexually explicit photographs. The parties moved communications to Snapchat where Newton sent explicit images of himself and links containing child sexual abuse material. Eventually, the relationship between Newton and one of the victims transitioned to in-person meetings. Together in person, Newton forced the victim to engage in sexual acts.

The families of both victims eventually suspected illegal behavior and contacted local law enforcement. After obtaining a warrant, law enforcement arrested Newton outside his place of employment. In a post-miranda interview, Newton admitted to enticing the boys and continuing this behavior after learning their ages.

The case was investigated by the U.S. Secret Service, the Henderson County Sheriff's department, and local police, and was prosecuted by Assistant U.S. Attorney Jo Lawless.

### PAYMENT PLATFORM COMPANIES 2019-2022

CASH APP	\$	37
PAYPAL	\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$	12
VENMO	\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$	11
WESTERN UNION	\$\$\$\$\$\$\$\$	6
MONEYGRAM	\$\$\$\$\$\$\$\$	6
ZELLE	\$\$	2
WALMART MONEY TRANSFER	\$\$	2
RIA	\$	1
M. LHUILLIER	\$	1
GREEN DOT MONEYPAK	\$	1
REMITLY	\$	1
BLUEBIRD	\$	1
GOBANK	\$	1
BANK OF AMERICA	\$	1

“IN 2022, THE FHTR BEGAN MONITORING WHICH PAYMENT PLATFORMS TRAFFICKERS AND BUYERS UTILIZED TO PAY FOR COMMERCIAL SEX.”

As technology continues to shape how traffickers operate, one noticeable change in the sex trafficking cases filed in the federal court system has been the increased use of mobile payment platforms in lieu of cash. In 2022, the FHTR began monitoring which payment platforms traffickers and buyers utilized to pay for commercial sex. Between 2019 and 2022, Cash App was the most identified payment platform used in commercial sex transactions, followed by PayPal and Venmo. It is important to note that many cases do not provide enough information to identify a specific company utilized as a payment platform. For that reason, this list should not be considered exhaustive.

While payment platforms enable traffickers and buyers to operate from behind a computer screen or mobile device, it is not with anonymity. Each financial transaction is recorded in a digital footprint, providing valuable information not just for the investigation and prosecution of the crime, but also for issues such as the calculation of restitution. A digital forensic file can be recovered and examined to see how much money a trafficker was receiving from the exploitation of a victim. Furthermore, electronic payment platforms eliminate the use of cash, which can provide less incentive for violent crime against victims of trafficking, such as robbery.

### 4.1.5 LOCATION OF COMMERCIAL SEX ACTS

Multi-sector awareness in human trafficking is essential to increase victim identification and to improve the response to human trafficking. To understand the types of industries likely to encounter victims of human trafficking, the FHTR examines the locations where commercial sex acts take place. When looking at specific venues where sex trafficking took place, 20% (36) of new cases involving a completed sex act occurred at a hotel.<sup>86</sup> Other common venues where sex trafficking took place in new cases were in private residences (12%, 21), vehicles (3%, 6), virtual settings (2%, 3), massage parlor or spa (1%, 1), field (1%, 1), bar or cantina (1%,1), and other various locations (3%, 6).<sup>87</sup> Some of the locations included in “other” categorization

were abandoned barracks, a tent, a park, a public bathroom, an auto shop, and a studio. Sixty-nine (69, 39%) new cases involved a completed sex act at an unknown location.

When looking specifically at the hotel industry, numerous national chain hotels as well as locally owned hotels were identified as locations used for the commercial sex in sex trafficking cases.

Locally Owned (8); Motel 6 (4); Hampton Inn (2); Baymont Inn (2); Days Inn (2); Econo Lodge (1); Crowne Plaza (1); Comfort Inn (1); Budget Suites (1); Budget Inn (1); Best Western (1); Avid (1); Aloft (1); Super 8 (1); SpringHill Suites (1); Sheraton (1); Red Roof Inn (1); Marriott (1); La Quinta (1); Knights Inn (1); Homewood Inn and Suites (1); Hilton (1); Extended Stay America (1); and Embassy Suites (1).

### CORPORATE ACCOUNTABILITY IN THE HOSPITALITY INDUSTRY

As discussed in section 2.4, the Trafficking Victims Protection Act (TVPA) allows for the prosecution of an entity as a defendant when the entity engages in or benefits from human trafficking. The TVPA also allows for civil recovery against corporate entities. Hotels have been one of the few industries charged as criminal defendants in the federal court system. Since 2009 when the first entity defendant was identified, 5 of the 11 entity defendants charged criminally with human trafficking in the federal court system were hotels. All 5 defendants were locally owned hotels and did not belong to a national or international franchise or chain.

Recognizing that traffickers utilize hotels as a location to conduct their trafficking schemes, many corporations within the hotel industry are taking a proactive stance against human trafficking to provide safety for guests and training for employees on how to recognize and respond to human trafficking. Creating awareness, protocols, and procedures can have a tremendous impact on the identification and protection of victims of trafficking. For this reason, the FHTR also collects information on the federal human trafficking cases that result from referrals to law enforcement from hotel staff, totaling 14 cases between 2018 and 2022 involving 25 victims. Stringent regulations instead of sound policy can push traffickers to operate in less visible places, often making it more dangerous for victims and more difficult for intervention. Continued victim support and investigative collaboration such as those being championed by some of the major brands is much needed to effectively combat trafficking.

<sup>86</sup> Based on 178 new criminal sex trafficking cases filed in 2022.

<sup>87</sup> Based on 178 new criminal sex trafficking cases filed in 2022.





#### 4.1.6 MODES OF TRANSPORTATION IN COMMERCIAL SEX TRAFFICKING

Traffickers utilize a variety of transportation modes to transport victims in sex trafficking cases. In the sex trafficking cases filed in 2022, private vehicles (31%, 56) were the most common form of transportation.<sup>88</sup> Defendants also used: airplanes (5%, 9); rideshares (4%, 8); rental cars (3%, 5); buses (2%, 4); trains (1%, 1); and taxis (1%, 1). Ninety-seven (54%) cases had an unknown form of transportation.<sup>89</sup>

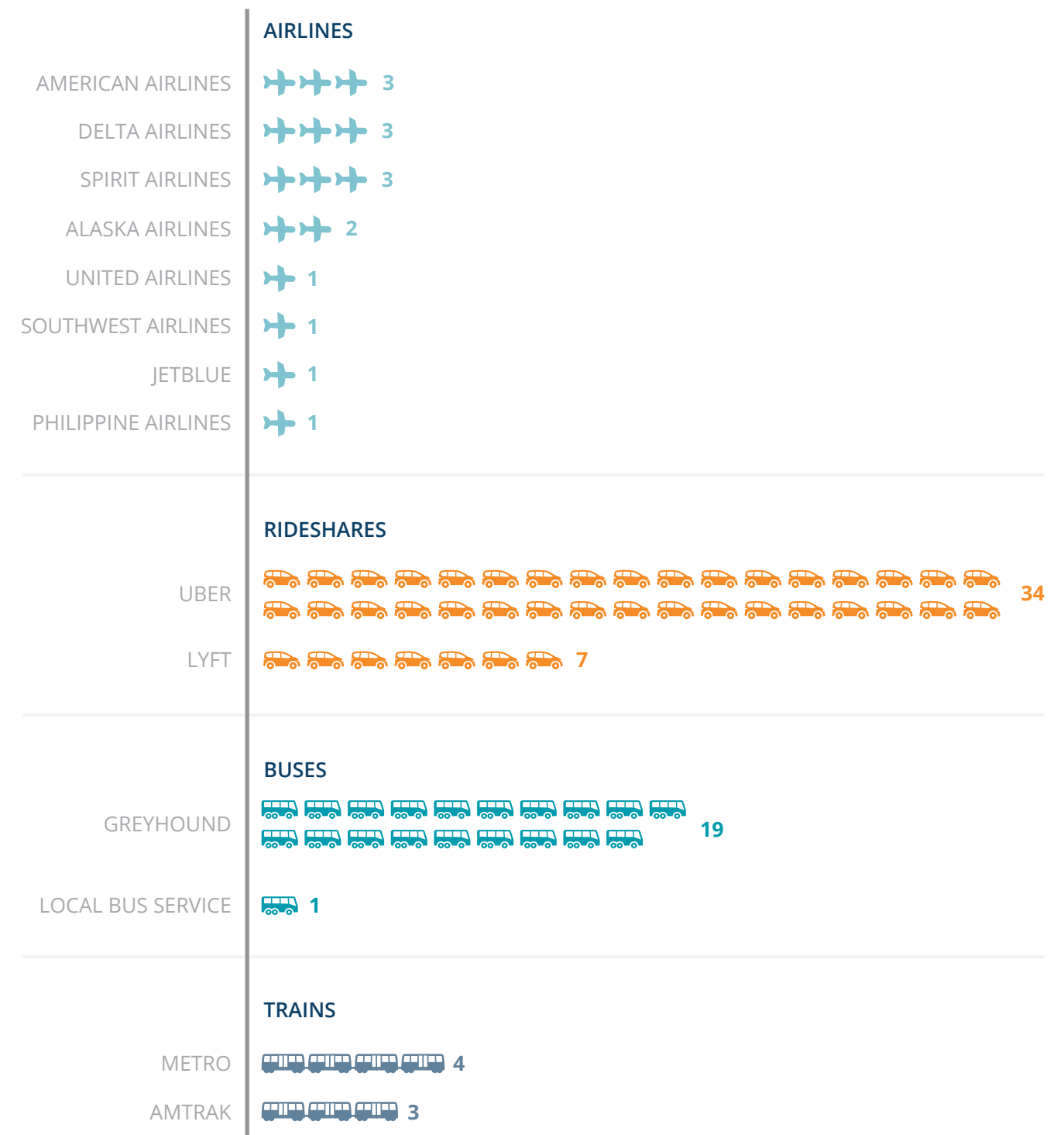
The FHTR added additional fields in 2022 to better understand which companies are being used by traffickers in their trafficking operations, as identified in federal human trafficking prosecutions. Collecting data to show which companies are utilized by traffickers can help highlight where awareness training is needed, and can help develop a more targeted response to combat human trafficking.

From 2019 to 2022, the FHTR identified 8 airline companies that were used to transport victims of sex trafficking. American Airlines, Delta Airlines, and Spirit Airlines were each identified 3 times in cases of sex trafficking. Alaska Airlines was identified twice, and United Airlines, Southwest Airlines, JetBlue, and Philippine Airlines were each identified once in cases of sex trafficking.

In addition to air travel, rideshares are a common form of transportation traffickers use to transport victims of trafficking. Since 2019, the FHTR has identified 34 instances where Uber was the rideshare company used to transport victims of trafficking, and Lyft was identified 7 times. Greyhound buses were identified 19 times, and the two train lines identified as providing transportation for victims were the Metro (4) and Amtrak (3).

It is important to note that many cases do not provide enough information to identify a specific company utilized to transport victims. For that reason, this list should not be considered exhaustive.

#### NUMBER OF TRAFFICKING VICTIMS TRANSPORTED BY TRANSPORTATION COMPANIES 2019-2022



<sup>88</sup> Based on 178 new criminal sex trafficking cases filed in 2022.

<sup>89</sup> Based on 178 new criminal sex trafficking cases filed in 2022.

# Case Highlight

## UNITED STATES V. OMEL MCLEAN ET AL., EASTERN DISTRICT OF VIRGINIA

The vigilance of bystanders who encounter suspected victims of trafficking can often lead to the identification of traffickers and protection of victims. In *United States v. McLean et al.*, an Uber driver made a referral to law enforcement after giving a ride to a female, traveling alone, who did not know who she was going to meet. Sensing the circumstances to be suspicious, the driver contacted police. Court records indicate that this victim was sixteen years old. When police arrived on the scene, they discovered that the defendants had forced the victim into a prostitution operation and transported her from her home state of New York to Virginia for the purpose of commercial sex. The referral in this case allowed law enforcement to identify one defendant, who was located and arrested shortly thereafter. Due to information gained from the first arrest and the testimony of the victims, police were able to locate and arrest the second defendant less than a month later. Without the referral of the Uber driver, these defendants would have been apprehended much later, or perhaps not at all.

Both defendants charged in the case pleaded guilty to sex trafficking. Defendant Omel McLean received a sentence of 360 months and Defendant Antoinette Finklea received a sentence of 76 months.

The case was investigated by the Norfolk Police Department, the Virginia Beach Police Department, and HSI. The case was prosecuted by Assistant U.S. Attorneys Megan Montoya and Rebecca Gantt.

### 4.2 CRIMINAL FORCED LABOR SCHEMES

While most of the federal human trafficking prosecutions are for sex trafficking, part of the federal response to trafficking also involves the investigation and prosecution of forced labor cases. In 2022, 3% (5) of new cases filed in federal human trafficking prosecutions were criminal forced labor cases.<sup>90</sup> One contributing factor to the lower number of forced labor prosecutions may involve victims' inability to recognize that they are a victim of trafficking. For this reason, the FHTR collects data on how cases are referred to law enforcement and whether victims self-identify as a trafficking victim. Within the 5 cases of forced labor charged in 2022, 20% (1) involved victim self-referral.<sup>91</sup> Between 2018 and 2022, 13% (6) of forced labor cases contained a victim self-reporting as a victim of forced labor.<sup>92</sup> The low percentage of victims self-reporting makes it difficult to identify victims and forced labor schemes when the criminal activity takes place primarily behind closed doors.

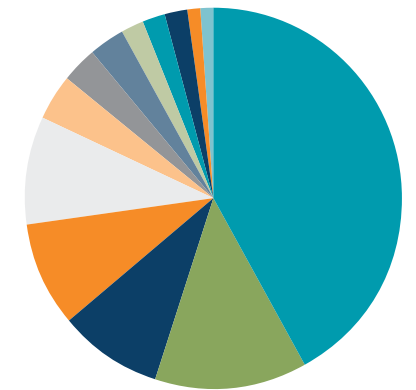
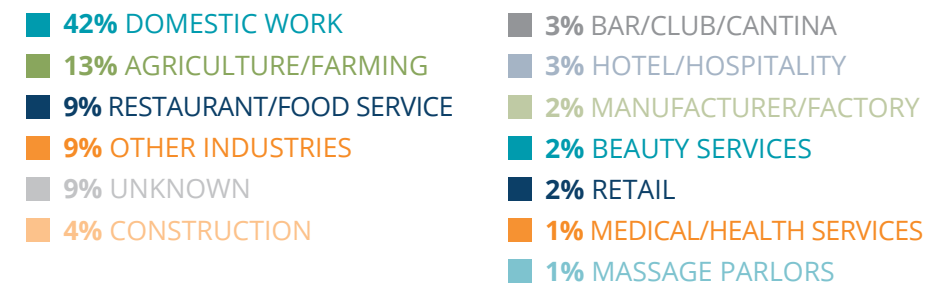
It should be noted that the low number of new cases of criminal forced labor filed in the federal courts each year is not an indication that forced labor does not exist in the United States, but rather, it highlights the difficulty in identifying and prosecuting forced labor cases. This section will discuss the types of industries represented in federal forced labor cases, and how victims are recruited and coerced into forced labor by traffickers.

<sup>90</sup> Based on 183 new criminal human trafficking cases filed in 2022.

<sup>91</sup> Based on 5 new criminal forced labor cases filed in 2022.

<sup>92</sup> Based on 45 criminal forced labor cases filed between 2018 and 2022.

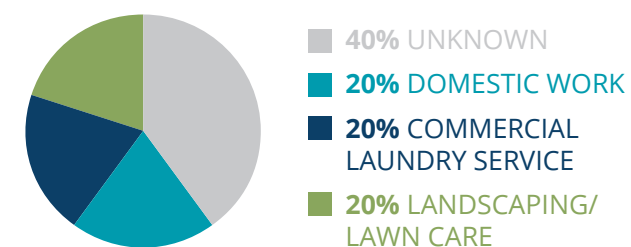
### INDUSTRIES IN CRIMINAL FORCED LABOR CASES 2000-2022



#### 4.2.1 INDUSTRIES IN FORCED LABOR CASES

Forced labor exists across a variety of industries. Of the 5 new forced labor cases filed in 2022, 1 (20%) involved domestic work, 1 (20%) involved exploitation at a commercial laundry service business, 1 (20%) occurred at a landscaping and lawn care company, and 2 (40%) cases had insufficient facts to be able to determine the industry in which workers were exploited. Since 2000 when the TVPA was enacted, 168 criminal forced labor cases have been filed. Within those cases, 153 had at least one known business model in a specified industry. As shown in the graph, forced labor can occur in a variety of industries, from domestic work to the hospitality industry. And, as discussed throughout the FHTR, one of the suspected reasons that forced labor cases are charged infrequently is that forced labor schemes may all look quite different, and can occur across multiple industries, making them more difficult to detect than the often-stereotypical sex trafficking schemes.

### INDUSTRIES IN CRIMINAL FORCED LABOR CASES 2022

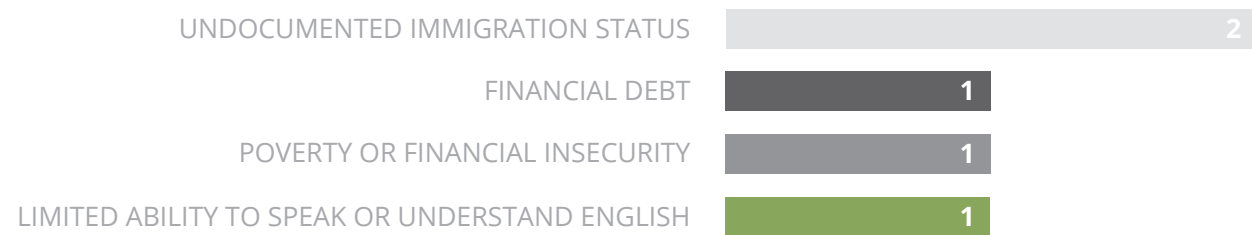


#### 4.2.2 RECRUITMENT OF VICTIMS IN FORCED LABOR CASES

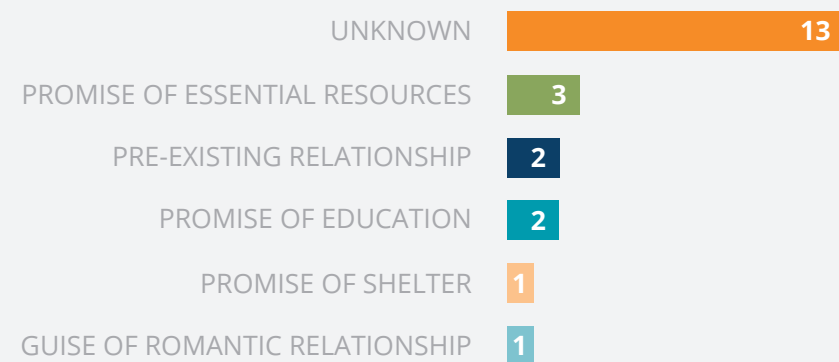
Victims of forced labor are often recruited and exploited based upon their unique vulnerabilities. In the 5 federal forced labor cases filed in 2022, victim vulnerabilities that were identified included: undocumented immigration status (13%, 2); pre-existing financial debt (6%, 1); poverty or financial insecurity (6%, 1); and limited English proficiency (6%, 1).<sup>93</sup>

The most identified method of recruitment in federal forced labor cases filed in 2022 was the promise of essential resources, with 3 (19%) victims being recruited with this tactic.<sup>94</sup> The remaining methods of recruitment for forced labor victims were: the promise of education (13%, 2); a pre-existing relationship with their recruiter (13%, 2); the promise of shelter (6%, 1); and the guise of romantic relationship (6%, 1).<sup>95</sup> In prior years, forced labor victims have commonly been identified as recruited through fraudulent job offers and pre-existing relationships.<sup>96</sup>

##### PRE-EXISTING VULNERABILITIES OF FORCED LABOR VICTIMS 2022



##### METHODS OF RECRUITMENT IN NEW CRIMINAL FORCED LABOR CASES 2022



<sup>93</sup> Based on 16 victims in new criminal forced labor cases filed in 2022.

<sup>94</sup> Based on 16 victims in new criminal forced labor cases filed in 2022.

<sup>95</sup> Based on 16 victims in new criminal forced labor cases filed in 2022.

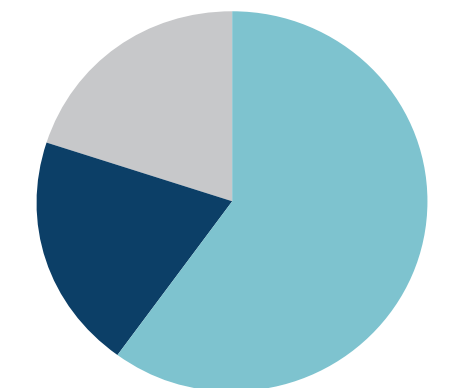
<sup>96</sup> Based on 440 of 2,168 victims being recruited via fraudulent job offer and 110 of 2,168 victims being recruited via pre-existing relationships in criminal forced labor cases filed between 2000 and 2022.



#### 4.2.3 METHODS OF COERCION IN FORCED LABOR CASES

The methods of coercion traffickers use to control victims of labor trafficking can vary tremendously, but often involve the trafficker using the victims' unique vulnerabilities to control them. The FHTR categorizes coercive methods used by traffickers as either physical or non-physical. In 2022, 60% (3) of the new forced labor cases involved both physical and non-physical methods of coercion.<sup>97</sup> Non-physical coercion was identified in 20% (2) of the cases.<sup>98</sup>

##### PHYSICAL & NON-PHYSICAL COERCION IN NEW CRIMINAL FORCED LABOR CASES 2022



60% PHYSICAL & NON-PHYSICAL  
20% NON-PHYSICAL ONLY  
20% UNKNOWN COERCION TYPE

<sup>97</sup> Based 5 new criminal forced labor cases filed in 2022.

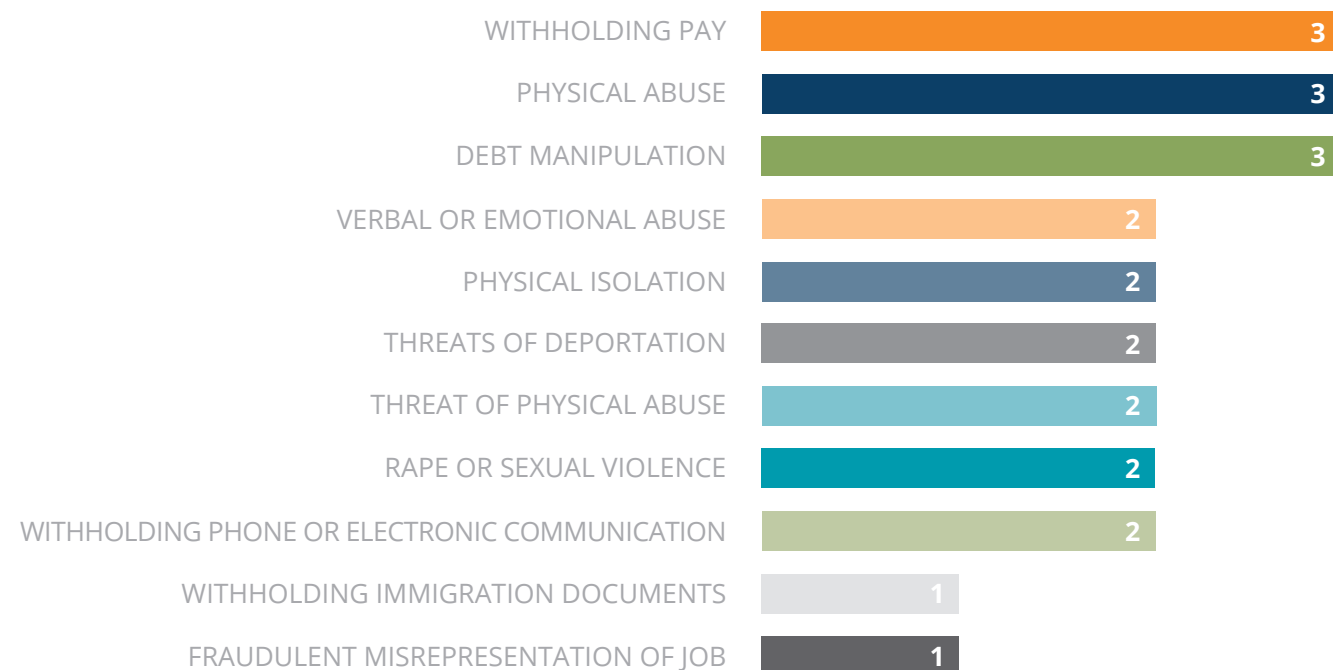
<sup>98</sup> Based 5 new criminal forced labor cases filed in 2022.

“INDIVIDUALS WHO ARE FOREIGN NATIONALS WITHOUT LEGAL IMMIGRATION STATUS EXPERIENCE UNIQUE VULNERABILITIES.”

Traffickers can use one or multiple methods of physical and non-physical coercion to control victims in a forced labor scheme. Within the 5 new forced labor cases filed in 2022, 20 different types of coercive methods were identified. In 60% (3) of forced labor cases defendants used fraudulent misrepresentation of job, withholding pay, physical abuse, and debt manipulation to coerce their victims.<sup>99</sup>

Individuals who are foreign nationals without legal immigration status experience unique vulnerabilities. In forced labor cases filed in 2022, 6 (38%) of the victims were foreign nationals.<sup>100</sup> These 6 victims were within 3 cases. Within these three cases, the traffickers used threats of deportation (33%, 1), withholding immigration documents (33%, 1), and exploitation of language barriers (33%, 1) to coerce victims.<sup>101</sup>

METHODS OF COERCION IN NEW CRIMINAL FORCED LABOR CASES 2022



<sup>99</sup> Based on those methods of coercion each appearing in 3 of 5 new criminal forced labor cases filed in 2022.

<sup>100</sup> Based on 16 victims of criminal forced labor in 2022.

<sup>101</sup> Based on 3 new criminal forced labor cases filed in 2022 with foreign national victims.

## Case Highlight

### UNITED STATES V. LANDAVERDE ET AL., EASTERN DISTRICT OF VIRGINIA

While the crime of human trafficking does not require movement, it is important to note that victims of trafficking may be trafficked into the United States for the purpose of exploitation, or they may be smuggled into the United States and later become a victim of trafficking. While the two crimes are similar, the actions and elements are very distinct.

In a thirty-three-count indictment, defendants Ana Patricia Landaverde, Jeffrey Dean Vaughan, George William Evans, and Salvador Jeronimo-Sis were charged with defrauding and committing various offenses against the United States, engaging in human trafficking, and benefiting from forced labor. The defendants trafficked laborers from Central America into the United States for the purpose of working in their commercial laundry business. The victims included a 13-year-old girl, who the defendants allowed to attend school during the day, and then forced to work at night.

Another victim was required to pay rent to live at the laundry facility, where she had no access to a kitchen or a shower to take care of her basic needs. The allegations involving this victim include methods of coercion such as physical violence, threatening deportation, and otherwise manipulating law and process to compel her to work. Other charges in the indictment allege immigration offenses and referring prospective laborers to an illegal supplier to purchase fraudulent documentation to work in the United States.

The case was investigated by the Hampton Roads Human Trafficking Task Force and is being prosecuted by Assistant U.S. Attorneys Brian J. Samuels and D. Mack Coleman. Evans entered a plea agreement on January 31, 2023, and the case against the other defendants is still pending.



SECTION 5:

# *Investigations*





## SECTION 5:

# Investigations

Human trafficking cases can be incredibly complex, and successful prosecutions often rely on quality investigations. This section will feature various data points collected from investigations that resulted in a human trafficking prosecution in the federal court system. Further, this section will discuss how trafficking cases are identified and referred to law enforcement in *reactive* investigations and the role *proactive* investigations play in the federal response to human trafficking.

It is important to note that the FHTR tracks data only from human trafficking investigations that result in federal prosecution; thus, the investigation section in the FHTR does not represent the total number of human trafficking investigations occurring across the United States each year nor does it represent investigations that are conducted and do not result in a federal prosecution.

### 5.1 REACTIVE INVESTIGATIONS

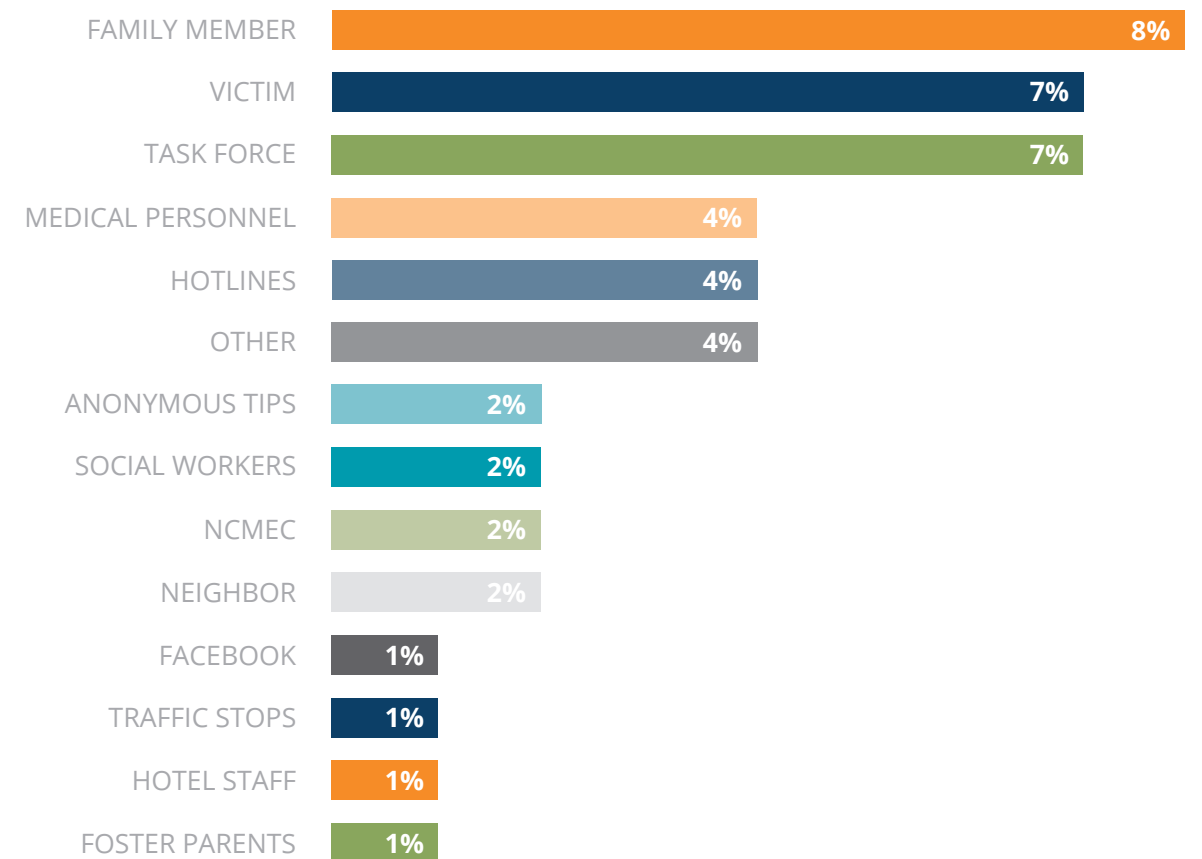
Like many other crimes, human trafficking investigations often begin as a response to information that a crime has been committed. This form of *reactive* investigation requires law enforcement to develop an investigative response to a report that trafficking has already occurred. Reactive investigations are a valuable component to identifying victims and helping end their exploitation. For this reason, the FHTR gathers data on who relays information to law enforcement, prompting an investigation and prosecution. By monitoring how human trafficking cases are referred to law enforcement, we create a better understanding of what groups of individuals are recognizing the signs of trafficking, and look for gaps in which we can improve victim identification and referrals.

“THIS SECTION WILL DISCUSS HOW TRAFFICKING CASES ARE IDENTIFIED AND REFERRED TO LAW ENFORCEMENT IN *REACTIVE* INVESTIGATIONS AND THE ROLE *PROACTIVE* INVESTIGATIONS PLAY.”

### REACTIVE INVESTIGATIONS: CASE REFERRALS

Many human trafficking prosecutions filed in 2022 were identified as resulting from reactive law enforcement investigations. A reactive investigation begins after a report is made to law enforcement about suspected human trafficking, a missing person, a runaway minor, or other criminal conduct. Of the 183 new human trafficking cases filed in 2022, 49 cases had known methods of referral. The most common method of referral was through a family member, where 8% (14) of the new human trafficking cases resulted from a family member of the victim initiating contact with law enforcement.<sup>102</sup> The second most common referral method resulted from the victim self-reporting that they were a victim of trafficking in 7% (13) of cases.<sup>103</sup> Other referral methods identified in 2022 were by The National Center for Missing and Exploited Children (NCMEC) (2%, 3); task forces (7%, 12); anonymous tips (2%, 4); social workers (2%, 4); other (4%, 2); medical personnel (4%, 2); hotlines (4%, 2); neighbor (2%, 1); Facebook (1%, 1); traffic stops (1%, 1); hotel staff (1%, 1); and foster parent or other legal guardian (1%, 1). The two referrals categorized as “other” included referrals by a confidential informant and a business owner who identified a victim of trafficking.<sup>104</sup>

#### REFERRALS TO LAW ENFORCEMENT IN NEW CASES 2022



<sup>102</sup> Based on 183 new criminal human trafficking cases filed in 2022.

<sup>103</sup> Based on 183 new criminal human trafficking cases filed in 2022.

<sup>104</sup> Based on 183 new criminal human trafficking cases filed in 2022.

## REFERRALS TO LAW ENFORCEMENT IN NEW CASES

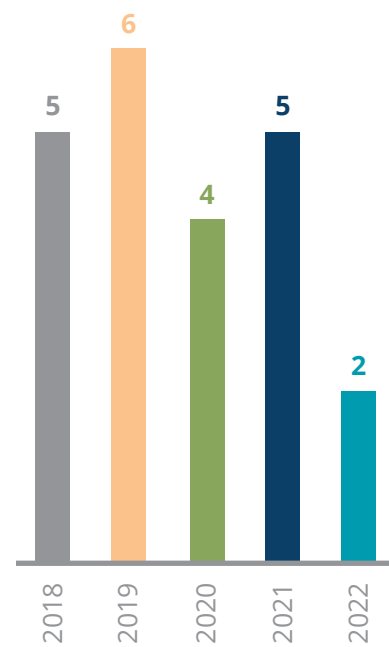
	VICTIM	FAMILY MEMBER	TASK FORCE	NGO	NCMEC	MEDICAL PERSONNEL	SCHOOL STAFF	TRAFFIC STOP
2018	44	22	24	2	2	3	1	4
2019	36	38	13	4	8	3	4	5
2020	29	30	27	1	7	3	2	8
2021	26	29	31	2	9	2	1	7
2022	13	14	12	0	3	2	0	1
<b>TOTAL</b>	<b>148</b>	<b>133</b>	<b>107</b>	<b>9</b>	<b>29</b>	<b>13</b>	<b>8</b>	<b>25</b>
<b>PERCENTAGE</b>	<b>13%</b>	<b>11%</b>	<b>9%</b>	<b>1%</b>	<b>2%</b>	<b>1%</b>	<b>1%</b>	<b>2%</b>

Since 2018, there have been 885 cases with known referrals in human trafficking cases filed in the federal court system. Of those cases, victims made the most referrals, reporting instances of human trafficking to law enforcement in 13% (148) of human trafficking cases.<sup>105</sup> Family members were the second most common means of referral, with 11% (133) of instances identified.<sup>106</sup> Task forces were responsible for 9% (107) of case referrals to law enforcement.<sup>107</sup>

### CONFIDENTIAL INFORMANT

The Office of the Attorney General defines a confidential informant as someone who provides credible and useful information to Department of Justice law enforcement officers.<sup>108</sup> Confidential informants are commonly used in proactive undercover operations, and can provide law enforcement with valuable inside information that is not easily investigated from the outside. Some of the information provided by confidential informants results in the referrals to law enforcement and the identification of human trafficking. Referrals to law enforcement for suspected human trafficking create a unique hybrid form of both proactive and reactive investigative techniques. Since 2018, the FHTR has identified 22 cases resulting from a confidential informant referral.

### CONFIDENTIAL INFORMANT CASE REFERRAL TO LAW ENFORCEMENT



## Case Highlight

### UNITED STATES V. ISAAC SHORACK, WESTERN DISTRICT OF WASHINGTON

Some human trafficking investigations have both reactive and proactive components. In *U.S. v. Shorack*, an investigation began after a referral to the National Human Trafficking Hotline. The caller reported suspected sex trafficking of minors in Seattle, Washington on “the blade,” an avenue well known for the prevalence of commercial sex. Law enforcement responded to the tip, and after a preliminary investigation they conducted an undercover operation to gather additional evidence.

The FBI sent a seasoned out-of-state detective undercover, disguised as a 17-year-old female, to gather information and evidence about the trafficking operation. Shorack recruited the undercover agent to work for him in the commercial sex trade in Seattle. He then purchased her an airline ticket to Seattle, and made arrangements to meet her at baggage claim. However, instead of meeting the victim at baggage claim, Shorack was met by law enforcement and arrested.

According to statements made at sentencing, the defendant used threats and violence to control vulnerable minors who the defendant sold for sex on the street, profiting hundreds of thousands of dollars off the exploitation and endangerment of the young women he trafficked. Shorack was sentenced to 10 years in prison, and was ordered to pay \$150,000 in restitution to the victims he exploited.

This case is an excellent example of how law enforcement can use referrals and proactive measures to investigate cases of human trafficking. It was investigated by the FBI, the Seattle Police Department, and the Port of Seattle Police, and prosecuted by Assistant U.S. Attorney Kate Crisham, who serves as the Anti-Human Trafficking Coordinator for the Western District of Washington.

<sup>105</sup> Based on 1,180 human trafficking cases filed between 2018 and 2022.

<sup>106</sup> Based on 1,180 human trafficking cases filed between 2018 and 2022.

<sup>107</sup> Based on 1,180 human trafficking cases filed between 2018 and 2022.

<sup>108</sup> Office of the Attorney General, *The Attorney General's Guidelines Regarding the Use of Confidential Informants*, <https://irp.fas.org/agency/doj/fbi/dojguidelines.pdf>

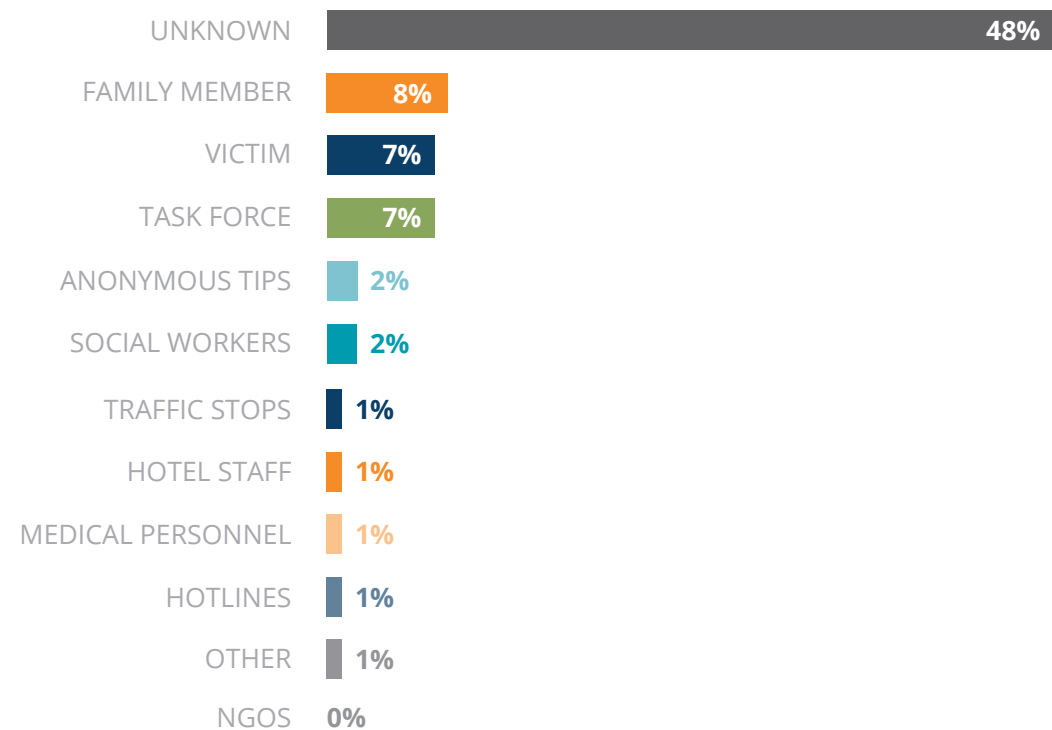


## 5.2 REFERRALS IN SEX TRAFFICKING CASES

In 2022, 8% (14) of referrals in sex trafficking cases came from family members.<sup>109</sup> The second-highest methods of referral were task force referrals and victim self-reporting, both at 7% (12) each.<sup>110</sup> Anonymous tips and social worker referrals resulted in 2% (4) each of the identified methods of referral.<sup>111</sup>

Sex trafficking cases were also reported to law enforcement via traffic stops (1%, 1), by human trafficking hotlines (1%, 2), hotel employees (1%, 1), medical personnel (1%, 1), and social workers (2%, 4).<sup>112</sup> Furthermore, 1% (2) of case referrals to law enforcement fell into the category “other,” which included a business owner who identified a victim and a confidential informant reporting cases of human trafficking to law enforcement.<sup>113</sup> There was insufficient information to identify a method of referral in 48% (86) of cases.<sup>114</sup>

### REFERRALS TO LAW ENFORCEMENT IN SEX TRAFFICKING CASES 2022



<sup>109</sup> Based on 178 new criminal sex trafficking cases filed in 2022.

<sup>110</sup> Based on 178 new criminal sex trafficking cases filed in 2022.

<sup>111</sup> Based on 178 new criminal sex trafficking cases filed in 2022.

<sup>112</sup> Based on 178 new criminal sex trafficking cases filed in 2022.

<sup>113</sup> Based on 178 new criminal sex trafficking cases filed in 2022.

<sup>114</sup> Based on 178 new criminal sex trafficking cases filed in 2022.

## 5.3 REFERRALS IN FORCED LABOR CASES

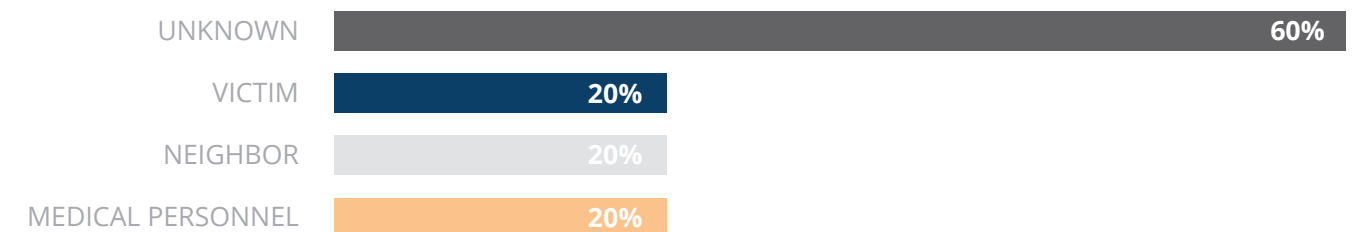
The FHTR distinguishes between cases of sex trafficking and forced labor when tracking methods of referral to law enforcement to provide for a better comparative analysis between the two trafficking models. Of the forced labor cases filed in 2022, 1 (20%) included a victim self-reporting to law enforcement.<sup>115</sup> Other methods of referral identified in forced labor cases filed in 2022 included reporting by a neighbor (20%, 1) and medical personnel (20%, 1). There was insufficient information to determine a method of referral in 3 (60%) forced labor cases filed in 2022.

Since 2018, 9 cases (20%) contained a victim of forced labor self-reporting.<sup>116</sup> Other methods of referral were through a medical professional (4%, 2); NGO (7%, 3); other (7%, 3); anonymous tip (4%, 2); family member (4%, 2); co-worker (4%, 2); task force (2%, 1); neighbor (2%, 1); friend of victim (2%, 1); and social worker (2%, 1).<sup>117</sup>

## 5.4 PROACTIVE INVESTIGATIONS & STINGS

Recent reports show declining rates of victim identification.<sup>118</sup> For this reason, proactive investigations can serve as an essential component to identifying victims of trafficking. Unlike reactive investigations, proactive investigations are not the result of a reaction to a complaint of trafficking, but rather, they actively seek out criminal human trafficking behaviors. The FHTR collects data on proactive investigations to better understand the role they play in victim identification and how they are used to protect victims and identify traffickers. Proactive investigations can occur in many ways, from behind a computer screen conducting open-source intelligence research and working undercover in areas known for a high prevalence of prostitution, to buyer-targeted sting operations.

### REFERRALS TO LAW ENFORCEMENT IN FORCED LABOR CASES 2022



<sup>115</sup> Based on 5 new criminal forced labor cases filed in 2022.

<sup>116</sup> Based on 45 criminal forced labor cases filed between 2018 and 2022.

<sup>117</sup> Based on 45 criminal forced labor cases filed between 2018 and 2022.

<sup>118</sup> UNODC, *Global Report on Trafficking in Persons 2022* (United Nations publication, Sales no.: E.23.IV.1).



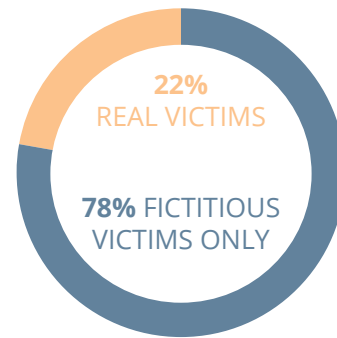
One of the most common and well-known forms of proactive investigations is an undercover sting operation. Sting operations, also known as problem-oriented policing, are pre-planned police-initiated opportunities for targeted criminals (such as traffickers or buyers) to engage in crime, resulting in the arrest or identification of the offender.<sup>119</sup>

The FHTR gathers data from sting operations in sex trafficking cases where law enforcement targets individuals facilitating or purchasing commercial sex with a victim of trafficking by posing as a victim, as a buyer, or a pimp. The FHTR also examines whether cases resulting from a sting operation are charged under the human trafficking statute set forth in Chapter 77 of the U.S. Penal Code, or if they are charged under the non-Chapter 77 statute commonly referred to as the Mann Act.<sup>120</sup> In 2022, a total of 178 new sex trafficking cases were filed, and of those 178 sex trafficking cases, 65 (37%) were the result of a sting operation. Of the 65 sex trafficking cases charged resulting from a sting operation in 2022, 55% (36) were charged under Chapter 77 and 45% (29) were charged under the Mann Act.

The most common type of sting operation identified in 2022 involved law enforcement officers posing as a pimp offering to arrange a commercial sex transaction with potential buyers. Of the 65 total sting operations identified in 2022, 46% (30) involved a law enforcement officer posing as a pimp. Within those 30 cases where law enforcement posed as a pimp, 57% (17) were charged under Chapter 77 and 43% (13) were charged under the Mann Act. A total of 35% (23) cases resulting from a sting operation involved law enforcement officers posing as a victim. Of those 23 cases, 35% (8) were charged under Chapter 77 and 65% (15) were charged using the Mann Act.

Finally, 17% (11) of the 65 total sting operations in 2022 involved a law enforcement officer posing as a potential buyer seeking to purchase

### STING OPERATIONS WITH FICTITIOUS VICTIMS ONLY IN 2022

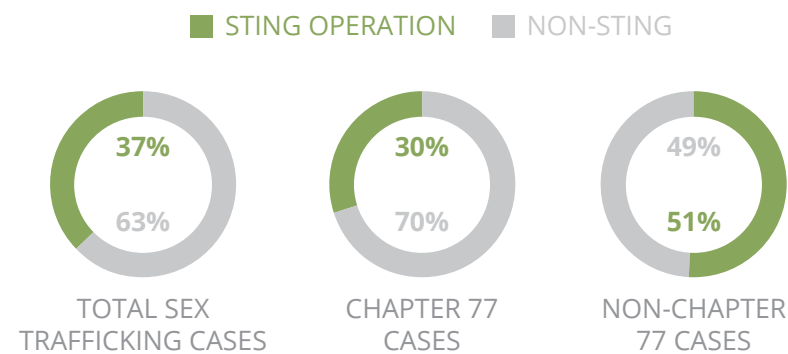


commercial sex. Within the 11 sting cases involving law enforcement posing as a potential buyer, 91% (10) were charged under Chapter 77 and 9% (1) were charged using the Mann Act.

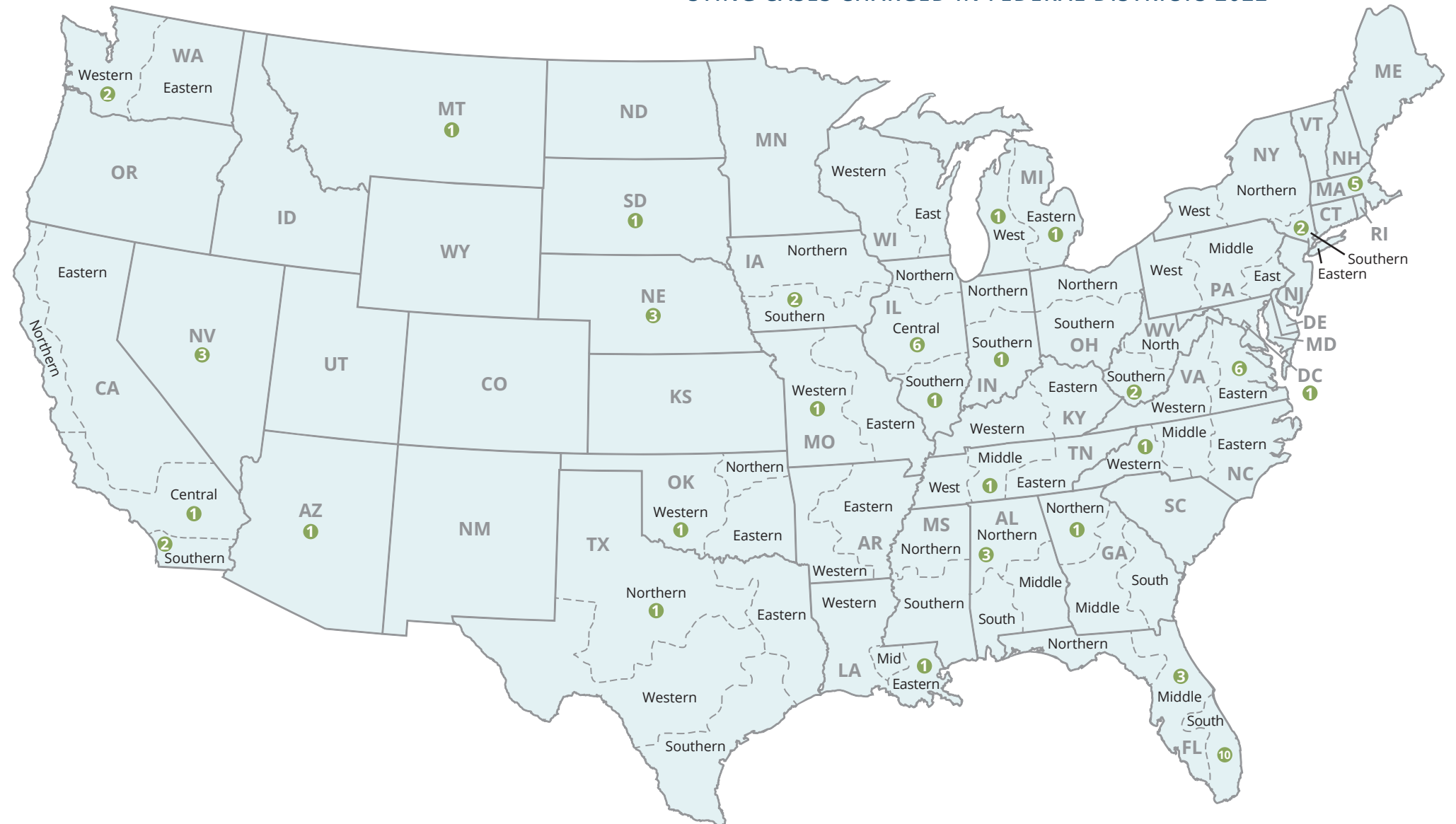
It is important to note that most cases involving a sting operation involve only fictitious victims. A fictitious victim is a fake or imaginary victim created by law enforcement for the purpose of engaging with targets in an undercover operation or sting. The FHTR closely examines each case involving a sting operation to determine whether the case involved a real or fictitious victim. In 2022, 78% (51) of the 65 sting cases identified involved only fictitious victims of trafficking. Because fictitious victims are not representative of actual victims of human trafficking, they are intentionally excluded from all other data points in the FHTR.

Sting operations are widely used across most federal jurisdictions within the United States. In 2022, 29 of the 94 federal court districts filed at least one or more of the 65 cases resulting from a sting operation. From 2018-2022, there were a total of 509 recorded sting cases charged throughout 76 of the 94 federal court districts. Each of those 76 federal districts charged at least one human trafficking case resulting from a sting operation during the last five years.

### SEX TRAFFICKING CASES IN STING OPERATIONS 2022



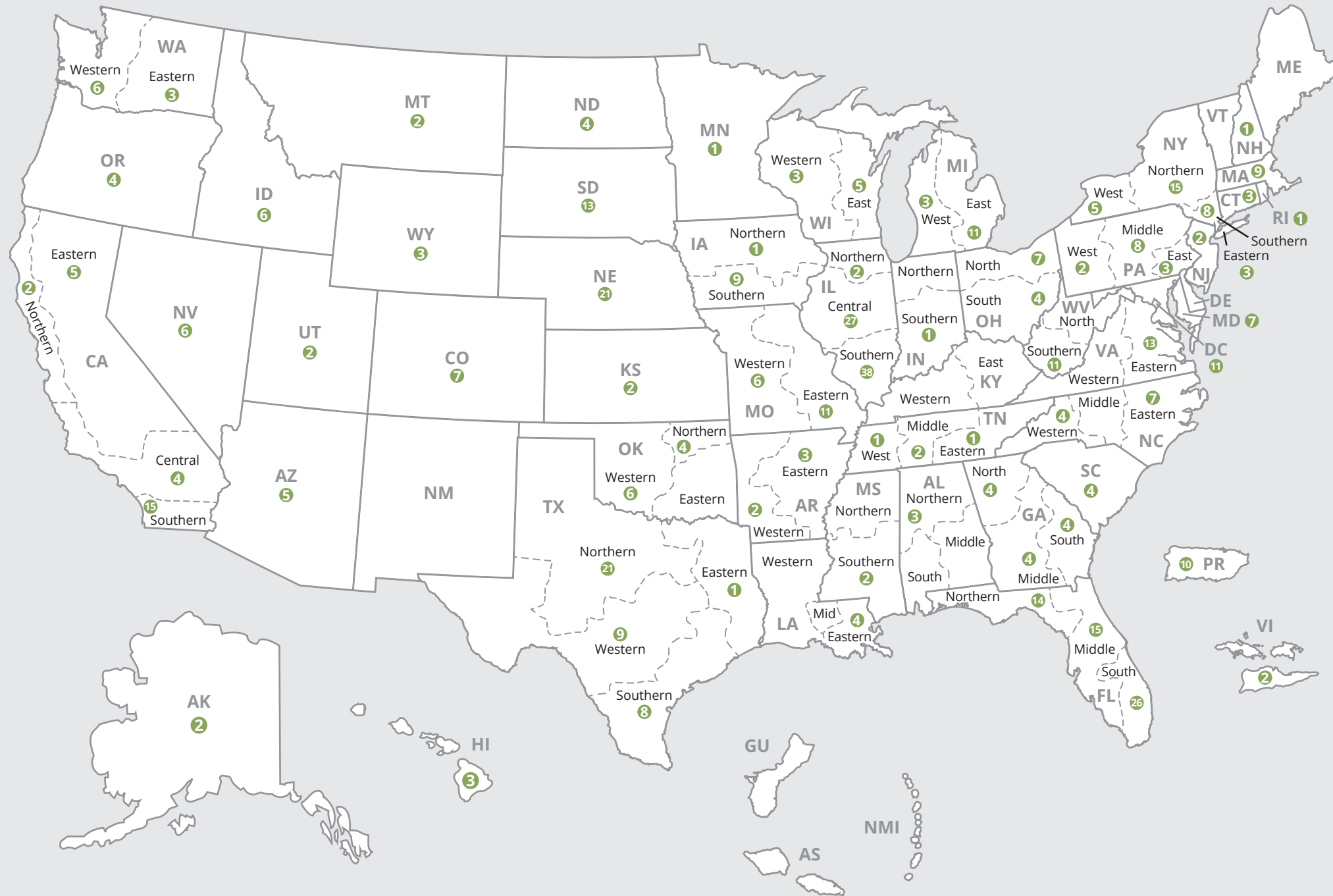
### STING CASES CHARGED IN FEDERAL DISTRICTS 2022



<sup>119</sup> Graeme R. Newman, Sting Operations, United States Department of Justice, at 3, [https://popcenter.asu.edu/sites/default/files/sting\\_operations.pdf](https://popcenter.asu.edu/sites/default/files/sting_operations.pdf).

<sup>120</sup> For more information on the types of charges used by prosecutors to charge defendants for criminal human trafficking actions, see Section 6: Types of Charges.

## STING CASES CHARGED IN FEDERAL DISTRICTS 2018-2022

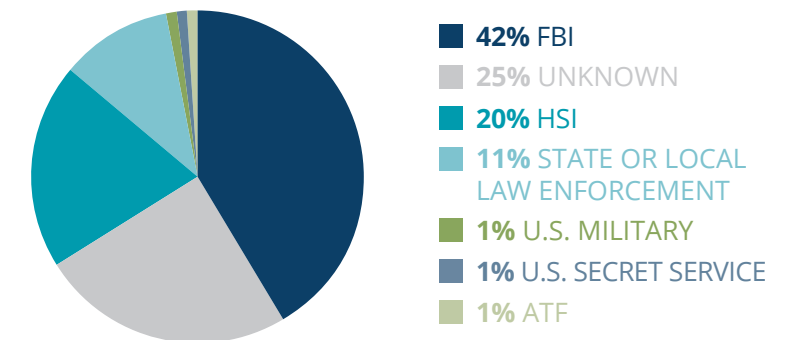


## 5.5 INVESTIGATIVE AGENCIES

The cases prosecuted in the United States federal court system are often the result of collaboration between multiple parties, including prosecutors, law enforcement agencies, and service providers. Recognizing the importance of collaboration in the successful prosecution of traffickers, the FHTR collects information on the law enforcement agencies involved in human trafficking investigations and categorizes those agencies as either the primary investigating agency or supporting agency.

Since 2018, the Federal Bureau of Investigation (FBI) has served as the leading primary investigative agency in the human trafficking cases charged each year.<sup>121</sup> This remained true in 2022, with the FBI serving as the primary investigative agency in 42% (77) of new human trafficking prosecutions filed in federal courts, followed by Homeland Security Investigations (HSI) with 20% (37).<sup>122</sup> The remaining cases were investigated by: state or local law enforcement agencies (11%, 20); the U.S. military (1%, 1); the U.S. Secret Service (1%, 1); and the U.S. Alcohol Tobacco and Firearms Agency (ATF) (1%, 1).<sup>123</sup> There was insufficient information to determine an investigating agency for 46 (25%) cases filed in 2022. The FBI and HSI have served as the two leading primary investigative agencies for human trafficking cases filed in federal court system for the past five years.<sup>124</sup>

PRIMARY INVESTIGATIVE AGENCIES 2022



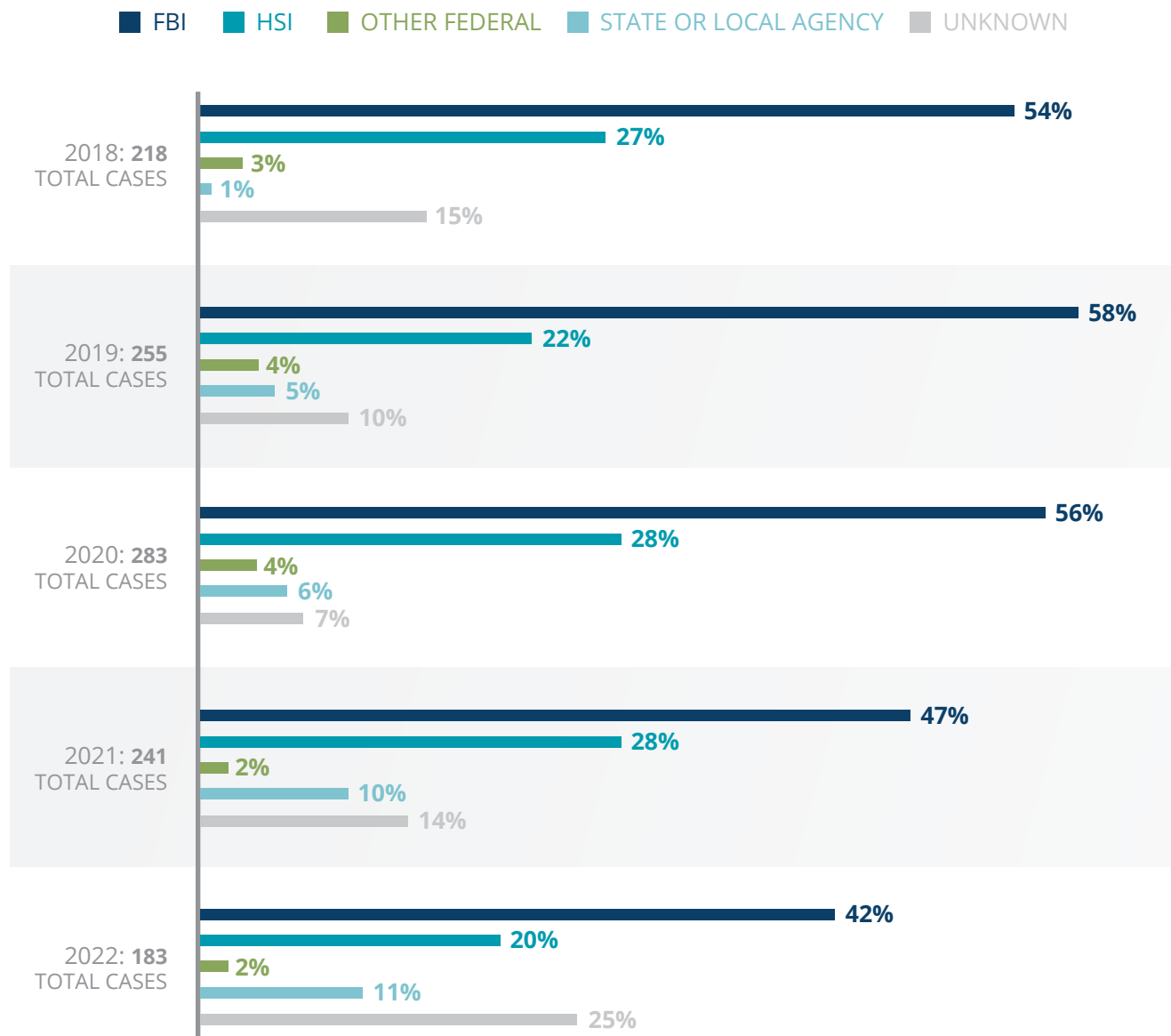
<sup>121</sup> Based on the FBI being the primary investigating agency in 613 of 1,180 total human trafficking cases filed since 2018.

<sup>122</sup> Based on 183 new criminal human trafficking cases filed in 2022.

<sup>123</sup> Based on 183 new criminal human trafficking cases filed in 2022.

<sup>124</sup> Based on the FBI being the primary investigating agency in 613 cases and HSI being the primary investigating agency in 297 of 1,180 criminal human trafficking cases filed since 2018.

## PRIMARY INVESTIGATIVE AGENCIES



“THIS INTERAGENCY COLLABORATION IS ESSENTIAL TO SUCCESSFUL INVESTIGATIONS AND PROSECUTIONS.”

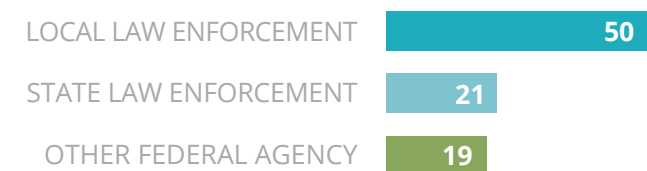
Notably, the number of cases for which a local or state law enforcement agency has served as the primary investigating agency has increased steadily since 2018. The increased role of local and state law enforcement agencies is encouraging as it shows that agencies are identifying human trafficking cases at the local level and coordinating with federal counterparts to conduct successful investigations that are prosecuted at the federal level.

This interagency collaboration is essential to successful investigations and prosecutions, especially as investigations improve to expand beyond a victim’s testimony, and include evidence such as digital forensic evidence and financial records. In 2022, numerous federal, local, and state agencies served as supporting investigating agencies to the primary investigating agency. Some of the agencies identified as collaborating with primary investigators included the United States Postal Service, the Social Security Administration, United States Customs and Border Patrol, the Internal Revenue Service, and the United States Military.

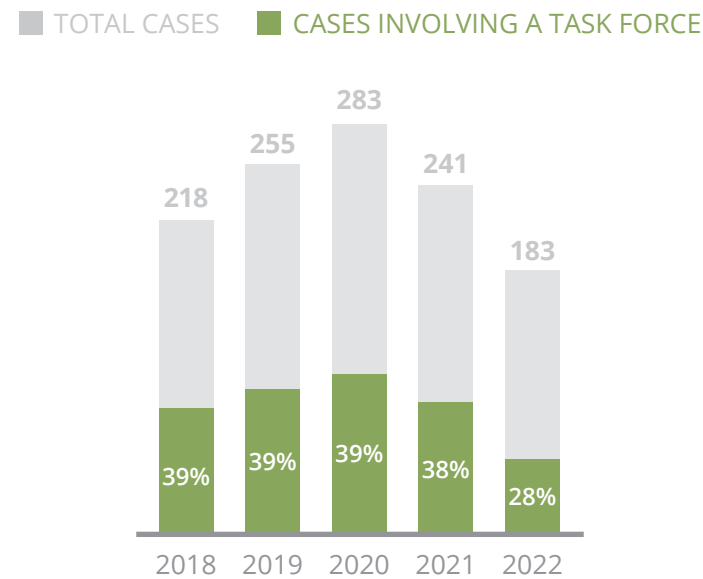
## THE ROLE OF TASK FORCE OFFICERS IN INTERAGENCY COLLABORATION

As a part of the task force model to combat human trafficking, investigative agencies sometimes utilize Task Force Officers (TFOs). These are local or state law enforcement officers who are deputized to work alongside federal agencies such as the FBI to cover short-term cases or operations. TFOs are beneficial to the investigative process because they have immediate response capabilities and local knowledge that pairs well with the investigative resources available to federal law enforcement agencies. While working as part of a task force, local officers not only increase capability, but they also receive high-level training in complex areas such as human trafficking investigations. In addition to training, federal agencies may provide partial subsidies of TFO salaries, which aids local agencies with tighter budgets.

## CASES WITH IDENTIFIED SUPPORTING AGENCIES 2022



### NUMBER OF CASES INVOLVING A TASK FORCE

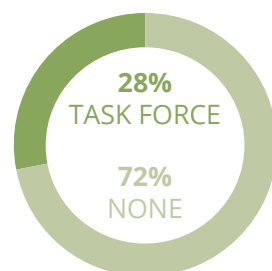


## 5.6 TASK FORCES

Multidisciplinary task forces are encouraged by the United States Department of Justice and are considered worldwide as a “best practice” in the response to human trafficking.<sup>125</sup> Human trafficking task forces are the means through which stakeholders of varying backgrounds and expertise are brought together to develop comprehensive and effective solutions to combat human trafficking that otherwise would not be possible through a single-discipline approach. Working together, members of a task force can handle human trafficking cases from a victim centered approach, improving not only the circumstances of the victim, but also increasing the likelihood of a successful prosecution of the trafficker. The United States has funded task forces across the country since 2004 in efforts to combat human trafficking through this collaborative approach.<sup>126</sup>

To better understand the impact of task forces in human trafficking investigations and prosecutions in the United States, the FHTR collects data regarding the involvement of a task force in the investigation and prosecution of a trafficking case. In 2022, of the 183 total criminal human trafficking cases filed, 28% (51) identified a task force, 50 of which were sex trafficking cases, and 1 was forced labor.<sup>127</sup> Since 2018, task forces have been identified in 37% (438) of the new cases filed.<sup>128</sup>

### NUMBER OF CASES INVOLVING A TASK FORCE 2022



<sup>125</sup> Id.

<sup>126</sup> William Adams, et al., Evaluation of the Enhanced Collaborative Model to Combat Human Trafficking, Off. of Justice Programs’ Nat’l Crim. Justice Reference Serv. 2 (2021) <https://www.ojp.gov/pdffiles1/nij/grants/300863.pdf>.

<sup>127</sup> Based on 183 new criminal human trafficking cases filed in 2022.

<sup>128</sup> Based on 1,180 new criminal human trafficking cases filed since 2018.

## Case Highlight

### UNITED STATES V. DONAVIN BRADFORD ET AL., CENTRAL DISTRICT OF CALIFORNIA

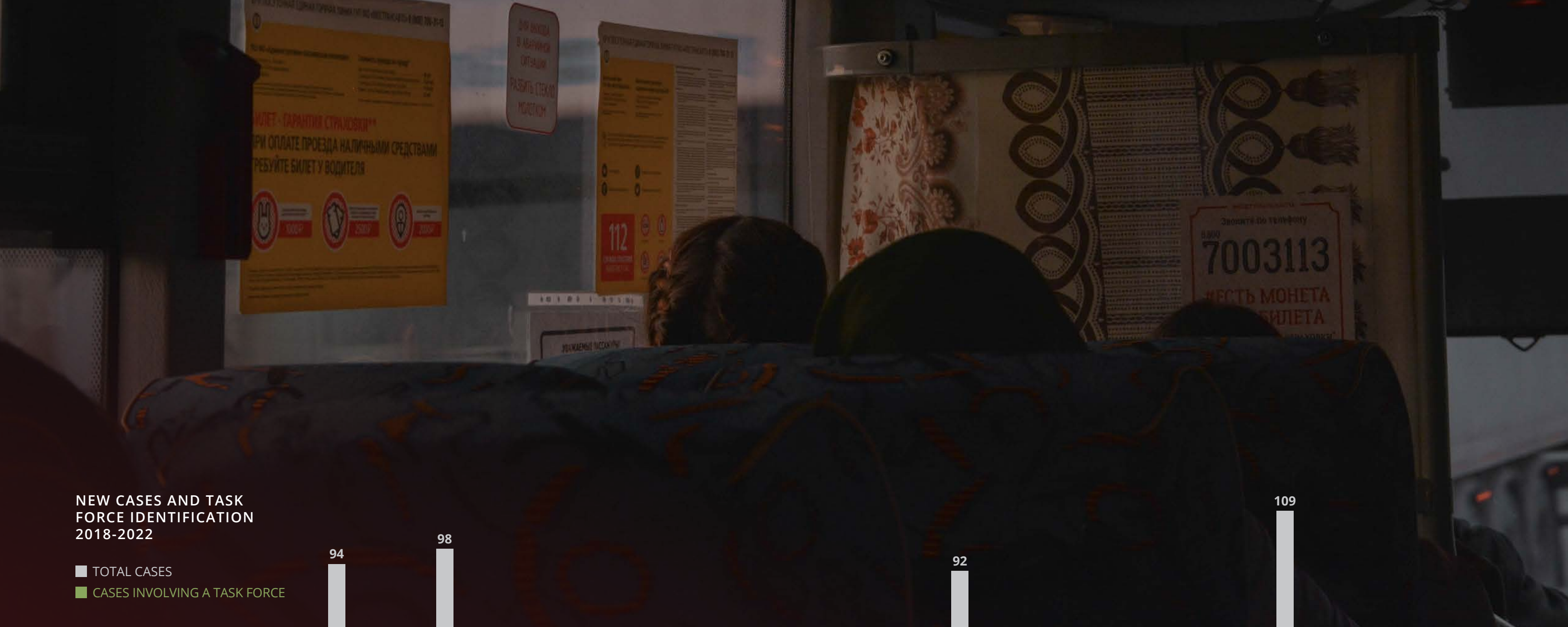
Inter-agency cooperation via the use of a task force enables law enforcement to pursue criminals more effectively. In the case *United States v. Donavin Bradford et al.*, filed in the Central District of California, several agencies worked together to investigate and apprehend Donavin Bradford and Layla Valdivia, who conspired together to recruit a 15-year-old girl into commercial sex work. The defendants advertised the victim online and transported her to various hotels in the area to engage in commercial sex, making her fill a quota of \$1,000 a night. On two occasions Bradford assaulted the victim when she tried to stop working for the defendants.

Led by the FBI Los Angeles field office, the investigation involved contributions from the FBI Los Angeles Child Exploitation and Human Trafficking Task Force, the Los Angeles Police Department, the Inglewood Police Department, the Pomona Police Department, the Los Angeles County Sheriff’s Department, the Ventura County Sheriff’s Office, the Santa Maria Police Department, and the Los Angeles County Department of Children and Family Services. The case is being prosecuted by Assistant U.S. Attorney Chelsea Norell.

Most federal jurisdictions within the United States utilize task forces to investigate, prosecute and serve victims in human trafficking cases. In 2022, there were 51 task force cases charged across 27 federal districts. The Southern District of Florida charged the most task force cases in 2022, with 9 task force cases. Multiple task forces were identified in the criminal human trafficking cases filed in 2022. The most commonly identified task forces were: the FBI Child Exploitation and Human Trafficking Task Force (7); the Human Trafficking Group - South Florida Human Trafficking Task Force (3); FBI Miami Child Exploitation and Human Trafficking Task Force (2); and Internet Crimes Against Children Task Force (2).<sup>129</sup> Many of the task forces identified involved the investigation of child exploitation or internet crimes.<sup>130</sup>

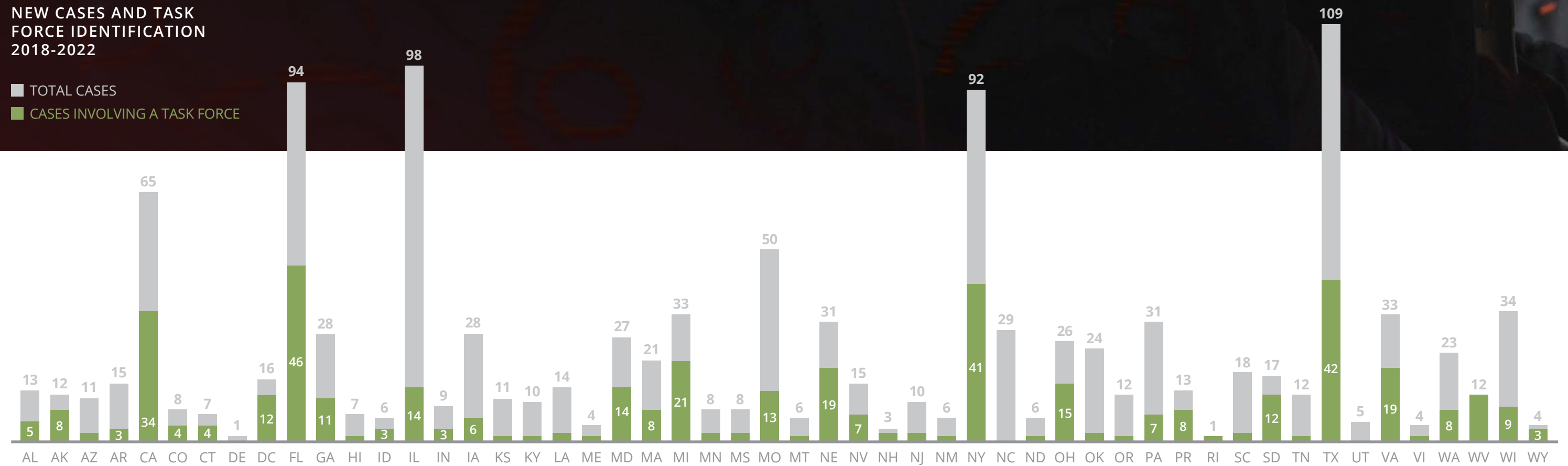
<sup>129</sup> Based on 183 new criminal human trafficking cases filed in 2022.

<sup>130</sup> Other task forces identified in 2022 included: Birmingham Child Exploitation Task Force, San Diego Task Force, San Diego Field Office Child Exploitation Task Force, FBI MPDC Child Exploitation Task Force, Central Florida ICAC Task Force, Violent Crimes Against Women and Children Task Force, FBI Tampa Child Exploitation and Human Trafficking Task Force, FBI Violent Crime Task Force, Iowa ICAC Task Force, Des Moines Joint Terrorism Task Force, United States Secret Service Electronic Crimes Task Force, FBI Boston Human Trafficking Task Force, Southeast Michigan Trafficking and Exploitation Crimes Task Force, St. Charles County Cyber Crime Task Force, New Hampshire Human Trafficking Collaborative Task Force, New Hampshire ICAC Task Force, FBI New York Joint Asian Criminal Enterprise Task Force, Safe Streets Task Force, Oklahoma ICAC Task Force, Western Pennsylvania Violent Crimes Against Children Task Force, HSI North Texas Task Force, Rio Grande Valley Child Exploitation Task Force, United States Secret Service Task Force Springfield Illinois, Hampton Roads Task Force, Child Exploitation and Human Trafficking Group, West Virginia Human Trafficking and Child Exploitation Task Force.



**NEW CASES AND TASK FORCE IDENTIFICATION  
2018-2022**

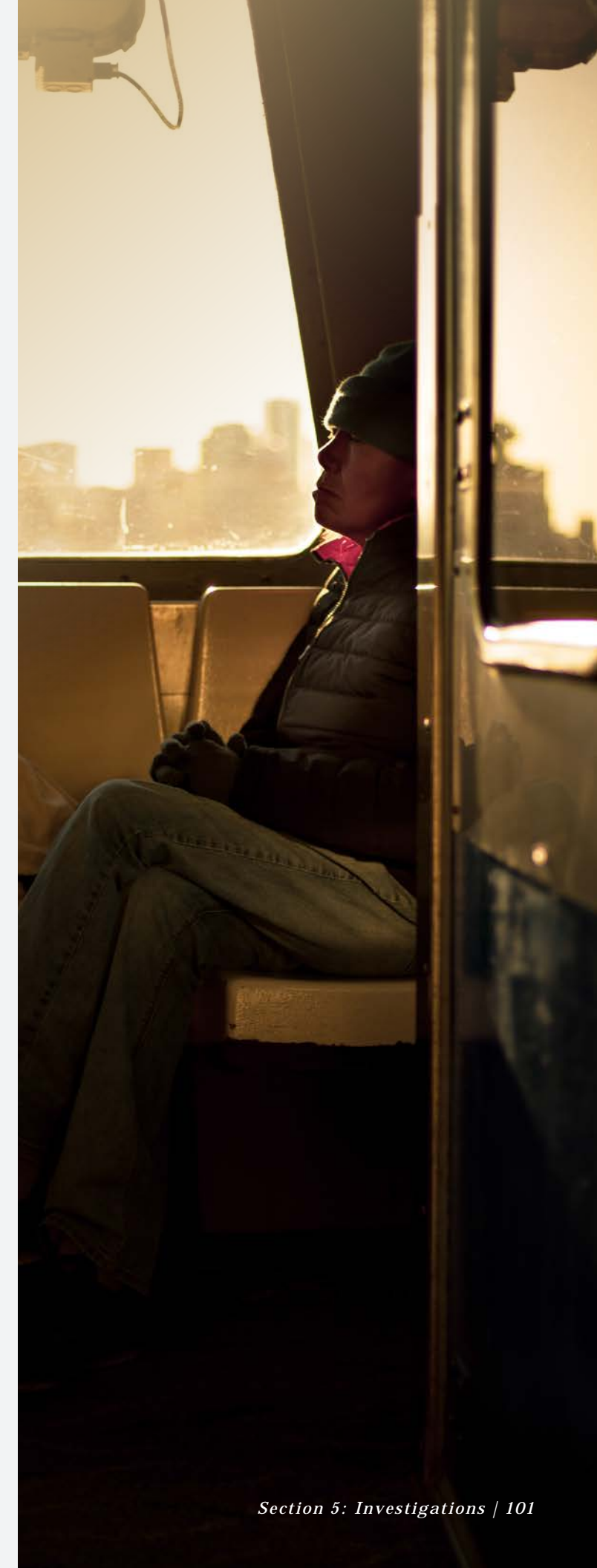
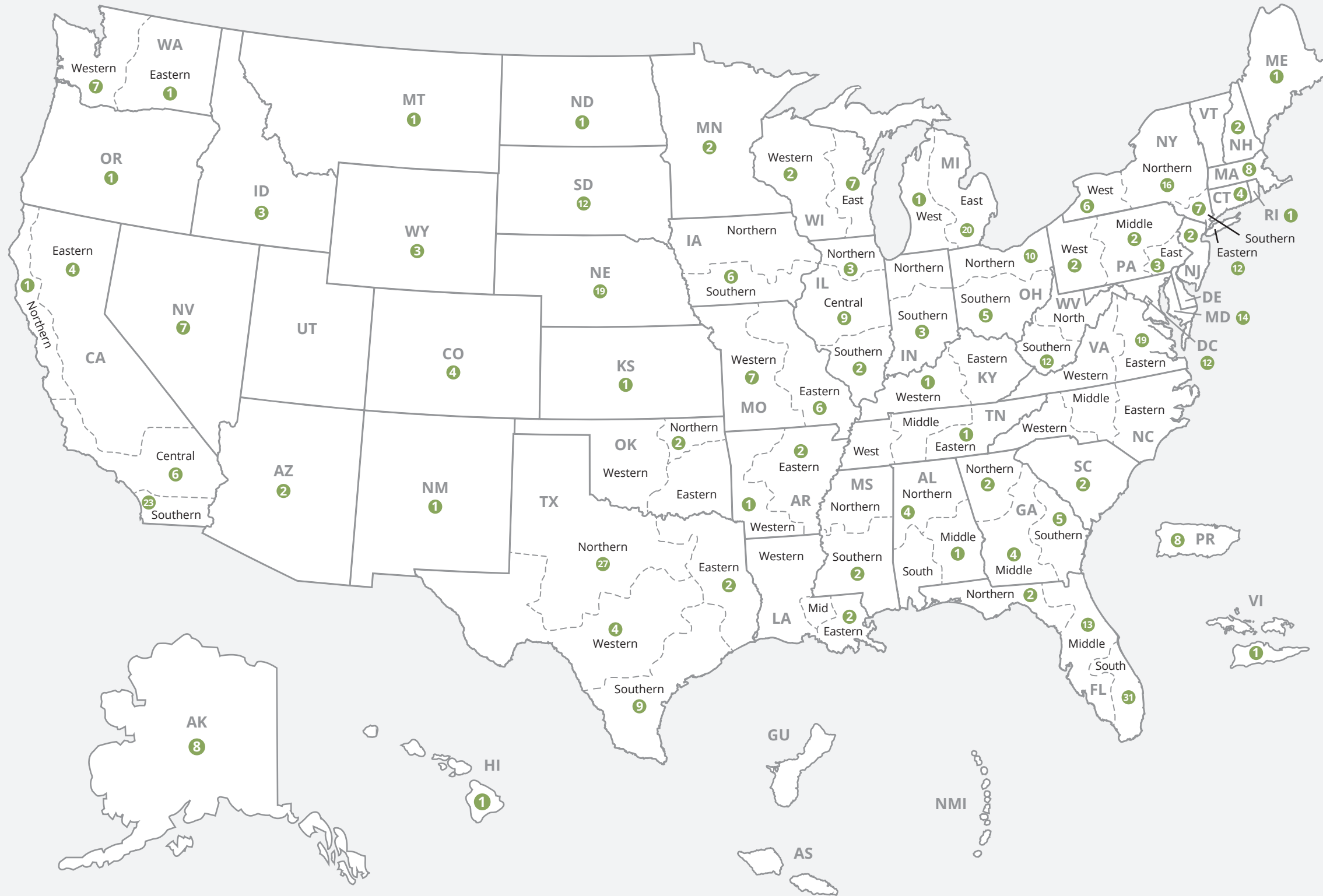
■ TOTAL CASES  
■ CASES INVOLVING A TASK FORCE





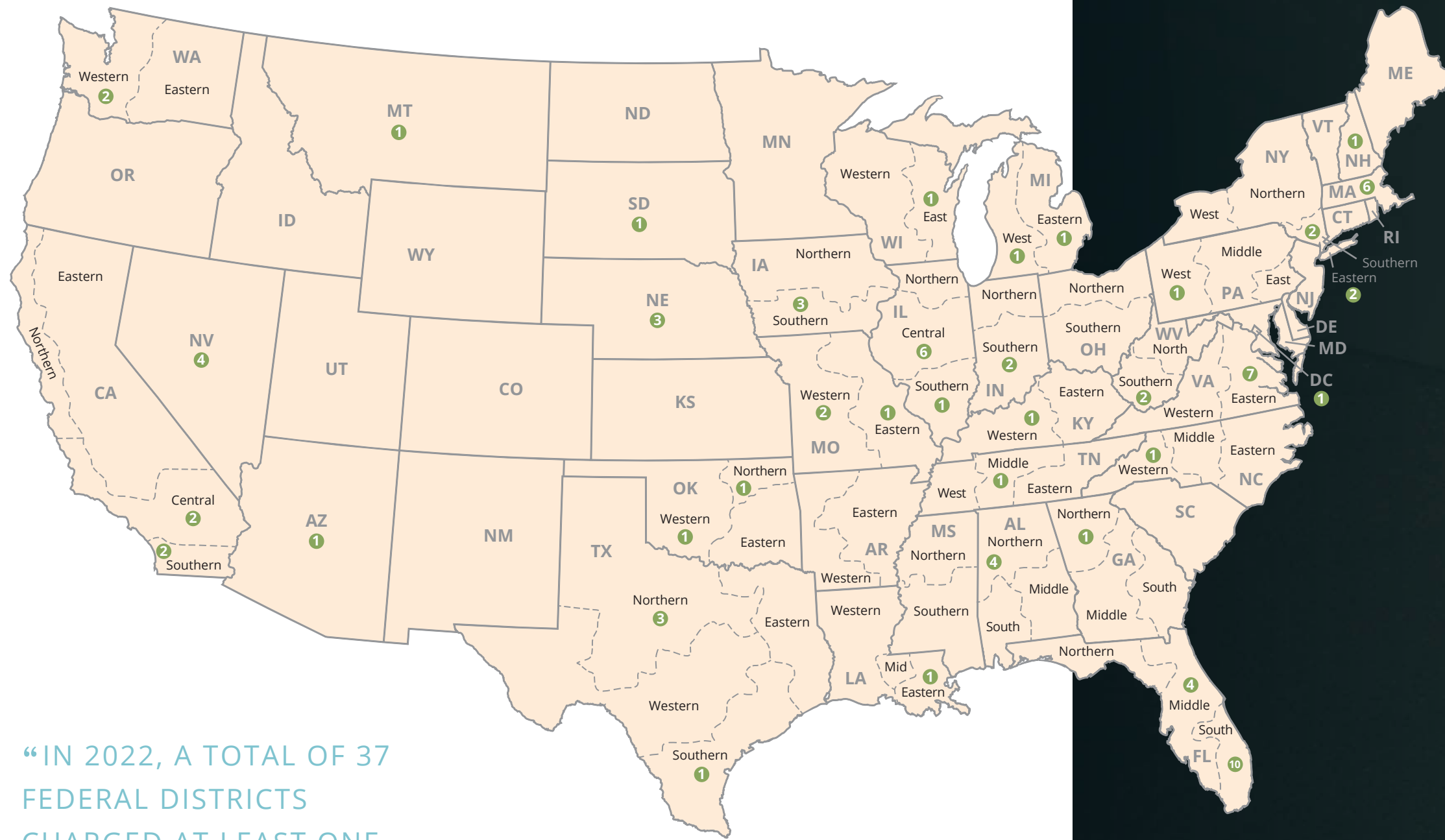
From 2018-2022, there were a total of 73 federal districts which charged at least one task force case. Collectively, those 73 district courts charged 438 task force cases over the last five years.

FEDERAL DISTRICTS WITH AT LEAST ONE TASK FORCE CASE 2018-2022



In 2022, a total of 37 federal districts charged at least one sting or task force case, for a total of 85 cases in all. Of those 37 federal districts, the Southern District of Florida charged the most with a total of 10 sting or task force cases in 2022. The Southern District of Florida also charged the overall highest number (12) of sex trafficking cases of any of the 94 federal districts in 2022. Below is a conclusive map of each district that charged at least one sting or task force case in 2022.

### DISTRICTS WITH AT LEAST ONE STING OR TASK FORCE CASE 2022



“IN 2022, A TOTAL OF 37 FEDERAL DISTRICTS CHARGED AT LEAST ONE STING OR TASK FORCE CASE.”



Over the period of 2018-2022, 85% (80) of the 94 federal districts have charged at least one sting case or one task force case, for a collective total of 690 cases charged. The district with the most charged sting or task force cases over the last five years was the Southern District of Illinois with 38 cases charged.

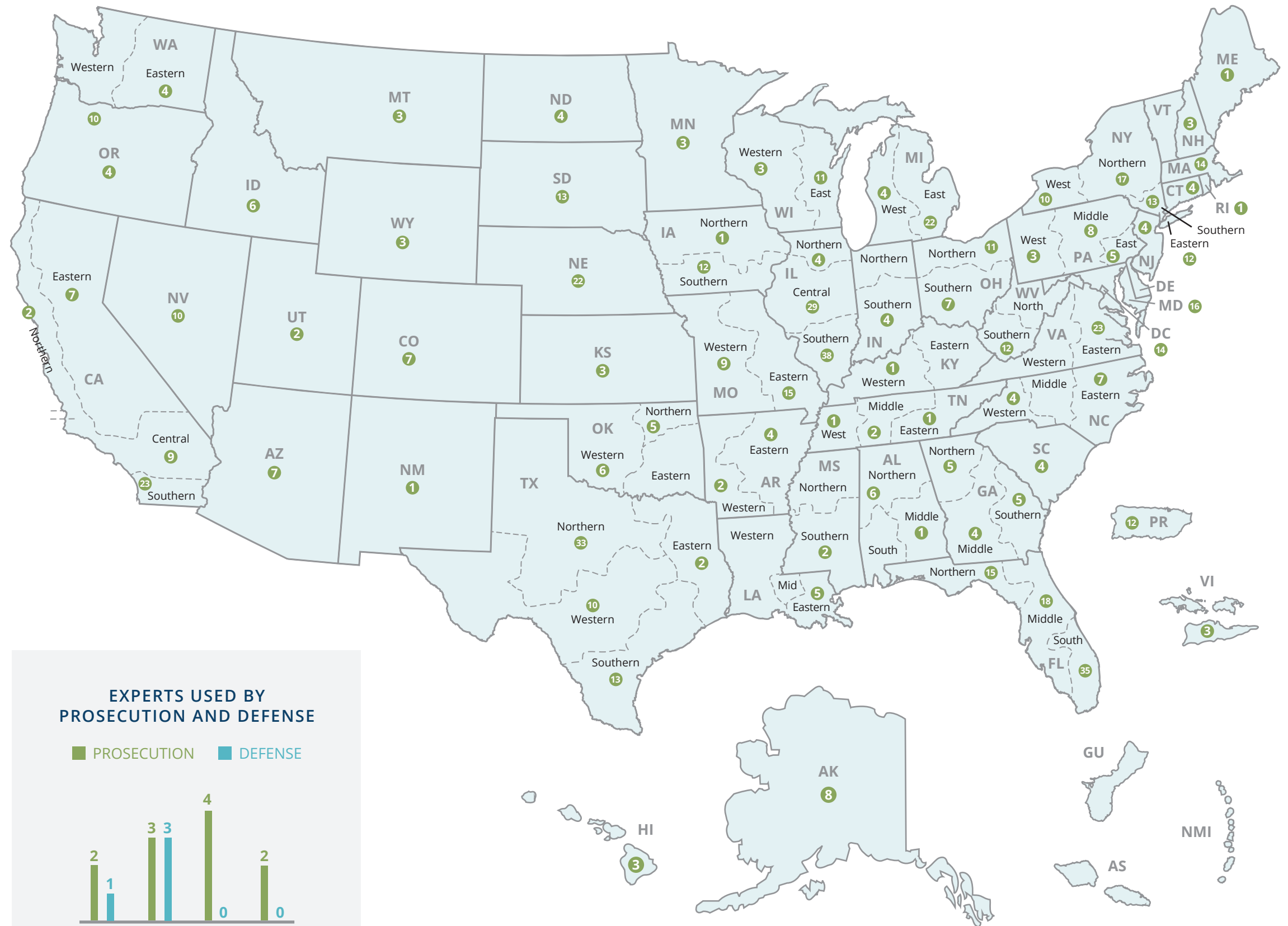
### USE OF EXPERTS IN HUMAN TRAFFICKING CASES

Just like other crimes, human trafficking cases often rely heavily on the disclosure and cooperation of a victim. Victims of human trafficking often experience significant trauma from the exploitation of their trafficker, making cooperation in an investigation and testifying at trial challenging and sometimes even retraumatizing for them. For this reason, investigators and prosecutors often look beyond the victim's testimony to investigate and find evidence to support a human trafficking case. This can sometimes include the use of experts in the investigation and prosecution of a case.

Expert testimony can be incredibly useful in human trafficking cases to provide specialized knowledge and investigative techniques, educate the jury, provide insight into the psychological impact trafficking has on victims, and to explain forensic evidence. In 2022, the FHTR began monitoring the use of expert witnesses in human trafficking cases filed in federal courts to try to determine how often they are utilized, the purpose for which they are used, and the outcomes of those cases.

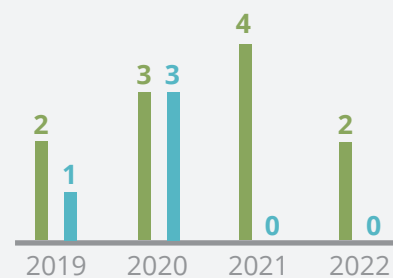
In 2022, experts were identified as being used in 2 sex trafficking cases, both of which were law enforcement officers declared as experts for the prosecution. Since 2019, experts have been identified as used in 15 cases, 14 of which were sex trafficking, and one was forced labor. Prosecutors utilized an expert in 11 cases, and defendants utilized experts in 4 cases. Within those 15 cases, 12 experts testified during the trial, and 3 experts testified in post-trial proceedings. Experts for the prosecution testified at trial in 10 of the cases, and once for sentencing. Experts for defendants testified at trial in one case, and twice for sentencing.

DISTRICTS WITH AT LEAST ONE STING OR TASK FORCE CASE 2018-2022



EXPERTS USED BY PROSECUTION AND DEFENSE

■ PROSECUTION ■ DEFENSE



SECTION 6:

# *Types of Charges*





## SECTION 6: *Types of Charges*

### 6.1 HUMAN TRAFFICKING CHARGES

A critical component to understanding and evaluating the federal response to human trafficking is understanding the United States' federal human trafficking laws and how they are implemented. Federal prosecutors use a variety of statutes and techniques to charge defendants for criminal human trafficking. The FHTR conducts an exhaustive review of human trafficking cases to determine the statutes used and the criminal conduct alleged.

The FHTR categorizes any case charged under Chapter 77 of the United States Code as a "human trafficking crime." This includes offenses within the Trafficking Victims Protection Act (TVPA), 18 U.S.C. §§ 1589-1597, as well as historical slavery statutes under 18 U.S.C. §§ 1581-1588. The FHTR also classifies the following federal statutes as human trafficking crimes when the underlying offense in the charge is a Chapter 77 crime: 18 U.S.C. § 2 (Attempt), 18 U.S.C. § 371 (Conspiracy), 18 U.S.C. § 1952 (ITAR), and 18 U.S.C. § 1962 (RICO).

Furthermore, the FHTR categorizes some offenses filed outside Chapter 77 as human trafficking if a case contains substantial evidence of force, fraud, or coercion, commercial sex with a minor, or an identified victim of trafficking. These non-Chapter 77 cases are commonly charged under 18 U.S.C. §§ 2421-2423 (the Mann Act) but can also include charges filed under a variety of other federal statutes.

Prosecutors may exercise discretion in determining how a defendant should be indicted for criminal human trafficking activity after careful evaluation of the facts and circumstances of each case. This section discusses some of the most common charges in human trafficking cases identified by the FHTR.

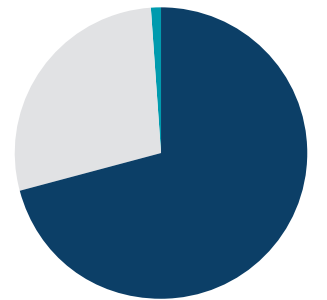
### 6.2 CHARGES FOR SEX TRAFFICKING

In 2022, prosecutors charged 71% (168) of the 238 new defendants with at least one crime using the federal human trafficking statute. The remaining 28% (67) of new defendants in human trafficking cases were charged outside the human trafficking statute. Some of the charges are still unknown in 1% (3) of cases due to the indictments being placed under seal.

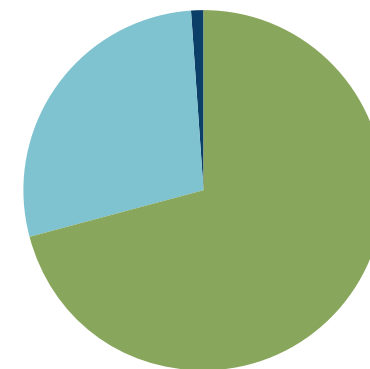
#### CHAPTER 77 SEX TRAFFICKING

Of 227 new sex trafficking defendants, prosecutors charged a total of 852 counts of sex trafficking offenses;<sup>131</sup> 160 defendants were charged under Chapter 77, and 64 were charged with offenses outside the Chapter 77 human trafficking statute; 3 defendants' charges were unknown or sealed. Within the 852 counts of sex trafficking, 230 counts were charged under the most used sex trafficking statute, 18 U.S.C. § 1591. There were 53 counts charged for Conspiracy to Commit Sex Trafficking under 18 U.S.C. § 1594(c), and 26 counts charged for Attempted Sex Trafficking under 18 U.S.C. § 1594(a). Six counts were charged under 18 U.S.C. § 1591(d) for Obstructing Enforcement of Sex Trafficking, and 1 count was charged under 18 U.S.C. § 1952 ITAR to Commit Trafficking Offense.

#### SEX TRAFFICKING CHARGES AGAINST NEW DEFENDANTS 2022



- 71% CHARGED USING HUMAN TRAFFICKING STATUTES
- 28% CHARGED WITH ONLY NON-HUMAN TRAFFICKING STATUTES
- 1% NOT YET KNOWN OR SEALED



#### SEX TRAFFICKING DEFENDANTS 2022

- 70% CHARGED UNDER CHAPTER 77
- 28% CHARGED OUTSIDE CHAPTER 77
- 1% NOT YET KNOWN OR SEALED

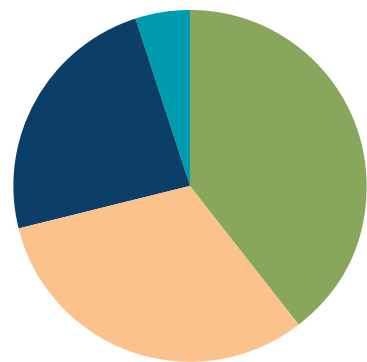
“THE FHTR CATEGORIZES ANY CASE CHARGED UNDER CHAPTER 77 OF THE UNITED STATES CODE AS A ‘HUMAN TRAFFICKING CRIME.’”

<sup>131</sup> Includes sex trafficking offenses charged under both Chapter 77 and outside of Chapter 77.





**COUNTS OF SEX TRAFFICKING CHARGES UNDER 18 U.S.C. § 1591**



- 40% ADULT VICTIMS ONLY
- 32% MINOR AND ADULT VICTIMS
- 24% MINOR VICTIMS ONLY
- 5% STING CASES WITH FICTITIOUS VICTIMS

Prosecutors may use 18 U.S.C. § 1591 to charge traffickers with (1) sex trafficking of an adult, which requires proof of force, fraud, or coercion, or (2) sex trafficking of a minor, which does not require proof of force, fraud, or coercion, but instead, knowledge (or reckless disregard) of the victim’s age. Of the 230 counts charged under 18 U.S.C. § 1591, 24% (55) were charges involving only minor victims, 40% (92) involved only adult victims, 31% (72) involved both adult and minor victims, and 5% (11) of the counts charged were for sting cases with no real victims.<sup>132</sup>

A defendant may be prosecuted under 18 U.S.C. § 1591 for their engagement in the criminal act, for benefiting financially from the criminal act, or both.<sup>133</sup> Of the 230 criminal counts of § 1591 charged in 2022, 71% (164) alleged the defendant committed the prohibited trafficking activities, and 29% (66) alleged that the defendant both engaged in prohibited trafficking activities and benefited financially from the trafficking crime. The government did not charge any defendants under § 1591 exclusively for financially benefiting from trafficking in 2022.

Within the 230 criminal counts of § 1591 charged in 2022, 60% (139) alleged the defendant used force, fraud, or coercion, 33% (75) alleged the defendant’s knowledge or reckless disregard of the victim’s age, and 7% (16) alleged both. Of the 55 counts charged for sex trafficking involving only minor victims, the majority of the § 1591 charges (87%, 48) alleged the defendant’s knowledge or reckless disregard of the victim’s age, 5% (3) alleged that the defendant used force, fraud, or coercion to compel a minor victim to engage in commercial sex, and 7% (4) alleged that both the defendant’s knowledge or reckless disregard of the victim’s age and that the defendant used force, fraud, or coercion to compel a minor victim to engage in commercial sex.

As previously mentioned, 18 U.S.C. § 1591 does not require that prosecutors alleged force, fraud or coercion when the victim is a minor (under 18 years of age). Instead, the prosecutor must prove that a defendant had knowledge, recklessly disregarded, or had the opportunity to observe that the victim was under the age of 18 in charges involving only a minor victim.<sup>134</sup> Even though prosecutors need not prove force, fraud, or coercion in cases involving a minor, as shown in the 7% of counts described above, prosecutors occasionally include the language, which may be to protect alternative theories, or as a strategy to allow certain evidence to become admissible at trial.

### NON-CHAPTER 77 SEX TRAFFICKING OFFENSES

While Chapter 77 is the prevailing statute for criminal human trafficking charges, defendants may be charged under a variety of statutes outside 18 U.S.C. § 1591 and § 1589.

<sup>132</sup> Based on 230 counts of sex trafficking charged under 18 U.S.C. § 1591.

<sup>133</sup> 18 U.S.C. § 1591(a)(1).

<sup>134</sup> In minor sex trafficking cases, a prosecutor may elect to charge sex trafficking by means of force, fraud, or coercion, where there is sufficient evidence to show the defendant’s use of coercive tactics, either in addition to, or in lieu of, knowledge of age.

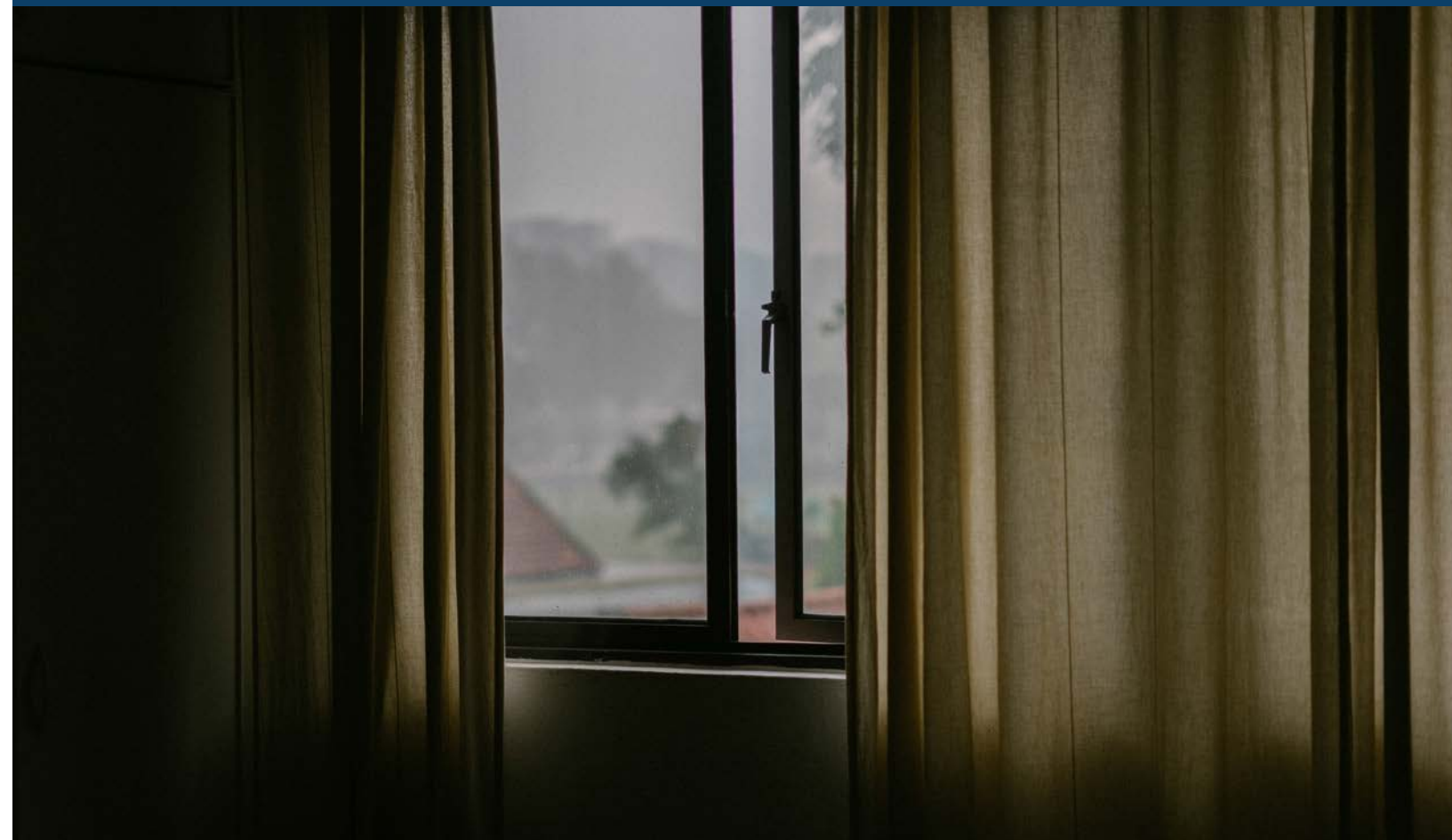
## Case Highlight

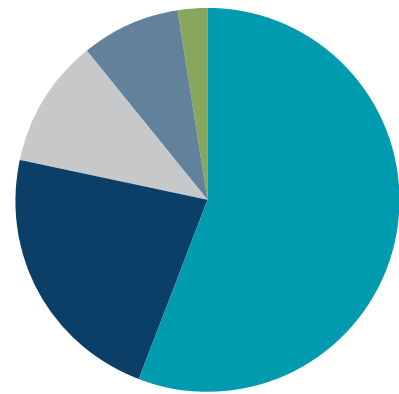
### UNITED STATES V. DONTE LEWIS, ET AL., NORTHERN DISTRICT OF TEXAS

In the case of *United States v. Donte Lewis, et al.*, the Northern District of Texas charged Donte Javon Lewis and Michael Roy for their involvement in transporting a minor victim in interstate commerce to engage in commercial sex. Defendant Lewis was charged with sex trafficking under 18 U.S.C. §§ 1591(a)(1) and (b)(1), and conspiracy to commit sex trafficking, 18 U.S.C. § 1594(c), while Defendant Roy was charged for his involvement in the crime solely outside Chapter 77, under 18 U.S.C. § 2421 of the Mann Act.

Law enforcement began an investigation after the victim, a 16-year-old female, reported to her mother that she was being trafficked at the Baymont Hotel in Arlington, Texas. The minor victim stated that she was being held by her trafficker until she was able to provide \$10,000 to him through commercial sex work. The victim identified her traffickers as “P” and “King.” Law enforcement officers conducted an investigation and determined “P” was Defendant Roy and “King” was Defendant Lewis. According to the complaint, Defendant Roy transported the minor victim to hotels in Louisiana and Texas for the purpose of engaging in commercial sex work. Defendant Roy advertised the minor victim on SkipTheGames, a popular website used to advertise and purchase commercial sex.

The case was investigated by the FBI’s Child Exploitation and Human Trafficking Task Force and is still pending within the Northern District of Texas.





### NON CHAPTER 77 SEX TRAFFICKING CASES 2022

- 47% STING CASE WITH FICTITIOUS VICTIMS
- 19% NON-STING CASES WITH MINOR VICTIMS
- 9% NON-STING CASES WITH NO VICTIMS IDENTIFIED
- 7% STING CASES WITH REAL MINOR VICTIMS
- 2% NON-STING CASES WITH ADULT VICTIMS
- 0% NON-STING CASES WITH MINOR AND ADULT VICTIMS

Some sex trafficking defendants are charged under the historic Mann Act, as codified in 18 U.S.C. §§ 2421-2423. The Mann Act prohibits the transportation of a person across state lines, the coercion or enticement of a person for the purposes of engaging in illegal sexual activity, or the transportation of minors for illegal purposes.<sup>135</sup> In 2022, the FHTR identified 55 sex trafficking cases that were charged exclusively under the Mann Act.<sup>136</sup>

Some defendants may be charged with both Chapter 77 human trafficking charges and non-human trafficking

charges outside Chapter 77. In 2022, there were 160 sex trafficking defendants charged with at least one count of human trafficking under Chapter 77, for a total of 852 counts. Of those defendants, 112 were also charged with 339 counts for crimes completely outside Chapter 77.

Within the 56 new sex trafficking cases charged outside of Chapter 77, 27 (48%) were law enforcement sting cases with only fictitious victims, while 2 (4%) were sting operations involving real minor victims.<sup>137</sup> The remaining non-Chapter 77 cases included 11 (19%)

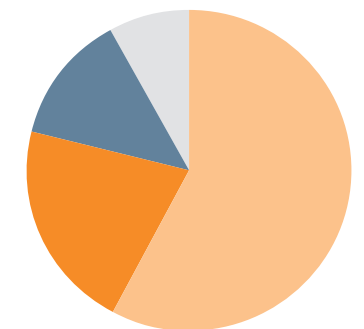
non-sting cases involving minor victims; 1 (2%) non-sting cases involving adults only; 0 (0%) non-sting case involving both minor and adult victims; and 5 (9%) non-sting cases where no victims were identified.<sup>138</sup>

Of the 94 federal districts, at least 37% (35) charged a human trafficking case outside of Chapter 77 in 2022. In fact, 11 (12%) of these districts charged exclusively human trafficking cases outside of Chapter 77 in 2022.

### 6.3 CHARGES FOR FORCED LABOR

Among the 11 new forced labor defendants, prosecutors charged a total of 132 counts of forced labor offenses; 8 defendants were charged under Chapter 77, and 3 were charged with offenses outside the Chapter 77 human trafficking statute. Within the 132 counts of forced labor, 24 were charged under Chapter 77. Of those 24 counts, 58% (14) were charged under the most utilized forced labor statute, 18 U.S.C. § 1589. Twenty-one percent (5) were charges for Conspiracy to Commit Forced Labor under 18 U.S.C. § 1594(b), 13% (3) for Trafficking with Respect to Peonage, Slavery, Involuntary Servitude, or Forced Labor under 18 U.S.C. § 1590, and 8% (2) for Unlawful Conduct with Respect to Documents in Furtherance of Trafficking, Peonage, Slavery, Involuntary Servitude, or Forced Labor under 18 U.S.C. § 1592.

### CHAPTER 77 FORCED LABOR COUNTS 2022



- 58% § 1589
- 21% § 1594(b)
- 13% § 1590
- 8% § 1592

<sup>135</sup> See, 18 U.S.C. § 2421 Transportation Generally; 18 U.S.C. § 2422 Coercion and Enticement; 18 U.S.C. § 2423 Transportation of Minors.

<sup>136</sup> 18 U.S.C. § 2421 Transportation Generally; 18 U.S.C. § 2422 Coercion and Enticement; 18 U.S.C. § 2423 Transportation of Minors.

<sup>137</sup> Based on 57 new criminal sex trafficking cases charged outside of Chapter 77 in 2022.

<sup>138</sup> Based on 57 criminal sex trafficking cases charged outside Chapter 77 in 2022.

SECTION 7:

*Disposition and  
Sentencing*



## SECTION 7:

# Disposition and Sentencing

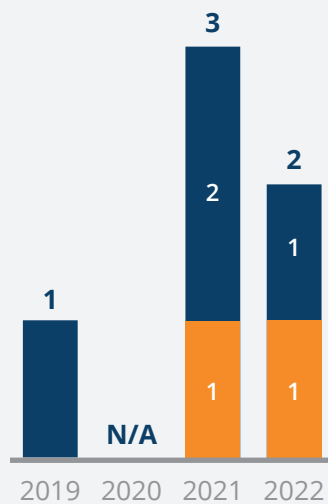
### 7.1 DISPOSITION OF CHARGES

A defendant's case is considered to have reached disposition once the defendant was convicted, acquitted, or the charges against them were dismissed either by the government or due to the defendant's death. Disposition may be reached by the defendant's entrance of a guilty plea, trial, or the entrance of a dismissal. In 2022, 377 defendants in criminal human trafficking cases received disposition at the trial court level. Of those 377 defendants who reached disposition, 81% (305) pleaded guilty and 15% (56) were convicted at trial. Charges were dismissed—either by the court or by the prosecutor—against 12 (3%) defendants, 2 (<1%) defendants were acquitted at trial, and 2 (<1%) defendants received a *nolle prosequi* due to the death of the defendant.<sup>139</sup> The conviction rate in 2022 for defendants charged in human trafficking cases was 96%.<sup>140</sup>

To better distinguish between general dismissals and dismissals due to the death of the defendant, in 2022, the FHTR began collecting data to note when a defendant dies during the course of their criminal cases. When there is a death of a defendant during the criminal proceedings, anytime from indictment through appeal, the government may ask to enter a *nolle prosequi*, or “will no longer prosecute.” In 2022, the FHTR identified the entrance of a *nolle prosequi* on behalf of 2 defendants who died during their adjudication, accounting for <1% of dispositions for the year.<sup>141</sup>

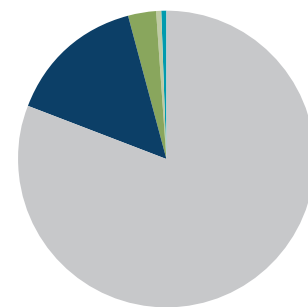
#### DEFENDANTS RECEIVING A NOLLE PROSEQUI

■ SEX TRAFFICKING  
■ FORCED LABOR

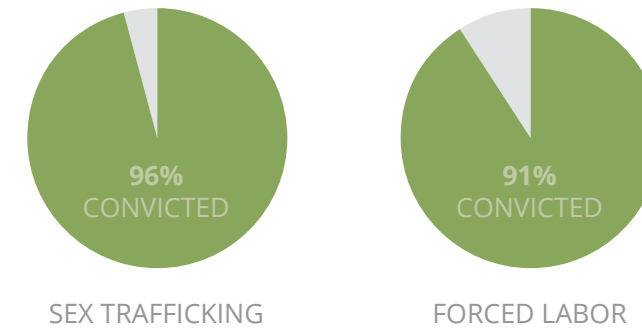


#### DEFENDANT DISPOSITION 2022

■ 81% PLEA  
■ 15% TRIAL  
■ 3% DISMISSAL  
■ <1% ACQUITTAL  
■ <1% NOLLE PROSEQUI



#### CONVICTION RATES 2022



### 7.2 CONVICTION RATE OF DEFENDANTS

Defendants in sex trafficking cases have historically faced a higher conviction rate than defendants in forced labor cases. This remained true in 2022, when 91% (29) defendants were convicted in forced labor cases and 96% (332) defendants were convicted in sex trafficking cases.<sup>142</sup>

Since 2000, there have been 11 entity defendants charged for facilitating or financially benefiting from human trafficking as prohibited by the TVPA. Of those 11 entity defendants, 1 defendant is still pending in the courts, 7 were dismissed, 2 were found guilty at trial, and 1 entered a guilty plea. In 2022, 1 entity defendant entered a guilty plea and is awaiting sentencing.

	2018	2019	2020	2021	2022
<b>CONVICTED</b>	96% (401)	95% (388)	90% (197)	96% (379)	96% (361)
<b>DISMISSED</b>	4% (16)	5% (20)	10% (22)	3% (10)	3% (12)
<b>ACQUITTED</b>	0	0	0	1% (2)	<1% (2)
<b>NOLLE PROSEQUI</b>	Unknown	<1% (1)	0	1% (3)	<1% (2)
<b>TOTAL DISPOSED</b>	417	409	219	394	377



<sup>139</sup> Based on 377 criminal human trafficking defendants receiving disposition in 2022.

<sup>140</sup> Based on 361 defendants convicted out of 377 defendants receiving disposition in 2022.

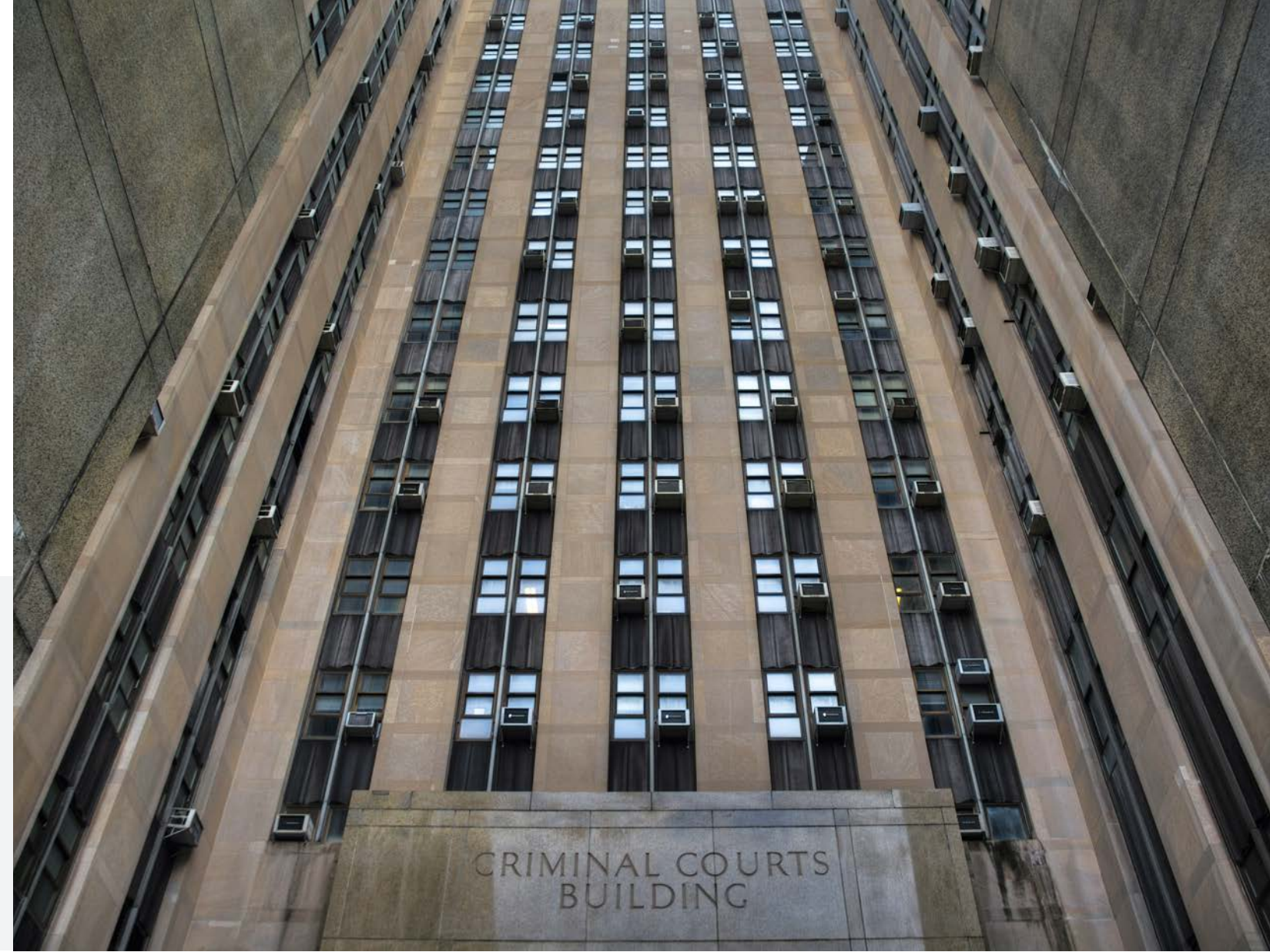
<sup>141</sup> Based on 377 criminal human trafficking defendants receiving disposition in 2022.

<sup>142</sup> Based on 377 criminal human trafficking defendants being disposed of in 2022.

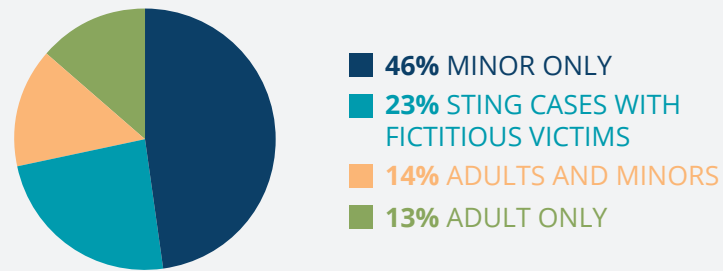
### 7.2.1 SEX TRAFFICKING CONVICTIONS

There were 345 sex trafficking defendants whose cases reached disposition in 2022. Of those 345 defendants charged with sex trafficking, 332 (96%)<sup>143</sup> were convicted, with 280 (84%)<sup>144</sup> defendants entering a guilty plea and 52 (16%)<sup>145</sup> defendants convicted at trial. Of the sex trafficking defendants convicted in 2022, 46% (153) were in *minor-only* sex trafficking cases, 13% (43) were in *adult-only* sex trafficking cases, 14% (48) were in sex trafficking cases involving *both* minors and adults, 23% (78) were in sting cases with only fictitious victims, and 3% (10) were in cases where the age of victims were unknown.<sup>146</sup>

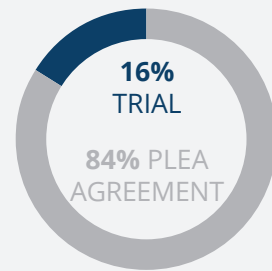
In 2022, buyer defendants made up 45% (151) of sex trafficking convictions.<sup>147</sup> Of the buyer defendants convicted in 2022, 56% (84) were convicted for attempting to purchase commercial sex in a sting case where law enforcement officers posed as a fictitious victim.<sup>148</sup> Another 40% (61) were convicted for attempting to purchase—or in fact did purchase—commercial sex with an actual victim.<sup>149</sup> The remaining 4% (6) of buyer defendants were convicted for attempting to purchase commercial sex from a fictitious victim in a non-sting case.<sup>150</sup>



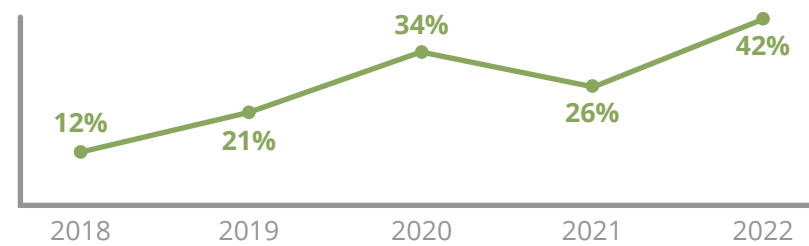
VICTIMS IN SEX TRAFFICKING CONVICTIONS 2022



SEX TRAFFICKING CONVICTIONS 2022



PERCENTAGE OF CONVICTED DEFENDANTS WHO WERE BUYERS



### 7.2.2 FORCED LABOR DEFENDANTS

In 2022, 32 defendants charged with forced labor received disposition. Of those 32 defendants who reached disposition in their charges, 91% (29) were convicted, and 6% (2) were dismissed. One defendant's charges were dismissed upon his death. Of those defendants convicted of forced labor, 86% (25) entered a guilty plea and 14% (4) were convicted at trial.<sup>151</sup> This is an increase from the conviction rate in 2021, which was 83% (15) for defendants charged with forced labor.<sup>152</sup>

The lower number of forced labor cases filed results in fewer defendants charged and ultimately fewer convictions of forced labor. Since the enactment of the TVPA in 2000, the number of defendants convicted of forced labor has ranged from 1 defendant in 2000 to the highest of 40 defendants in 2009, with an average of 15 defendants convicted in forced labor cases each year.

<sup>143</sup> Based on 345 criminal sex trafficking defendants whose charges reached disposition in 2022.

<sup>144</sup> Based on 332 criminal sex trafficking defendants who were convicted in 2022.

<sup>145</sup> Based on 332 criminal sex trafficking defendants who were convicted in 2022.

<sup>146</sup> Based on 332 criminal sex trafficking defendants who were convicted in 2022.

<sup>147</sup> Based on 332 criminal sex trafficking defendants who were convicted in 2022.

<sup>148</sup> Based on 151 criminal buyer defendants convicted in 2022.

<sup>149</sup> Based on 151 criminal buyer defendants convicted in 2022.

<sup>150</sup> Based on 151 criminal buyer defendants convicted in 2022.

<sup>151</sup> Based on 29 criminal forced labor defendants convicted in 2022.

<sup>152</sup> Based on 18 criminal forced labor defendants reaching disposition in 2021.

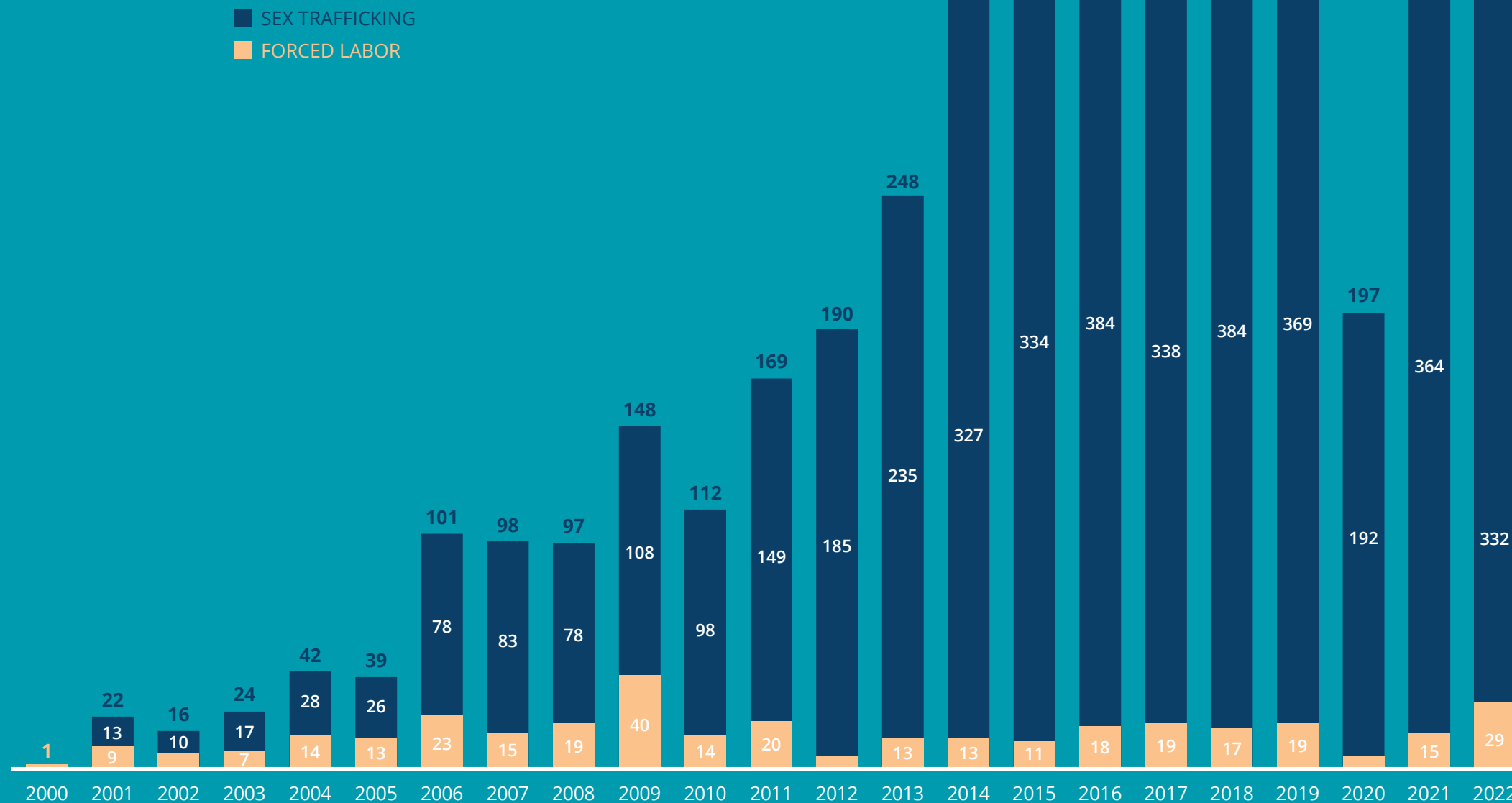


## HUMAN TRAFFICKING CONVICTIONS FROM 2001-2022

Since the TVPA's enactment in 2000, there have been 4,477 defendants convicted of human trafficking in United States federal courts. The highest number of defendants convicted in a single year was in 2016, when 402 defendants were convicted. Since that time, the number of defendants convicted has dropped only slightly, which correlates to the slight decrease in the number of new cases filed year-over-year.

Of the 4,477 defendants convicted since 2000, 92% (4,132) were convicted for sex trafficking and 8% (345) were convicted of forced labor.

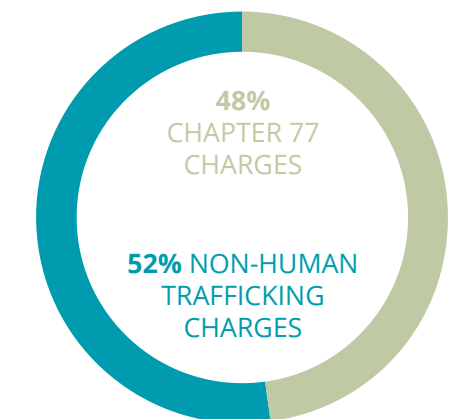
DEFENDANTS CONVICTED EACH YEAR



## 7.3 CONVICTIONS BY COUNT

Just as a defendant can be charged with multiple crimes under different statutes, defendants may also be charged with and convicted of multiple counts of those crimes. In 2022, 361 defendants were convicted of 662 criminal counts. Of those 361 defendants, 48% (174) were convicted of at least one Chapter 77 offense.<sup>153</sup> This is a slight decrease from 2021, when 49% (185) of defendants were convicted with at least one Chapter 77 crime.<sup>154</sup> The remaining 52% (187) of defendants convicted in 2022 were convicted of non-human-trafficking crimes only, some of which included convictions for Mann Act offenses, the production, distribution and/or possession of child sexual abuse material, sexual exploitation of a child, alien harboring, and drug related offenses. A full list of non-human-trafficking counts of conviction can be found in the Appendix.

HUMAN TRAFFICKING CONVICTIONS 2022



<sup>153</sup> Based on the 361 criminal human trafficking defendants convicted in 2022.

<sup>154</sup> Based on 379 criminal human trafficking defendants convicted in 2021.



“THE PERCENTAGE OF SENTENCES INCLUDING A TERM OF IMPRISONMENT WAS APPROXIMATELY THE SAME IN 2021, AT 94%.”

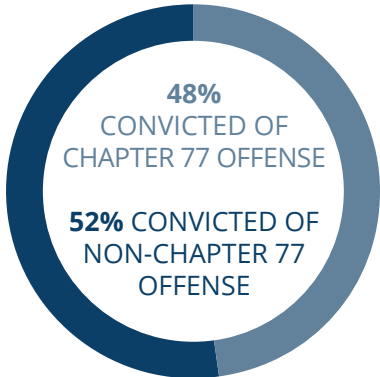
### 7.3.1 SEX TRAFFICKING CONVICTIONS BY COUNT

In 2022, 332 sex trafficking defendants were convicted with 624 criminal counts. This is an increase from 2021 when federal courts convicted 306 sex trafficking defendants with 565 counts of sex trafficking. Of the sex trafficking defendants convicted in 2022, 48% (161) were convicted of at least one sex trafficking charge under Chapter 77.<sup>155</sup> The remaining 52% (171) of defendants were convicted only of offenses outside of Chapter 77.<sup>156</sup> Of those 332 sex trafficking defendants convicted in 2022, 69 were originally charged with at least one Chapter 77 offense, but ultimately convicted of a non-Chapter 77 offense.

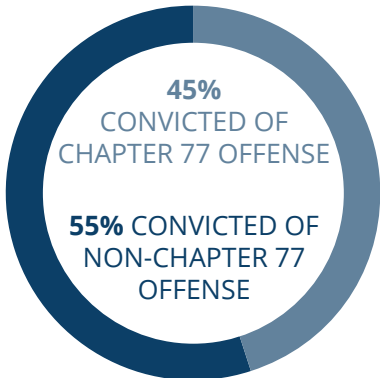
### 7.3.2 FORCED LABOR CONVICTIONS BY COUNT

In 2022, 29 forced labor defendants were convicted with 38 criminal counts which is an increase from 2021, when 10 defendants charged with forced labor were convicted of 17 criminal counts. Of the 29 forced labor defendants convicted in 2022, 13 (45%) were convicted of at least one forced labor charge under Chapter 77. The remaining 16 (55%) were convicted of crimes outside of Chapter 77.

### SEX TRAFFICKING CONVICTIONS BY COUNT 2022



### FORCED LABOR CONVICTIONS BY COUNT 2022



### 7.4 SENTENCES

When a defendant is convicted, either by trial or by entering a plea agreement, a judgment is entered into the court record, and the defendant then proceeds to sentencing. The framework for determining the appropriate sentence for convicted traffickers is set forth in the TVPA. It imposes mandatory minimum prison sentences, requires courts to order victim restitution, and orders sex offender registration for certain offenses. The federal laws also provide sentencing guidelines that set a range of sentence lengths, including enhancements and mitigations, to guide judges in sentencing convicted defendants.

The TVPA creates varying statutory punishments depending on the type of exploitation, as well as the age of the victims, in the case. Defendants convicted of sex trafficking under § 1591 are subject to a mandatory minimum sentence of either 10 or 15 years. A conviction involving sex trafficking of a minor under the age of 14, or the defendant’s use of force, fraud, or coercion, is punishable by a mandatory minimum sentence of 15 years imprisonment.<sup>157</sup> A sex trafficking conviction involving a minor victim between the age of 14 and 17, without evidence of force, fraud, or coercion, is punishable by a mandatory sentence of 10 years imprisonment.<sup>158</sup> By comparison, forced

labor convictions do not carry a statutory mandatory minimum sentence. Instead, § 1589 establishes that a defendant convicted of forced labor under § 1589 is subject to a prison sentence of up to 20 years.

In 2022, 95% (443) of the 467 defendants sentenced for human trafficking crimes received sentences that included a term of imprisonment ranging from 3 months to 540 months. The percentage of sentences including a term of imprisonment was approximately the same in 2021, at 94% based on 306 of 324 criminal human trafficking defendants who received a term of imprisonment in 2021.

On average, defendants sentenced in Chapter 77 human trafficking cases in 2022 received a term of imprisonment for 158 months (13 years, 2 months). Defendants sentenced in 2022, who were convicted of a Chapter 77 offense by entering a plea agreement received an average sentence of 158 months (13 years, 2 months) in prison, whereas defendants found guilty following trial faced an average of 293 months (24 years, 5 months) imprisonment.

There were 226 defendants sentenced for crimes outside of Chapter 77, of which 92% (208) received sentences that included a term of imprisonment, ranging from 12 months to 468 months.

### AVERAGE TERMS OF IMPRISONMENTS (IN MONTHS) 2022

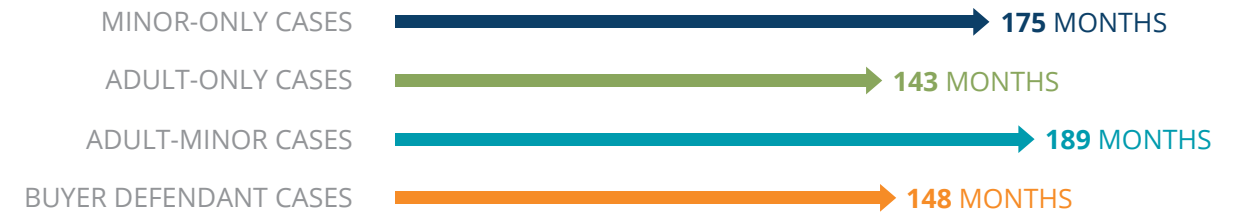
	CHAPTER 77	OUTSIDE CHAPTER 77
<b>OVERALL (PLEAS &amp; TRIAL)</b>	158	146
<b>PLEA AGREEMENT</b>	158	123
<b>TRIAL</b>	293	168

<sup>155</sup> Based on 332 criminal sex trafficking defendants convicted in 2022.  
<sup>156</sup> Based on 332 criminal sex trafficking defendants convicted in 2022.

<sup>157</sup> 18 U.S.C. § 1591(b)(1).  
<sup>158</sup> 18 U.S.C. § 1591(b)(2).



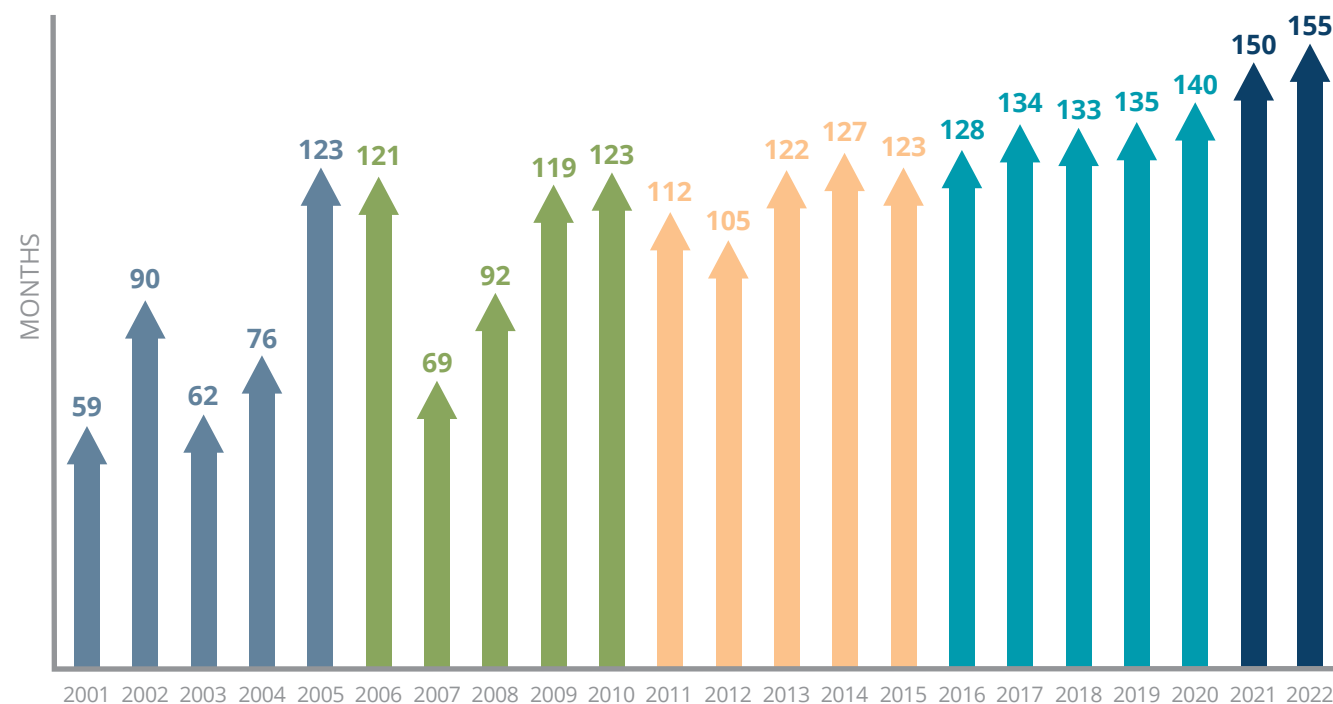
### AVERAGE TERM OF IMPRISONMENT FOR DEFENDANTS IN SEX TRAFFICKING CASES 2022



There were 24 defendants sentenced in 2022 whose sentences did not include a term of imprisonment. Imprisonment is not mandatory for some offenses under the sentencing guidelines. Though not sentenced to a term of imprisonment, 21 of these defendants were sentenced to terms of probation or supervised release and 5 of the defendants were ordered to pay fines totaling \$56,500.

The length in prison sentences imposed in human trafficking cases has steadily increased since the TVPA was enacted in 2000. In 2001 the average sentence imposed against a defendant convicted in a trafficking case was 59 months—less than five years. This number increased over time and has continuously remained above 10 years since 2013.

### AVERAGE SENTENCES IN MONTHS FOR ALL DEFENDANTS CONVICTED IN HUMAN TRAFFICKING CASES (BOTH CHAPTER 77 & OUTSIDE CHAPTER 77)



### 7.4.1 IMPRISONMENT IN SEX TRAFFICKING

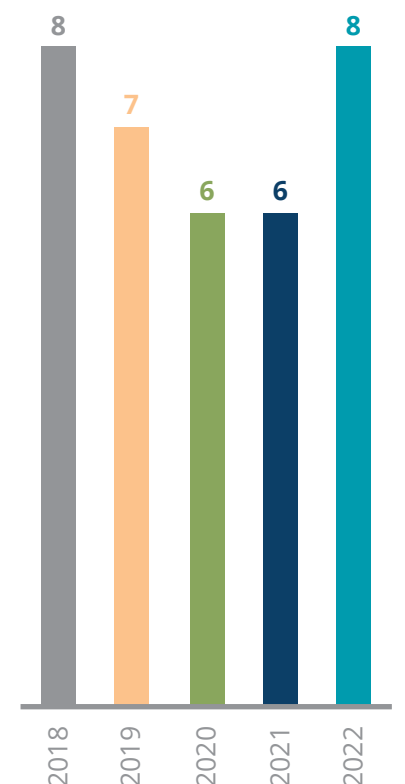
In 2022, 423 (96%) sex trafficking defendants were sentenced to a term of imprisonment, ranging from 3 months to life, with an average term of imprisonment of 161 months (13 years, 5 months).<sup>159</sup> Defendants convicted in minor-only sex trafficking cases faced the longest period of imprisonment, an average of 175 months (14 years, 7 months). In 2022, defendants convicted in adult-only cases faced an average imprisonment term of 143 months (11 years, 11 months), and defendants convicted in cases with both adult and minor victims faced an average imprisonment of 189 months (15 years, 9 months).

Buyer defendants received sentences ranging from 12 months (1 year) to 480 months (40 years), with an average term of imprisonment of 148 months (12 years, 4 months). Buyer defendants convicted in cases with real victims faced a longer prison term, on average, than buyer defendants convicted in sting cases with exclusively fictitious victims. Buyer defendants convicted in cases with real victims received an average of 180 months (15 years) in prison. Buyer defendants in cases with only fictitious victims faced a less severe, but still substantial, prison term of 117 months (9 years, 9 months), on average. It should be noted that in 2022, all buyer defendants charged involved only minor victims.

There were 8 (2%) defendants convicted of sex trafficking in 2022 who received sentences of life in prison.<sup>160</sup> Seven (7) of the defendants were convicted of exploiting exclusively minor victims, and 1 was convicted of attempted exploitation of a fictitious victim.

To provide the most accurate representation of the average sentences imposed in sex trafficking cases, the FHTR excludes defendants who receive a sentence greater than 600 months from the average sentence calculations, and reports those numbers separately. In 2022, 4 defendants were sentenced to more than 50 years in prison. From 2000 to 2022, 8 defendants were sentenced to more than 50 years in prison, with sentences ranging from 660 months (55 years) to 1,440 months (120 years).

### LIFE SENTENCES



<sup>159</sup> Based on 439 criminal sex trafficking defendants sentenced in 2022.

<sup>160</sup> Based on 439 criminal sex trafficking defendants sentenced in 2022.

## Case Highlight

### UNITED STATES VS. RICHARD HAAS, EASTERN DISTRICT OF VIRGINIA

Defendants convicted of child sex trafficking typically receive longer terms of imprisonment than those convicted of trafficking involving only adult victims. Defendants who commit crimes on a large scale, or who display a pattern of crime, also receive longer sentences. When determining sentences for defendants, federal courts evaluate all aggravating and mitigating factors.

In *U.S. v. Haas*, the investigation began when the defendant contacted a third party with whom he had a prior relationship and asked her if she had access to any young children with whom the two could produce child pornography. She subsequently contacted

the FBI who began an undercover investigation of Haas. Search warrants executed on Haas's home and vehicles, resulted in over 7,000 images and videos of child pornography being recovered from the defendant's laptop and evidence that Haas had sexually assaulted a minor.

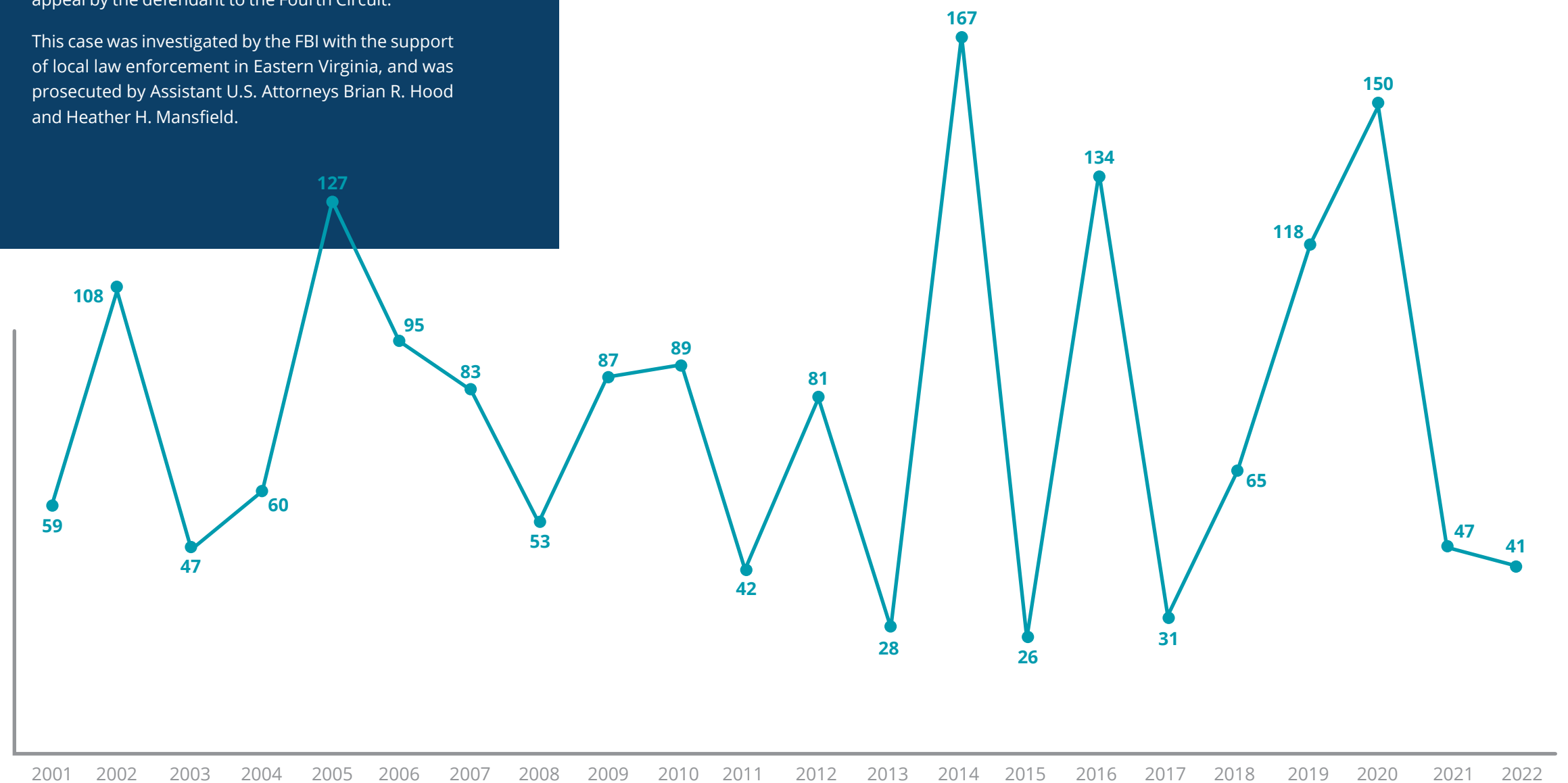
The defendant was convicted of attempted sex trafficking of a child, and several counts of receipt and possession of child pornography. On March 10th, 2022, the District Court of Eastern Virginia sentenced defendant Richard Haas to a term of life imprisonment, following an initial judgment from the district court and appeal by the defendant to the Fourth Circuit.

This case was investigated by the FBI with the support of local law enforcement in Eastern Virginia, and was prosecuted by Assistant U.S. Attorneys Brian R. Hood and Heather H. Mansfield.

### 7.4.2 IMPRISONMENT OF DEFENDANTS IN FORCED LABOR

In 2022, 71% (20) of the defendants sentenced for convictions of forced labor received a sentence including a term of imprisonment, ranging from 3 to 180 months (15 years).<sup>161</sup> This was a decrease from 2021 where 91% (10) of forced labor defendants received a term of imprisonment.<sup>162</sup> The average sentence imposed in 2022 for convictions of forced labor was 41 months (3 years, 5 months), which was 6 months less than the average forced labor sentence in 2021. Since the enactment of the TVPA, average sentences for defendants convicted in forced labor cases have varied greatly, ranging from 28 months (2 years, 4 months) in 2013 to 167 months (13 years, 11 months) in 2014. The overall average sentence, when considering every forced labor sentence since the TVPA's enactment, is 72 months (6 years).

AVERAGE SENTENCES FOR CONVICTED FORCED LABOR DEFENDANTS

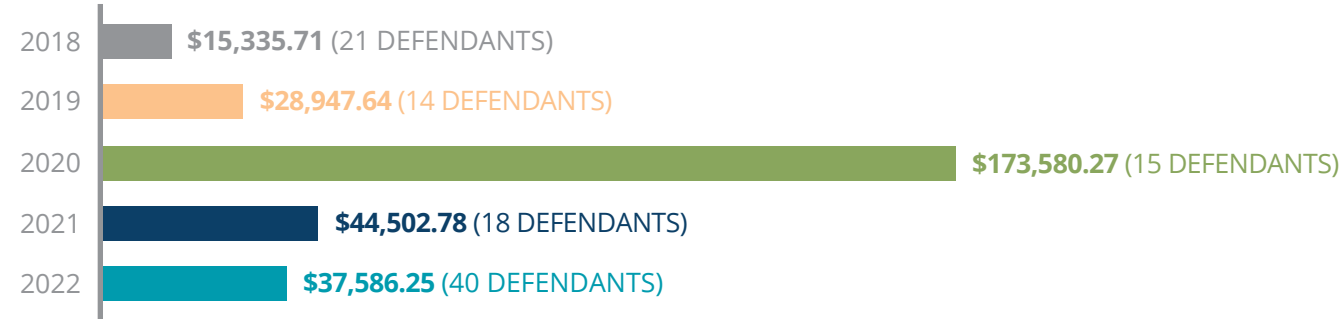


“IN 2022, 71% OF THE DEFENDANTS SENTENCED FOR CONVICTIONS OF FORCED LABOR RECEIVED A SENTENCE INCLUDING A TERM OF IMPRISONMENT.”

<sup>161</sup> Based on 28 criminal forced labor defendants sentenced in 2022.

<sup>162</sup> Based on 11 criminal forced labor defendants sentenced in 2021.

## AVERAGE AMOUNT OF FINES PAID



## 7.5 MONETARY PENALTIES

Defendants convicted in human trafficking cases may be ordered to pay monetary penalties, including fines, restitution, and special assessments as part of their sentence. Some of these monetary penalties, such as restitution, are mandated by law.

### FINES

In 2022, 40 defendants (9%) sentenced in human trafficking cases were ordered to pay fines totaling \$1,503,450.<sup>163</sup> Forty (40) defendants ordered to pay a fine is the highest number of defendants ordered in a single year since the enactment of the TVPA.<sup>164</sup> The number of defendants ordered to pay a fine in 2022 increased from 18 (6%) defendants in 2021.<sup>165</sup> Since the TVPA's enactment, the number of defendants ordered to pay a fine has fluctuated greatly, from 1 defendant in 2012 to 40 defendants in 2016 and 2022, for a total of 306 defendants ordered to pay a fine since 2000, totaling \$7,049,535.92.

When broken down by case type, more defendants convicted of forced labor were required to pay fines than defendants convicted with sex trafficking. In forced labor convictions, 18% (5) of defendants sentenced were ordered to pay a fine.<sup>166</sup> In comparison, 8% (35) of the defendants sentenced for sex trafficking were ordered to pay a fine in 2022.<sup>167</sup> Fines ranged from \$200 to \$750,000, with the average fine ordered of \$37,586.25.

### JVTA SPECIAL ASSESSMENT

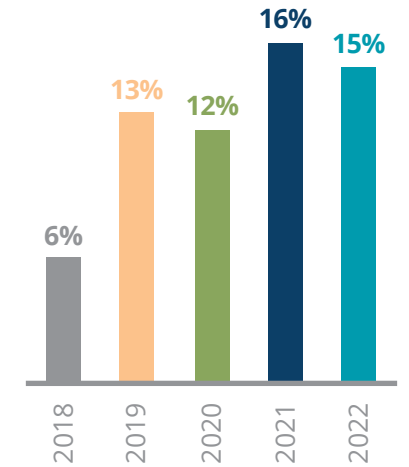
A provision within the 2015 Justice for Victims of Trafficking Act (JVTA) requires courts to order defendants convicted of human trafficking crimes or other offenses related to the sexual abuse of children to pay a \$5,000 special assessment into a "Domestic Trafficking Victim's Fund."<sup>168</sup> The statute provides an exemption for indigent defendants, and prioritizes the payment of victim restitution and other outstanding court-ordered fines prior to defendants satisfying the JVTA special assessment.<sup>169</sup>

In 2022, 15% (72) of defendants sentenced for human trafficking were ordered to pay the JVTA Special Assessment.<sup>170</sup> This is a decrease from 2021, when 16% (53) of defendants were ordered to pay the JVTA Special Assessment.<sup>171</sup> Over the past five years, the number of defendants ordered to pay the JVTA Special Assessment has fluctuated from 6% in 2018 to 15% in 2022.<sup>172</sup>

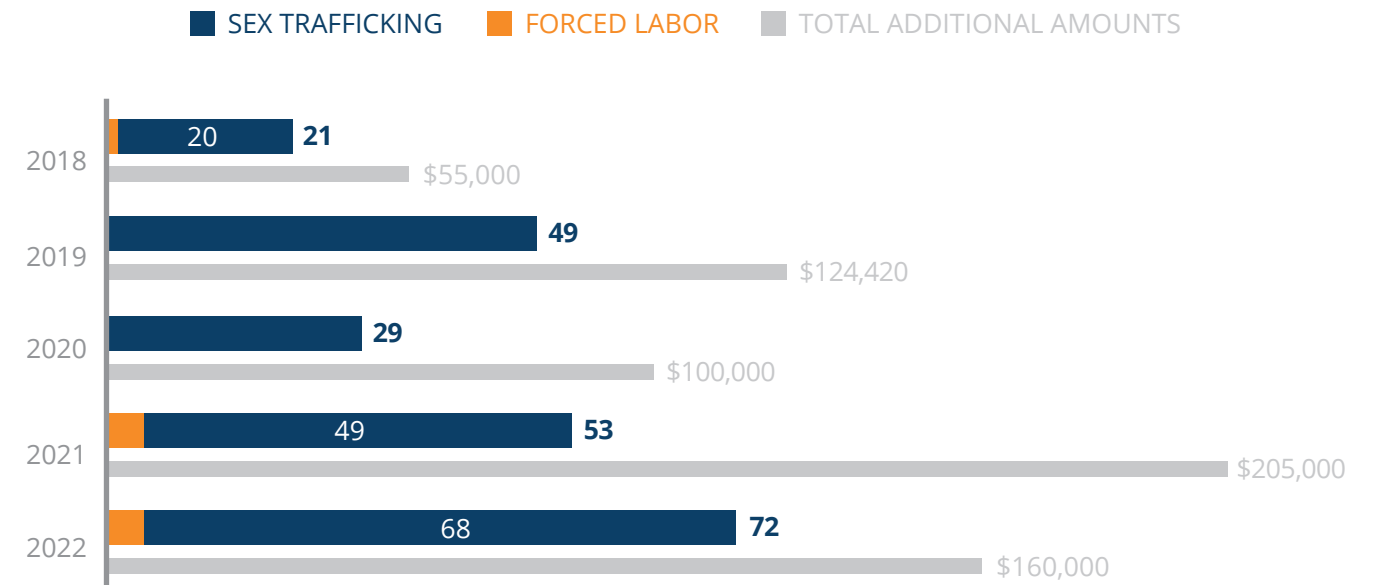
The JVTA Special Assessment applies to defendants convicted of *any* crime under Chapter 77, including both sex trafficking and forced labor. Of the 439 sex trafficking defendants sentenced in 2022, 68 were ordered to pay the JVTA Special Assessment. The court ordered 4 of the 28 defendants sentenced in forced labor cases to pay the JVTA Special Assessment. Of the 72 defendants ordered to pay the JVTA special assessment fee in 2022, 42% (30) were in minor-only cases, 13% (9) were in adult-minor cases, 17% (12) were in adult-only cases, and 24% (17) were in buyer cases with only fictitious victims.

While the JVTA requires a payment of \$5,000, some defendants may be required to pay more than that amount due to the number of charges under which they are convicted, and the number of victims involved in the case.

## PERCENTAGE OF SENTENCED DEFENDANTS ORDERED TO PAY THE JVTA SPECIAL ASSESSMENT



## DEFENDANTS ORDERED TO PAY JVTA SPECIAL ASSESSMENT & TOTAL ADDITIONAL AMOUNTS



<sup>163</sup> Based on 467 criminal human trafficking defendants sentenced in 2022.

<sup>164</sup> 40 defendants were also ordered to pay a fine in 2016 and 2022.

<sup>165</sup> Based on 324 criminal human trafficking defendants sentenced in 2021.

<sup>166</sup> Based on 28 defendants sentenced for criminal forced labor in 2022.

<sup>167</sup> Based on 439 criminal sex trafficking defendants sentenced in 2022.

<sup>168</sup> The \$5,000 special assessment under 18 U.S.C. § 3014 applies to defendants convicted under Chapter 77.

<sup>169</sup> 18 U.S.C. § 3014(b).

<sup>170</sup> Based on 467 criminal human trafficking defendants sentenced in 2022.

<sup>171</sup> Based on 324 criminal human trafficking defendants sentenced in 2021.

<sup>172</sup> Based on 21 of 373 criminal human trafficking defendants ordered to pay JVTA in 2018 and 72 of 467 in 2022.

# Case Highlight

## UNITED STATES V. WILLIAM FOSTER ET AL., SOUTHERN DISTRICT OF FLORIDA

The Southern District of Florida ordered the largest amount of non-joint and several mandatory victim restitution for 2022 in the sex trafficking case of *United States v. William Foster, et al.* Foster was convicted of multiple crimes for his operation of a human trafficking scheme spanning over two decades and multiple jurisdictions, including sex trafficking of an adult and sex trafficking of a minor, transporting an individual for the purpose of prostitution and money laundering.

Foster was convicted for trafficking multiple victims, both males and females, in exotic dance clubs throughout South Florida where he forced them to work in commercial sex, six days a week for eight-hour shifts. Foster tried to recruit victims through a website he created called “Foster’s Care”, that offered support to victims of human trafficking. He also told victims he would invest the money they were earning from engaging in commercial sex so that they could retire early, when in fact he was keeping the money for himself. Foster used psychological manipulation and violence to control victims once in his scheme, and required many of the victims to go on liquid diets, get unsafe weight loss surgeries, and take anti-anxiety and anti-psychotic medications without proper diagnoses. He also engaged in sexual relations with victims, some of whom were minors, and transported victims between multiple states, including New York, New Jersey, Michigan, and Nevada.

In September 2022, Foster was sentenced to 60 years in prison and ordered to pay \$14,157,200.00 in victim restitution. Importantly, prosecutors also initiated forfeiture proceedings against Foster, requesting forfeiture of assets including cash and real estate. The court entered an order of forfeiture for assets totaling \$3.4 million dollars. Forfeiture is an effective legal tool to recover restitution for victims of trafficking, especially when the trafficker receives an active prison sentence and will likely be indigent due to their incarceration. Under the Justice for Victims of Trafficking Act (JVTA) the Attorney General is instructed to pay victim restitution orders in cases where a forfeiture occurs pursuant to 18 U.S.C. § 1594.

This case was investigated by FBI Miami and HSI Miami. Assistant U.S. Attorneys Jessica Kahn Obenauf and Brooke Elise Latta prosecuted the case.

### PERCENTAGE OF HUMAN TRAFFICKING DEFENDANTS ORDERED TO PAY RESTITUTION

	OVERALL % ORDERED	MANDATORY %	DISCRETIONARY %	AVERAGE OVERALL NON JOINT AND SEVERAL AMOUNT	NUMBER OF OVERALL VICTIMS
2019	26%	34%	16%	\$101,293.94	371
2020	34%	54%	18%	\$234,572.90	254
2021	26%	36%	17%	\$197,633.64	394
2022	36%	48%	22%	\$311,140.76	625

## 7.6 VICTIM RESTITUTION

Restitution is critical to promote rehabilitation, facilitate healing, and restore the dignity of trafficked persons. The TVPA requires that restitution be ordered when a defendant is convicted of a Chapter 77 human trafficking offense, and allows judges to exercise discretion in ordering restitution when a defendant is convicted of a crime outside of Chapter 77 but involves the trafficking of a victim.<sup>173</sup>

The United States Probation Office determines the amount of restitution owed to a victim of trafficking by calculating financial loss information with the assistance of the agents, prosecutors, and victims before sentencing. These calculations can include lost income, medical expenses, counseling services, or other losses suffered as a result of the exploitation.

### RESTITUTION BY DEFENDANT

In 2022, 36% (166) of all defendants convicted with a human trafficking crime were ordered to pay victim restitution, with a total of 625 total victims.<sup>174</sup> This represents an increase in the number of defendants

ordered to pay restitution in the previous year, up from 26% (85) of defendants in 2021.<sup>175</sup>

In 2022, 48% (116) of the defendants convicted of a Chapter 77 offense were ordered to pay restitution, even though restitution is mandatory.<sup>176</sup> For the remaining 125 defendants convicted of a Chapter 77 offense, restitution was not ordered, or had not been ordered by the conclusion of 2022.

Mandatory restitution is more commonly ordered in forced labor cases than in sex trafficking cases. In 2022, 100% (12) of forced labor defendants were ordered to pay mandatory restitution.<sup>177</sup> By comparison, in sex trafficking cases, 45% (104) of the defendants were ordered to pay mandatory restitution.<sup>178</sup> This is consistent with prior years. In fact, federal courts have ordered 100% of defendants convicted of forced labor under Chapter 77 to pay restitution since 2019.<sup>179</sup>

When restitution was discretionary, federal courts ordered 22% (50) of defendants convicted of a crime outside of Chapter 77 to pay victim restitution in 2022.<sup>180</sup> This is an increase from 2021, where federal courts ordered 17% (26) of defendants to pay discretionary restitution.<sup>181</sup>

### MANDATORY RESTITUTION BY PRIMARY CASE TYPE 2022



<sup>173</sup> 18 U.S.C. § 1593.

<sup>174</sup> Based on 467 defendants sentenced in criminal human trafficking cases in 2022.

<sup>175</sup> Based on 324 defendants sentenced in criminal human trafficking cases in 2021.

<sup>176</sup> Based on 241 criminal human trafficking defendants sentenced in 2022 for Chapter 77 convictions.

<sup>177</sup> Based on 12 criminal forced labor defendants sentenced in 2022 for Chapter 77 convictions.

<sup>178</sup> Based on 229 criminal sex trafficking defendants sentenced in 2022 for Chapter 77 convictions.

<sup>179</sup> Based on 100% of criminal forced labor defendants ordered to pay mandatory victim restitution from 2019-2022.

<sup>180</sup> Based on 226 defendants sentenced in criminal human trafficking cases for convictions of non-Chapter 77 crimes in 2022.

<sup>181</sup> Based on 153 defendants sentenced in criminal human trafficking cases for convictions of non-Chapter 77 crimes in 2021.

## RESTITUTION AMOUNTS

When awarding restitution, courts may enter a restitution amount that is to be paid by a single defendant, or a restitution amount that is to be paid jointly and severally by multiple defendants. When multiple defendants are ordered to pay restitution jointly and severally, they are each responsible for the entire amount of restitution until such time as the full amount is paid, regardless of the contributions of others. The FHTR distinguishes between restitution that is ordered to be paid individually by a defendant, and restitution that is ordered to be paid jointly and severally by multiple defendants, so as not to double count single restitution awards that are ordered to be paid jointly and severally by multiple defendants.

In 2022, the amount of non joint and several victim restitution ordered ranged from \$50 to \$14,157,200.00, averaging \$311,140.76 per human trafficking defendant. The average amount of restitution per case in 2022 is higher than 2021, when the average amount

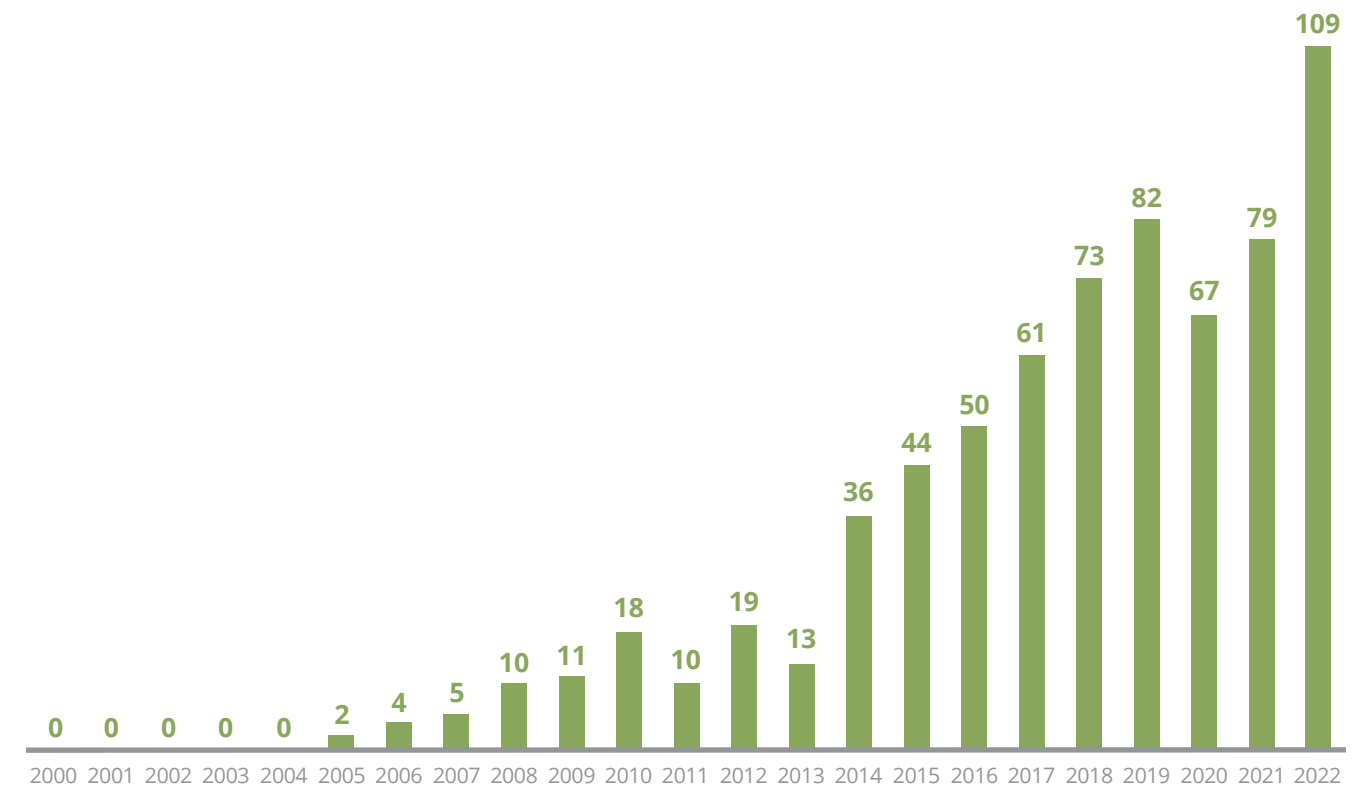
of non joint and several restitution per defendant was \$197,633.64.

While restitution is more commonly ordered in forced labor cases than sex trafficking cases, the average amount of non joint and several restitution per case is higher in sex trafficking cases than forced labor cases. In restitution orders entered in 2022, non joint and several victim restitution in sex trafficking cases ranged from \$50 to \$14,157,200.00, with an average restitution amount of \$313,768.70 per defendant. In judgments for forced labor, non-joint and several victim restitution averaged \$74,626.34.

A total of \$28,313,809.58 in non joint and several victim restitution was ordered in 2022.

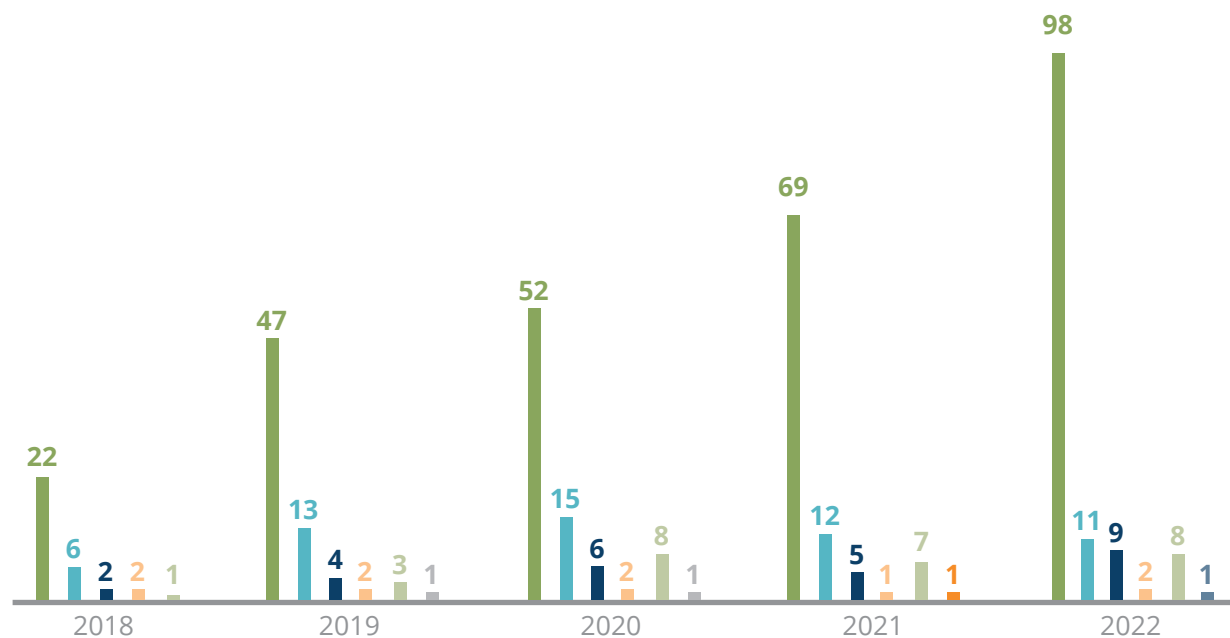
A total of \$23,036,065.13 in joint and several restitution was ordered in 2022. This is consistent with 2021 when federal courts ordered a total of \$23,008,628.93 in joint and several restitution.

## FORFEITURE GRANTED IN CRIMINAL CASES



## ASSETS FORFEITED

■ ELECTRONICS ■ CASH ■ WEAPONS ■ REAL ESTATE ■ VEHICLES  
■ PREPAID CREDIT CARDS ■ JEWELRY ■ CLOTHING/ACCESSORIES



## 7.7 ASSET FORFEITURE

Human trafficking is a financially motivated crime wherein traffickers profit from the exploitation of others. One meaningful way the federal justice system punishes and deters traffickers from exploiting victims in human trafficking operations is by asset forfeiture. Asset forfeiture is a legal process the government can use in human trafficking cases to take property that is believed to be connected to the crime.<sup>182</sup> The types of assets that can be subjected to forfeiture include cash, vehicles, real estate, electronics, weapons, and other types of personal property.

The government must follow a very specific process to seek forfeiture of items in a criminal case, and once that

process and the prosecution have been successfully completed, the items may then be kept or sold by the federal government.<sup>183</sup> On May 29, 2015, the Justice for Victims of Trafficking Act (JVTA) was enacted, which directs the Attorney General to pay victim restitution orders in cases where a forfeiture occurs pursuant to 18 U.S.C. § 1594.<sup>184</sup> The ability for victims to receive compensation through proceeds in asset forfeiture is incredibly valuable for victims of trafficking when their trafficker receives prison time as a term of their sentence, and therefore may not pay restitution to the victim due to indigency. The use of asset forfeiture has steadily increased since the creation of the TVPA, with 2022 being the highest rate of asset forfeiture recorded since 2000, with 109 instances of forfeiture being identified.

<sup>182</sup> U.S. Department of Justice Criminal Division, *Asset Forfeiture Policy Manual*, 2023 <https://www.justice.gov/criminal-afmls/file/839521/download>.

<sup>183</sup> *Id.*

<sup>184</sup> *Id.*

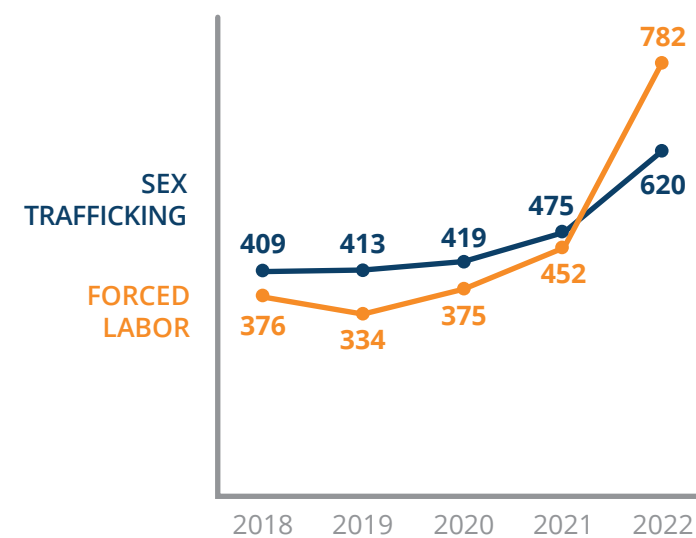


## 7.8 LENGTH OF DISPOSITION

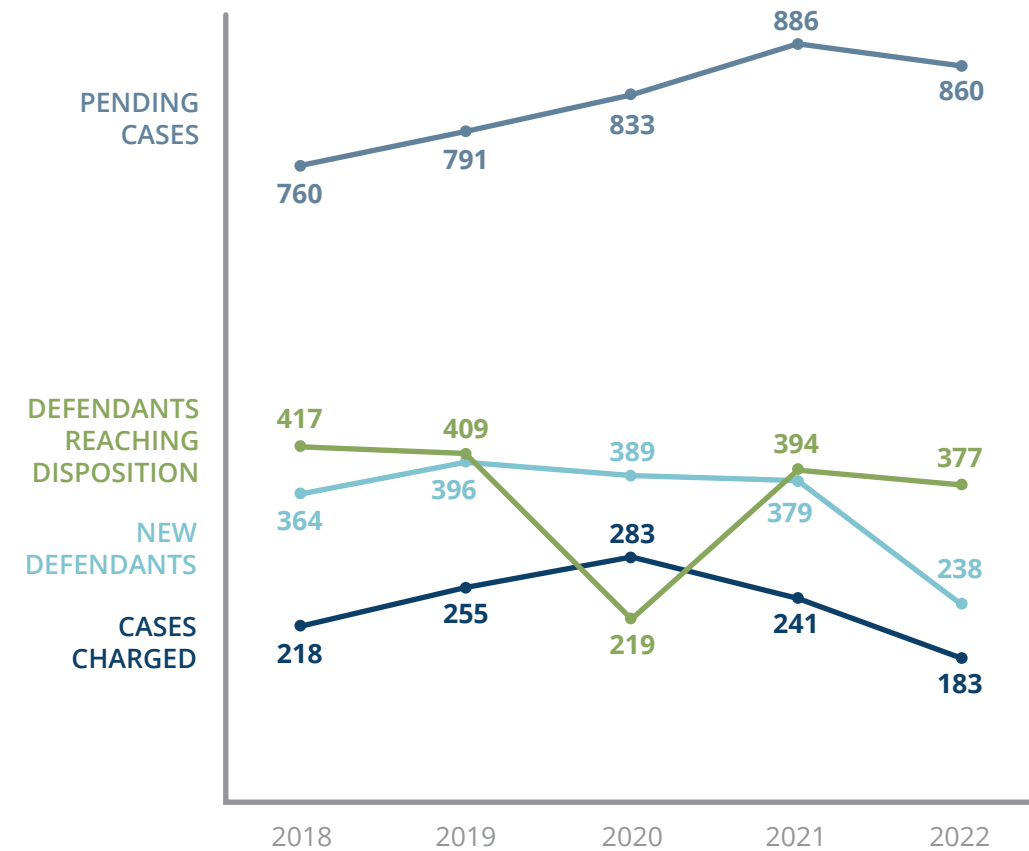
Human trafficking cases can be very complex, and require months of investigation and preparation before they reach disposition either through plea agreement, dismissal, or trial. The FHTR calculates the length of disposition by counting the number of days from the time a case is filed until there are no charges against any defendant left to be disposed of, and the time to directly appeal the final judgment for all defendants has expired. The length of disposition does not include defendants who are unserved or who have absconded. The average length of disposition for criminal human trafficking cases in 2022 was 634 days (1 year, 8 months). Broken down by case type, the average length of time to reach disposition in sex trafficking cases was 620 days. Broken down by charge type, sex trafficking cases charged under Chapter 77 averaged 682 days (1 year, 10 months) to reach disposition and non-Chapter 77 cases averaged 575 days (1 year, 7 months). Forced labor cases reached disposition in an average of 782 days (2 years, 1 month). The average length of disposition increased in both types of cases in 2022, from 475 days to 620 days in sex trafficking cases, and from 452 days to 782 days in forced labor cases.

Over the past five years, the length of disposition has averaged 469 days for sex trafficking cases and 527 days for forced labor cases.

LENGTH OF DISPOSITION (IN DAYS)



RATE OF DISPOSITION



In 2022, the FHTR identified the longest pending forced labor case as a 2013 matter wherein a defendant is awaiting resentencing after appeal. The oldest pending sex trafficking case awaiting disposition was filed in 2011, in which the defendant is awaiting sentencing after entering a plea agreement in 2022.

In addition to monitoring the length of time to reach disposition in the federal court system, the FHTR also looks at other data points such as how many cases are being filed each year, how many cases are pending, how many defendants are reaching disposition, and how many new defendants are being charged. This number helps provide a picture of how many cases are moving through the court system.





SECTION 8:

*Appeals*





## SECTION 8: *Appeals*

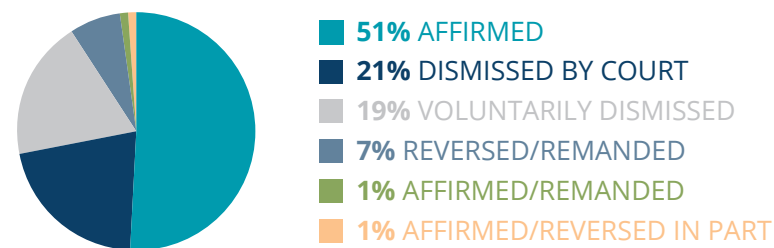
Under federal law, defendants convicted in a criminal case may appeal a trial court’s decision by filing a notice of appeal to a federal appellate court. The defendant must file a notice of appeal in the appropriate federal appellate court within a period of fourteen (14) days following the trial court’s entry of the judgment or order.<sup>185</sup>

In 2022, there were 141 notices of appeal filed by 139 defendants. Of the 141 notices of appeal filed, 139 were filed for convictions of sex trafficking, and 2 were filed for convictions of forced labor. The largest number of appeals were filed in the Eleventh Circuit Court of Appeals, which covers federal districts in Alabama, Florida, and Georgia, where 23 defendants filed a notice of appeal in 2022.

### 8.1 APPELLATE COURT DISPOSITIONS

In 2022, the appellate courts disposed of 90 appeals from defendants convicted in human trafficking cases, 97% (87) in criminal sex trafficking cases and 3% (3) in criminal forced labor cases. In 51% (46) of the appeals disposed of in 2022, the appellate court affirmed the conviction or sentence imposed by the trial court.<sup>186</sup> Appellate courts reversed and remanded the lower court’s decision in 7% (6) of the appeals; 1% (1) of the appeals were affirmed in part and reversed in part, meaning the appellate court agreed with the lower court’s decision on some issues, but disagreed with it on others, and 1% (1) was affirmed in part and remanded. The remaining 40% (36) of the appeals were dismissed, 21% (19) by the appellate court and 19% (17) voluntarily by the defendant.

#### APPELLATE COURT DECISIONS IN HUMAN TRAFFICKING CASES 2022



<sup>185</sup> Federal Rule of Appellate Procedure 4(b)(1)(A)(i).

<sup>186</sup> Based on 90 Circuit Court Decisions in 2022.

## *Case Highlight*

### *UNITED STATES V. DARRIUS DECNAN REDD, SOUTHERN DISTRICT OF IOWA*

The District Court of Iowa sentenced Darrius Decnan Redd of sex trafficking an adult victim by force, fraud, and coercion (18 U.S.C. § 1591) in 2022. Based on evidence presented during Redd’s trial, Redd compelled a victim to engage in sexual acts in exchange for money through coercive tactics and physical force. Redd posted advertisements online of the victim for commercial sex. Furthermore, Redd withheld proceeds from the victim, as well as provided the victim with a controlled substance. Redd was charged with 18 U.S.C. § 1591, 18 U.S.C. § 1952, and a drug-related offense, and convicted at trial. He received a sentence of 540 months and was ordered to pay restitution.

In 2022, Redd appealed his conviction, raising multiple issues, one of which was the government’s use of an expert witness at trial. Prosecutors tendered a seasoned FBI agent as an expert at trial to cover topics such as sex traffickers, their victims, the dynamics between traffickers and victims, and sex-trafficking jargon. The agent’s qualifications to testify as an expert were upheld by the federal courts on 5 previous occasions. The Defendant argued that the expert’s testimony was basic, was offered to bolster the testimony of other factual witnesses, and provided no expert knowledge. The appeal is still pending in the Eighth Circuit Court of Appeals.

The case was investigated by the Iowa Division of Criminal Investigation, Clive Police Department, University of Iowa Police Department, Iowa City Police Department, Manchester Police Department, Iowa Department of Corrections, and the Iowa Division of Narcotics Enforcement. The FBI and Des Moines Police Department presented at trial. The U.S. Attorney’s Office for the Southern District of Iowa prosecuted the case.

After a defendant has exhausted their appeal at the circuit appellate court level, the defendant may petition the United States Supreme Court to hear their case. Review by the Supreme Court is not a matter of right, however, but of judicial discretion. Thus, the defendant must file a “writ of certiorari,” asking the Supreme Court to hear their case on appeal. The Supreme Court grants certiorari only for cases with compelling reasons, such as cases that could have national significance, cases that may resolve conflicting decisions across federal circuits, or cases that could have precedential value.

### 8.2 WRITS OF CERTIORARI

In 2022, 10 defendants in human trafficking cases filed writs of certiorari in the Supreme Court, asking the Supreme Court to hear their case. The Supreme Court denied certiorari—meaning the Supreme Court declined to hear their appeal—for 90% (9) of these defendants. There was one (1) case filed prior to 2022, for which the court declined to hear the appeal, for a total of 10 (91%) writs of certiorari denied in 2022 altogether. No writs of certiorari were granted in 2022. However, one writ filed in 2022 remains pending within the Supreme Court.





SECTION 9:

*Country Programs*

## SECTION 9:

# Country Programs

HTI combats trafficking at its source by empowering justice systems to stop traffickers. When justice systems have the proper tools, resources, and training to efficiently and effectively stop traffickers, they protect vulnerable and potential victims from being trafficked. HTI provides measurable data to our partner countries as an essential tool to combat trafficking. Section 9 provides insight into the various forms of trafficking identified in our country partners of Uganda and Belize, and further highlights the ways HTI uses data to protect victims and stop traffickers.

“UGANDA HAS SEEN  
TREMENDOUS SUCCESS  
ACROSS THE COUNTRY  
IN INVESTIGATING AND  
PROSECUTING TIP CASES.”

## Uganda

Authors:

*Lisa Churcher, Legal Programs Manager in Uganda*

*Gabrielle Massey, Special Counsel in Uganda*

Since 2017, the Human Trafficking Institute (HTI) has worked closely with Uganda as a partner country to build specialized anti-trafficking teams of police, prosecutors, and victim specialists, as well as to host specialized trainings for judiciary, prosecutors, and police to improve investigative and prosecutorial techniques that are victim-centered and trauma informed. In 2022, HTI entered into a Memorandum of Understanding (MOU) with the Judiciary of Uganda to coordinate and expand the training of judicial officers on Trafficking in Persons (TIP). HTI also partnered with the Judiciary of Uganda, the International Association of Women Judges (IAWJ), and the National Association of Women Judges Uganda (NAWJU) to develop a Judicial Bench Book on Trafficking in Persons for Uganda. The Bench Book includes good judicial practices for managing trafficking in persons cases, victim-centered approaches, and other TIP information, case law, and related resources. HTI has a long-standing MOU with the Office of the Director of Public Prosecutions (ODPP) to have embedded subject matter experts who work closely with TIP prosecutors across the country. There are currently two US prosecutors, Tyler Dunman and Gabrielle Massey, embedded in the ODPP as TIP experts and trainers with HTI.

Since the 2017 implementation of targeted training and embedded experts, Uganda has seen tremendous success across the country in investigating and prosecuting TIP cases by utilizing a collaborative approach between prosecutors, investigators, and service providers. Additionally, HTI has a MOU with the Uganda Police Force (UPF) and their Criminal Investigations Directorate (CID) to work with the investigating officers on trafficking in persons cases, as well as to conduct and host ongoing TIP trainings across the country of Uganda.



# UGANDA CRIMINAL HUMAN TRAFFICKING CASE PROFILES

## 1. CRIMINAL HUMAN TRAFFICKING CASES

In 2022, Ugandan prosecutors formally charged for court 462 new criminal cases of human trafficking. This number is a 7.5% increase from 2021, when prosecutors filed 430 new criminal cases. There has been a dramatic increase in the number of new criminal cases filed since HTI embedded an expert with the ODPP and began implementing targeted training in 2017.

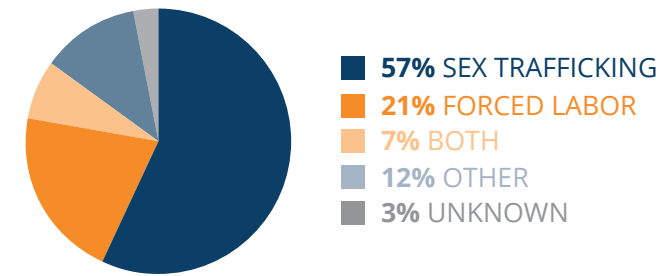
Among the 462 new criminal cases filed in 2022, 34 received disposition within the same year, leaving 92.7% of the cases filed in 2022 as pending cases awaiting disposition. Thirty-two cases involving thirty-seven traffickers resulted in conviction.

Of the 462 new criminal cases filed in 2022, 62% (287) involved human trafficking for the purposes of sexual exploitation and 19% (88) of new criminal cases filed were trafficking for the purposes of

forced labor. There were 37 cases where trafficking was for the purposes of both sexual exploitation and forced labor. Ugandan law defines human trafficking to include more forms of exploitation than only forced labor and sexual exploitation. Other forms of exploitation include child marriage, human sacrifice, removal of organs and body parts for sale or use in witchcraft, use of a person in illegal activities, and use of a child in armed conflict. In 2022, 33 new criminal cases were filed involving other forms of exploitation, four of which were for the removal of organs and seven were cases of human sacrifice. The exploitative purpose was unknown in 17 cases filed in 2022.

Of the 462 new criminal cases filed in 2022, 31 cases (6%) involved victims being trafficked into or out of Uganda. These were mostly (90%) cases of forced labor.

## NEW HUMAN TRAFFICKING DEFENDANTS 2022



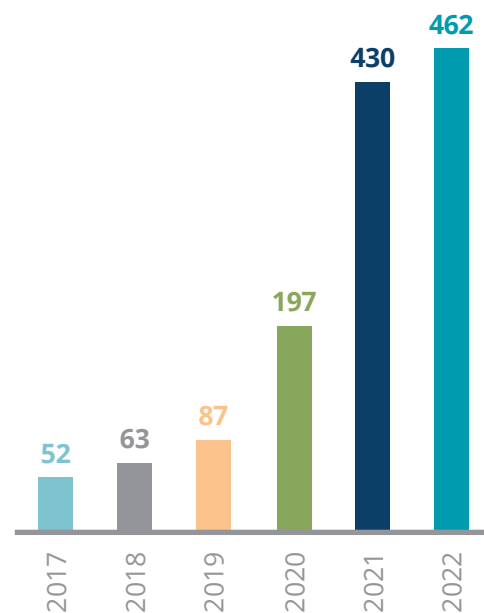
## 2. DEFENDANTS IN HUMAN TRAFFICKING CASES

In 2022, there were 462 new criminal human trafficking cases filed against 572 defendants. Of these, 21% (119) were charged with forced labor, 57% (325) were charged with sex trafficking offenses, 7% (43) were charged with both forced labor and sex trafficking, and 12% (66) were charged with charges for other forms of exploitation. There were 19 defendants charged where the purpose of exploitation is unknown.

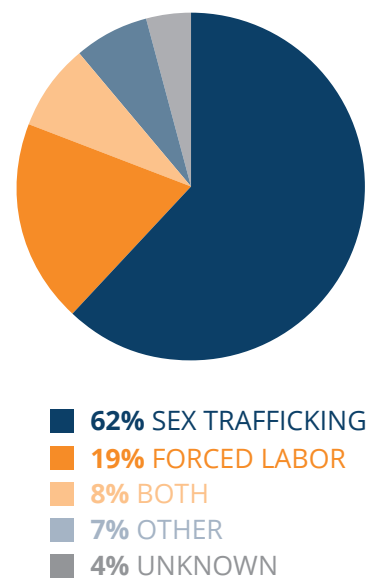
Of all new criminal defendants charged in 2022, 79% (450) were male and 21% (121) were female. One criminal defendant was an entity. Male defendants made up a higher percentage in sex trafficking cases than other cases, comprising 88% of new defendants in sex trafficking cases compared to 65% in cases of forced labor and in cases involving other forms of exploitation.

At the time of arrest, new defendants ranged in age from 15 to 71 years old. The average age in all cases was 29 years old, with male defendants (28 years) on average younger than female defendants (32 years). These averages for both male and female defendants were consistent across types of trafficking cases.

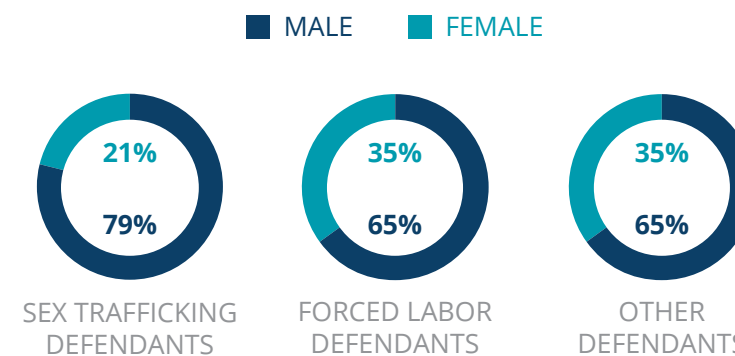
## NEW HUMAN TRAFFICKING CASES



## NEW HUMAN TRAFFICKING CASES 2022



## NEW HUMAN TRAFFICKING DEFENDANTS BY GENDER 2022

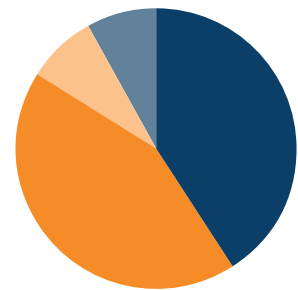


### 3. VICTIMS IN CRIMINAL HUMAN TRAFFICKING CASES

There were 738 victims of human trafficking in new cases filed in 2022. Of the 738 total victims indicated in new criminal human trafficking cases, information relating to type of case, age, and gender was available for 720 (90%) victims. Of these victims, 41% (293) were victims of sex trafficking and 43% (308) were victims of forced labor, 8% (58) were victims of both sex trafficking and forced labor, and 8% (61) were victims of trafficking for the purpose of other forms of exploitation.

Minor victims made up 60% (429) of new victims, and adults made up 40% (291). Female victims comprised 75% (539), and 25% (181) were identified as male.

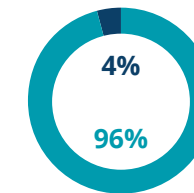
#### NEW HUMAN TRAFFICKING VICTIMS BY CASE TYPE 2022



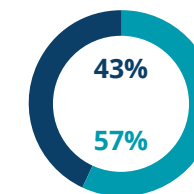
- 41% SEX TRAFFICKING
- 43% FORCED LABOR
- 8% BOTH
- 8% OTHER

#### NEW HUMAN TRAFFICKING VICTIMS BY GENDER 2022

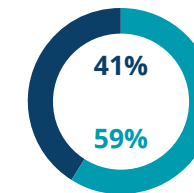
- MALE
- FEMALE



SEX TRAFFICKING CASES



FORCED LABOR CASES



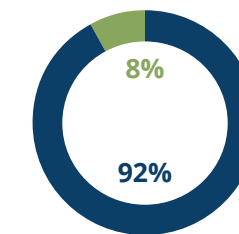
OTHER CASES

In 2022, the majority of victims in all types of criminal human trafficking case were female, with the biggest divergence in sex trafficking cases.

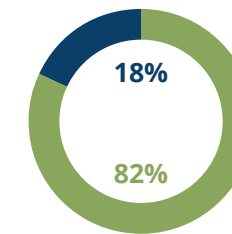
In the new sex trafficking cases filed in 2022, 92% (270) of victims were minors, and 8% (23) were adult victims. In cases involving other forms of exploitation, 79% (20) of victims were minors. In contrast, 82% (252) of victims in forced labor cases were adults.

#### NEW HUMAN TRAFFICKING VICTIMS BY AGE 2022

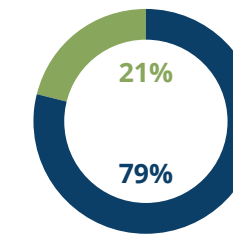
- ADULT
- MINOR



SEX TRAFFICKING CASES



FORCED LABOR CASES



OTHER CASES



NEW HUMAN TRAFFICKING VICTIMS 2022





Uganda is a source, transit, and destination country for trafficking in persons. It is a destination country for victims of trafficking from Rwanda, Burundi, and the Democratic Republic of the Congo. Ugandans are primarily trafficked to Gulf States in the Middle East, however, there are also cases of Ugandans trafficked to China, Malaysia, Thailand, and India.<sup>187</sup> It is also common for Ugandans to be trafficked to Kenya both as a final destination and in transit to other countries.<sup>188</sup> However, prosecution data collected by HTI indicates that around 88% of Trafficking in Persons in Uganda is internal: where the trafficker(s), the victim(s) and all the elements to the offense of trafficking are found within the borders of Uganda.

Trafficking in Uganda is fueled by poverty, lack of employment opportunities, discrimination, difficult

family circumstances, the post-conflict situation in northern Uganda, conflicts in neighboring countries, and the legal and social inequality of women and girls. Forced labor, forced begging, child sacrifice, child marriage, and sexual exploitation are common manifestations of internal trafficking in Uganda.<sup>189</sup> Children are exploited in forced labor in agriculture, fishing, forestry, cattle herding, mining, stone quarrying, brick making, carpentry, steel manufacturing, street vending, bars, restaurants, gold mining, and domestic service.<sup>190</sup> Children, particularly from Karamoja, are brought to Kampala and forced to engage in street begging and other illegal activities.<sup>191</sup> Recruiters mainly target girls and women aged 13-24 for domestic sex trafficking.<sup>192</sup> Children are also abducted and used for human sacrifice and other harmful rituals.<sup>193</sup>

Ugandans are trafficked internationally into both commercial sexual exploitation and forced labor. Most identified cases involve young women trafficked into domestic service in the Middle East.<sup>194</sup> Licensed and unlicensed labor recruitment companies have a significant role in trafficking Ugandans abroad.<sup>195</sup>

To increase the impact made in combating human trafficking in Uganda, HTI sought a means through which data could be collected and analyzed to help shape best practices in Uganda's anti-trafficking efforts. In 2021, HTI partnered with a fellow anti-trafficking NGO to develop the Trafficking in Persons Mobile App Platform (TIPMAP), Uganda's first database designed to collect and share data about human trafficking investigations and prosecution. In 2022, HTI and the ODPP partnered to make the data recorded in the TIPMAP platform accessible and publicly available through data visualization and analysis dashboards available at [tipmap.ug](http://tipmap.ug). The website provides a number of dashboards to highlight trends, challenges and achievements of the ODPP, including case numbers, convictions, types of exploitation, victims and traffickers across the 19 ODPP regions.

“UGANDA IS  
A SOURCE,  
TRANSIT, AND  
DESTINATION  
COUNTRY FOR  
TRAFFICKING IN  
PERSONS.”

<sup>187</sup> US Department of State (n 5).

<sup>188</sup> US Department of State (n 5); Coalition against Trafficking in Persons Uganda (n 6).

<sup>189</sup> Case data reported by prosecutors to the Human Trafficking Institute on behalf of the Director of Public Prosecutions; Coalition against Trafficking in Persons Uganda, 'Ending Human Trafficking: Coalition against Trafficking in Persons Uganda Five Year Status Report' (GIZ, 2020).

<sup>190</sup> US Department of State (n 5).

<sup>191</sup> Coalition against Trafficking in Persons Uganda (n 6).

<sup>192</sup> Ibid.

<sup>193</sup> United States Department of State, Trafficking in Persons Report – Uganda (2020).

<sup>194</sup> US Department of State (n 14); Platform for Labour Action and Centre for Human Rights Empowerment and Development, 'Combating Trafficking in Persons Training Manual for Duty Bearers and Community Stakeholders' (Uganda, 2016).

<sup>195</sup> Platform for Labour Action (n 22).

# Belize

Author: Leidi Urbina, Country Program Coordinator, Belize

In 2022, HTI strengthened its commitment to support the Government of Belize's efforts in combating trafficking in persons (TIP) by signing a Memorandum of Understanding (MOU) with the Ministry of Human Development, Families and Indigenous Peoples' Affairs. The MOU formalized the coordination between HTI's Victim Assistance Coordinator and the Department of Human Services to ensure that victims of human trafficking receive the services they need and get the best possible care. In addition, HTI collaborated with three Government Departments to draft department specific Standard Operating Procedures (SOP) on working with TIP victims and strengthen their response capacity in a victim-centered, trauma-informed manner. Following the development of the SOPs, HTI facilitated countrywide TIP identification and referral training through which 79% of the country's immigration officers, 80% of labor officers, and 85% of social workers were trained. HTI also facilitated a one-day training for Supreme Court Justices and Magistrates which focused on best practices in handling TIP cases in Belize during the pre-trial, trial, and post-trial stages.

In September 2022, HTI was awarded its second Central American Regional Security Initiative (CARSI) grant, which will extend the TIP Identification and Referral frontline training to personnel from the Belize Defense Force (BDF) as well as personnel from the Customs and Excise Department. Finally, in February 2023, HTI hosted the first Human Trafficking Academy to take place in the country of Belize. The one week academy brought together stakeholders from various departments that are crucial in successfully addressing trafficking in persons from identification to resolution. Throughout the one week training program, participants increased their understanding of the tools and techniques used in TIP investigations, acquired new resources and concepts to improve the movement of TIP cases within the justice system, and gained practical experience in using a collaborative approach to address TIP cases from the initial report through trial.

HTI looks forward to continued successful collaboration and partnership with the government and stakeholders in Belize as they work together to improve the country's response to trafficking in persons.

“HTI FACILITATED COUNTRYWIDE  
TIP IDENTIFICATION AND  
REFERRAL TRAINING.”





An aerial photograph showing a diagonal boundary between two agricultural fields. The field on the left is brown and appears to be recently plowed, with visible furrows and a textured surface. The field on the right is a vibrant green, indicating active crops. The boundary is a straight line with a slight curve, separating the two distinct agricultural zones.

SECTION 10:

*Methodology  
& Terminology*



# Methodology

## SCOPE OF THE 2022 FEDERAL HUMAN TRAFFICKING REPORT

The 2022 Federal Human Trafficking Report (FHTR) provides an exhaustive overview of human trafficking cases filed within the United States federal court system in 2022. The FHTR identifies, extracts, and organizes numerous data points from the cases identified as criminal human trafficking cases and filed in the 94 federal district courts each year. In an attempt to capture data from all human trafficking cases filed in the federal courts, the FHTR includes cases that are filed under the human trafficking statutes set forth in Chapter 77 of the United States Penal Code and cases that are filed under other federal criminal statutes, but they still contain substantial evidence of human trafficking such as coercion, commercial sex with a minor or identify a victim as a victim of human trafficking.

The FHTR **does not** represent the total number of human trafficking cases in the United States; rather, it includes only the identified cases charged in federal courts. Human trafficking cases charged only in the jurisdiction of state courts are not included. Some federal cases may originate from state investigations or prosecutions, but only cases charged in United States federal courts are included in this report.

While the Trafficking Victims Protection Reauthorization Act of 2003 (TVPRA) grants trafficking victims a civil cause of action allowing them to recover civil damages against their traffickers, the primary focus of the FHTR is the criminal prosecution of human trafficking cases in federal courts.<sup>196</sup> The FHTR identifies civil cases where a plaintiff alleged at least one offense within Chapter 77 against at least one defendant in the suit. Defendants in civil suits can be individual traffickers or entities involved in the trafficking scheme. The FHTR does not identify which criminal cases also have a civil cause of action filed against the criminal defendant. For detailed information regarding civil causes of action under the TVPA, readers are encouraged to seek information from the Human Trafficking Legal Center (HTLC) which provides an exhaustive review of civil causes of action filed in federal courts for victims of human trafficking.

<sup>196</sup> 18 U.S. Code § 1595

## LIMITATIONS OF THE 2022 FEDERAL HUMAN TRAFFICKING REPORT

The 2022 FHTR conveys fact patterns and trends identified in human trafficking cases prosecuted at the federal level but **does not** present data on the prevalence of human trafficking within the United States. While the 2022 FHTR provides a snapshot of how traffickers operate domestically, the findings and trends throughout the FHTR are derived only from criminal cases filed in federal courts. The 2022 FHTR does not capture data on criminal or civil human trafficking cases handled in state court, nor does it include data on human trafficking investigations that do not result in prosecution.

Accordingly, the data is not intended—and should not be used—to convey a complete picture of the scope of human trafficking in the United States. For example, the 2022 FHTR found that 97% of new federal human trafficking prosecutions filed in 2022 were sex trafficking cases.<sup>197</sup> This percentage is a reflection of the cases filed in federal courts—not an indication that 97% of human trafficking conduct in the United States involves commercial sexual exploitation.<sup>198</sup>

## NEW FEATURES OF THE 2022 FEDERAL HUMAN TRAFFICKING REPORT

Prior to 2022, the FHTR included only data points extracted from criminal cases charged under 18 U.S. Code Chapter 77. This year, in an effort to portray the most accurate picture of the federal response to human trafficking, the FHTR provides data captured from all human trafficking cases identified in federal courts. This includes cases charged under the human trafficking statutes set forth in Chapter 77, and cases charged under other, related statutes including 18 U.S. Code 2421 (Mann Act). The 2022 FHTR also includes data from cases identified by the United States Attorney's office as involving a victim of human trafficking, regardless of

<sup>197</sup> Based on 183 new criminal human trafficking cases filed in 2022.

<sup>198</sup> Based on 183 new criminal human trafficking cases filed in 2022.

which statute the case was charged under. Due to the inclusion of these cases, readers may notice an increase in the numbers in certain data points when examining the 2022 FHTR against prior FHTRs. For this reason, readers should use the numbers provided in 2022 FHTR for comparison of year-over-year statistics.

In an effort to create clarity and consistency in the terminology used by practitioners and in the FHTR, the 2022 FHTR ceased the use of the word “active” to describe cases that are pending in federal courts. Instead, the 2022 FHTR and future versions of the report will refer to cases awaiting disposition in federal courts as “pending”. This shift in language hopes to prevent confusion from the use of the word “active”, and allows readers to better understand the concept of “pending” using the plain meaning of the word. It should be noted that for year-over-year comparison, the terms “active” and “pending” mean the same thing.

Each year, HTI seeks to expand the scope of data included in the FHTR. The 2022 FHTR captures several new data points for each federal human trafficking case filed between 2019 and 2022. Where available in public sources, the following new data points are included in the 2022 FHTR:

- New Case Data Points:
  - Name of rideshare used as method of transportation in trafficking scheme
  - Name of bus service used as method of transportation in trafficking scheme
  - Name of train used as method of transportation in trafficking scheme
  - Name of airline used as method of transportation in trafficking scheme
  - Name of online payment platform used as payment method in trafficking scheme
  - Name of Cryptocurrency use as payment method in trafficking scheme
  - Expert testimony used during court proceedings
  - Electronic surveillance used as method of coercion

- Withholding education used as method of coercion
- Withholding phone/electronic communication used as method of coercion
- Crowded or unsanitary living conditions used as method of coercion
- Buyer of commercial sex referred case to law enforcement
- State Law Enforcement acted as primary investigating agency
- Local Law Enforcement acted as primary investigating agency

• New Victim Data Points:

- Length of victim exploitation
- Fictitious Victims
  - HTI defines a fictitious victim as a fake or imaginary victim created by law enforcement for the purpose of engaging with targets in an undercover operation or sting.
- Whether victim had children and if those children were:
  - Exposed to the trafficking scheme
  - Fathered by the defendant/trafficker
  - Also victimized by the trafficking scheme
- Whether the victim was granted a T or U visa as a result of their trafficking

- Promise of education was used as a method of recruitment
- Promise of drugs was used as a method of recruitment
- Kidnapping was used as a method of recruitment
  - HTI defines kidnapping as the abduction of a victim by a person without the victim's consent.
- Fraudly misrepresentation of age was used as a method of recruitment
- Payment for sex was used as a method of recruitment
- HTI defines payment for sex as a defendant/trafficker offering the victim payment for sexual services
- Victim self referred to law enforcement

• New Defendant Data Points:

- Location where defendant was arrested
- Whether defendant was a registered sex offender
- Whether defendant was a current member of United States Military
- Whether the defendant's case was dismissed due to death (nolle prosequi)
- Whether restitution ordered was joint and several

## IDENTIFICATION OF FEDERAL HUMAN TRAFFICKING CASES

To publish the 2022 FHTR, HTI compiled an exhaustive list of human trafficking cases filed in federal court by conducting extensive searches of the federal government's Public Access to Court Electronic Records (PACER), Westlaw, Bloomberg, and reviewing press releases published by the federal government. In addition, HTI provided a list of identified human trafficking cases to the United States Attorney's Office (USAO) in each district to verify already identified cases and to allow the USAO to identify any additional human trafficking cases not already identified by HTI's identification process.

### PACER

Utilizing the federal government's Public Access to Court Electronic Records (PACER), HTI searched the individual pages of the 93<sup>199</sup> federal districts to identify cases involving Chapter 77 and Mann Act offenses related to human trafficking. In determining whether to include a case charged exclusively under the Mann Act, HTI considered whether the government, based on the facts alleged in pleadings and other publicly available sources, *could* ultimately have charged the defendant with a Chapter 77 offense. Thus, cases charged under the Mann Act without accompanying Chapter 77 offenses are included if public sources indicated that the defendant compelled an adult victim to engage in commercial sex through force, fraud, or coercion. HTI included cases involving minor victims where evidence indicated that a commercial exchange for sexual conduct took place. Finally, HTI also included cases charged exclusively under the Mann Act if federal prosecutors confirmed an identified victim of trafficking in the case.

### PRESS RELEASES

HTI also identified federal human trafficking prosecutions by reviewing government press releases and news stories, including those published by each of the 94 United States Attorney's Offices, as well as the following federal bureaus:

- Department of Justice, Criminal Division, Child Exploitation and Obscenity Section;
- Department of Justice, Civil Rights Division, Criminal Section, Human Trafficking Prosecution Unit;
- Department of Justice, Federal Bureau of Investigation;
- Department of Homeland Security, Homeland Security Investigations;
- Department of Labor, Bureau of International Labor Affairs.

HTI searched for and reviewed government press releases and news stories that referenced the indictment, arrest, trial, or sentencing of a defendant involved in a human trafficking case. In addition to identifying cases expressly labeled by the federal government as human trafficking, the 2022 FHTR identified cases through press releases that discussed coerced labor, commercial sex, or transportation of a child for commercial sex. HTI identified 0% (0)<sup>200</sup> of the new 2022 human trafficking prosecutions through its review of government press releases and news stories.

<sup>199</sup> Although there are 94 federal judicial districts, it is not currently possible to search PACER for human trafficking prosecutions filed in the Northern District of Georgia. Accordingly, HTI contacts the Clerk of Court in the Northern District of Georgia to identify human trafficking prosecutions filed in its district each year.

<sup>200</sup> Based on 183 new criminal human trafficking cases filed in 2022.



## WESTLAW & BLOOMBERG

HTI also conducted extensive searches on Westlaw and Bloomberg to identify additional federal human trafficking prosecutions or civil human trafficking suits that were not identified on PACER or in government press releases. Specifically, HTI searched Westlaw and Bloomberg for any court documents, filings, decisions, or appeals involving human trafficking. HTI identified <1% (1) of new 2022 criminal human trafficking cases on Westlaw.<sup>201</sup> No criminal cases were identified utilizing Bloomberg.<sup>202</sup>

## U.S. DEPARTMENT OF JUSTICE & U.S. ATTORNEY'S OFFICES

To confirm the accuracy and completeness of the list of new federal human trafficking cases that HTI identified in 2022, HTI provided the list to the Department of Justice's Human Trafficking Prosecution Unit in the Criminal Section of the Civil Rights Division and emailed letters to the 94 United States Attorney's Offices, with a list of all the new human trafficking cases filed in their district in 2022. HTI identified 12% (22) of new 2022 criminal human trafficking cases through consultation with federal prosecutors, 6 of which involved charges under Chapter 77 and 16 were charged outside of Chapter 77.<sup>203</sup>

## HUMAN TRAFFICKING LEGAL CENTER

To ensure an exhaustive list of new civil human trafficking cases, HTI also reviewed the Human Trafficking Legal Center's (HTLC) civil case database. HTI identified 100% (138) of civil human trafficking suits filed in 2022 through HTLC's civil case database. 100 (74%)

were sex trafficking cases, 32 (24%) were forced labor, and 3 (2%) were both sex and labor trafficking cases.<sup>204</sup>

## LATE CASE ADDITIONS

In an effort to provide the most accurate, up to date information, HTI engages in an extensive search process each year with the goal of identifying and reporting on every human trafficking case filed in federal court. However, for many reasons, additional human trafficking cases may be added to HTI's database after the year in which the case was filed. This includes cases where court filings were initially sealed, preventing the case from appearing in HTI's search results, as well as cases where the government or a plaintiff filed a superseding charging instrument alleging a Chapter 77 offense that was not alleged at the time the case was originally filed. Further, criminal cases filed by complaint may not appear in HTI's search results until a defendant is indicted. Thus, if the government charged a defendant by complaint in 2021, but did not indict the defendant until 2022, the case would not be added to HTI's database until 2022, unless a federal prosecutor specifically identified the case to HTI in 2021.

Human trafficking cases charged outside of Chapter 77 are also sometimes added in subsequent years because they were identified by the United States Attorney's Office after the conclusion of HTI's inclusion deadline, or they were identified after new court filings clarified that a case qualified for entry. Further, there is sometimes a delay between the time a case is filed in federal court and the time a case is added to legal databases, such as Westlaw and Bloomberg. For all of these reasons, case data captured in each annual FHTR is likely to fluctuate year to year.

## COLLECTION OF HUMAN TRAFFICKING CASE DATA

In 2022, HTI employed a team of 4 attorneys, 1 legal analyst, 3 law students, and 2 interns to review the public court documents, press releases, and news stories about each of the federal human trafficking cases identified. HTI analyzed the following public court documents, where available, to identify key data points about each human trafficking case: charging instruments, including indictments, complaints, and informations; key motions and briefs; plea agreements; verdict forms; sentencing memoranda; judgments; restitution orders; forfeiture orders; and appellate filings and decisions. HTI sought information including data about the human trafficking scheme, defendants, charges, victims, and appeals. HTI did not review transcripts from court hearings or trials in each case. HTI entered the human trafficking case data into a Salesforce database designed expressly for the annual publication of the FHTR. Each data point, when available, was inputted for all new cases filed in 2022, and updated for all pending cases filed prior to 2022.

## HUMAN TRAFFICKING CASES

A human trafficking case within the 2022 FHTR may include a single defendant or multiple related defendants (co-defendants) whom the government charged with trafficking one or more victims. Where the facts indicated that multiple defendants were related through a commonly exploited victim or a common plan or trafficking scheme, HTI captured all the defendants within one case on the database, even when the government may have charged the defendants in separate charging instruments or under separate case numbers. For example, if the government charged two defendants for recruiting and facilitating the trafficking of a minor victim within one case number, and subsequently charged a buyer defendant for purchasing a commercial sex act from the same minor victim within another case number, the FHTR captured all three defendants within one human trafficking case so long as the facts indicated that the defendants were all involved in the same trafficking scheme. Where two related defendants are charged in separate case numbers, but one defendant is charged after the other defendant's charges have been

disposed of, the FHTR did not merge the defendants into one human trafficking case. Even though the defendants were related through a common human trafficking scheme, they were instead captured as two separate human trafficking cases within the FHTR.

## CIVIL & CRIMINAL CASES

The FHTR classified every case as criminal or civil. Cases are criminal if the government charged a defendant with a federal crime by filing a complaint, information, or indictment. Cases are civil if a plaintiff filed a complaint in federal court against an individual or corporate respondent.

## NEW, PENDING & INACTIVE CASES

In criminal cases, a case is categorized as new according to the year in which the government charged the first defendant in the case by complaint, indictment, or information. The 2022 FHTR considered a human trafficking case to be *new* if the case was filed in federal court between January 1, 2022, and December 31, 2022. The FHTR considered a criminal case to be pending in 2022 if the government filed charges in federal court and at least one defendant in the case was awaiting trial or sentencing, or if at least one defendant had time remaining in the cause of action to file a direct appeal. The FHTR classified a criminal case as inactive where there were no charges against any defendant left to be disposed of, and when the time for all defendants to directly appeal the final judgment had expired.

The FHTR relied on Rules 4 and 26 of the Federal Rules of Appellate Procedure (FRAP) to calculate the date that a defendant's time to file a notice of direct appeal 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 criminal cases 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 was 14 days beyond the judgment date.

<sup>201</sup> Based on 183 new criminal human trafficking cases filed in 2022.

<sup>202</sup> Based on 183 new criminal human trafficking cases filed in 2022.

<sup>203</sup> Based on 183 new criminal human trafficking cases filed in 2022.

<sup>204</sup> Based on 83 new civil human trafficking cases filed in 2021.

In criminal cases where one or more defendants appealed the district court's judgment, and the appellate court issued its decision on appeal, the case became *inactive* when the defendant's time to appeal the appellate court's decision to the Supreme Court 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 a showing of good cause, for a period not exceeding 60 days, provided the extension is requested at least ten full days before the petition is otherwise due. For a 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, it is deemed inactive upon the date that the time to file the petition for certiorari expired.

In criminal human trafficking cases, once there are no pending charges against any defendant and the time for all defendants to appeal the final judgment or order of the court has expired, the case is 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 pending. 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.

In civil suits, a case is categorized as new according to the year the plaintiff files the first complaint with allegations of human trafficking. The FHTR considered a civil case to be pending if a plaintiff had filed a complaint in federal court and at least one defendant was awaiting a final judgment or had time to file a direct appeal. If a case was removed from state court to federal court, the active date is marked as the date the case was removed to federal court, not the date the case was filed in state court.

The FHTR relied on Rules 4 and 26 of the FRAP to

calculate the date a defendant's time to file a notice of direct appeal expired. 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, where one of several motions is filed, or where the appeal is filed by an inmate confined in an institution. These timing exemptions were taken into consideration when calculating a case's inactive date for purposes of the FHTR. 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 marked 30 days beyond the judgment date.

The FHTR classified a civil case as inactive where there were no claims against any defendant left to be disposed of, and when the time for all defendants to directly appeal the final judgment or order of the court expired. For a civil case where one or more defendants appealed the district court's judgment, and the appellate court issued its decision on appeal, the case became inactive when the defendant's time to appeal the appellate court's decision to the Supreme Court 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 ten full days before the petition is otherwise due.

For the purposes of the FHTR, in civil human trafficking cases, once there were no pending claims against any defendant to be disposed of and after the time for all defendants to appeal the final judgment or order of the court expired, the case became inactive. Accordingly, where 90 days had passed since the appellate court rendered its decision and no additional entries were added to the appellate docket, the case was deemed inactive upon the date the time to file the petition for certiorari expired. If a plaintiff filed a complaint with a cause of action under Chapter 77

and subsequently removed the Chapter 77 claim in an amended complaint, the FHTR included the civil human trafficking suit, but marked it as inactive on the date that the amended complaint was filed. The case was then coded as being voluntarily dismissed by the plaintiff.

## PRIMARY CASE TYPE: SEX TRAFFICKING & FORCED LABOR

The FHTR classified every case as either a sex trafficking case or forced labor case by thoroughly reviewing the facts included in pleadings, public sources, news stories, and press releases. If the facts indicated the defendants compelled or coerced the victims to

provide labor or services, the case was classified as forced labor. Conversely, if the facts indicated the defendants compelled or coerced the victims to engage in a commercial sex act, the case was classified as sex trafficking. Attempt and conspiracy cases were included in both categories.

The case type classification was clear in the majority of human trafficking cases in the FHTR, as the facts or charges involved defendants who compelled or coerced victims to perform either labor/services or sex, not both. Sometimes, cases contained charges or fact patterns that related to both commercial sex and forced labor human trafficking. In 2022, there were no criminal cases involving *both* sex trafficking and forced labor charges.

# HUMAN TRAFFICKING DEFENDANTS

## CRIMINAL DEFENDANTS

The FHTR captured every defendant named in federal criminal human trafficking cases, regardless of whether the individual defendant faced a human trafficking charge in the case. Including all defendants in the case ensured the FHTR captured the most accurate picture of human trafficking cases prosecuted in federal courts. However, in cases where human trafficking was an ancillary matter (discussed in detail below), the FHTR captured only defendants whom the government charged with a human trafficking crime. The FHTR did not include defendants whom prosecutors charged by complaint or information but never ultimately indicted.

## NEW & PENDING DEFENDANTS

The FHTR presented data on 2022 new defendants, which are categorized as defendants the government charged for the first time in 2022. For example, in some instances, prosecutors may initiate and file a case in one year and add new defendants in subsequent years.

When the FHTR refers to 2022 pending defendants in human trafficking cases, it considers all defendants,

whenever charged, whose case is still pending in the federal courts, and therefore their time to file a direct appeal had not run before or in 2022.

A defendant's active date was the date they were initially charged. A defendant's inactive date was the date all charges against the defendant were disposed of and, if applicable, the defendant's window to directly appeal expired. For rare situations in which there were fugitive defendants or long periods of unexplained docket inactivity, project attorneys monitored these dockets annually for new activity. Fugitive defendants are considered inactive after two years of docket inactivity.

## IMPORTANT DATES

For each defendant, the FHTR tracked important dates in the criminal justice process. These include dates:

- The government filed the initial charging instrument;
- The defendant pled guilty or went to trial;
- The district court entered the final judgment;
- The defendant filed a notice of appeal (if applicable);

- The appellate court entered judgment (if applicable);
- The defendant's time to directly appeal expires.

The FHTR calculated a defendant's length of disposition as the number of months from a defendant's active date to a defendant's inactive date.

When determining dates, the FHTR generally relied on the file stamp date in the court docket, unless the court docket indicated the event occurred on a different date. When the docket revealed an event occurred on a date different from the file stamp date, the FHTR relied on the date the event in fact occurred.

## DISPOSITION, IMPRISONMENT, & MONETARY PENALTIES

The FHTR also captured the manner in which the district court disposed of the charges against each defendant: by dismissal, plea agreement, or trial. If the defendant was convicted, the FHTR tracked their sentence, including:

- Term of imprisonment, if any;
- Term of supervised release, if any;
- Amount of fine, if imposed;
- Information about special assessments, if ordered;
- Information about assets forfeited; and
- Amount of restitution to the victims, if ordered.

The FHTR tracked the total length of imprisonment to which a defendant in a human trafficking case was sentenced. This included the term of imprisonment ordered for human trafficking convictions as well as non-human trafficking convictions. When calculating average terms of imprisonment, the FHTR excluded sentences exceeding 600 months (50 years) because these sentences are infrequent and distort average sentencing data. In 2022, 4 defendants were sentenced to more than 50 years in prison. From 2000 to 2022, 8 defendants were sentenced to more than 50 years in prison, with sentences ranging from 660 months (55 years) to 1,440 months (120 years).

## DEFENDANT'S PROFILE

When known, the FHTR included 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. The FHTR classified the defendant's gender according to the gender specified in public court documents, press releases, or by the Federal Bureau of Prisons. Where public sources identified the relationship that the defendant had with the victim prior to exploitation, the FHTR captured this data.

## DEFENDANTS IN ANCILLARY HUMAN TRAFFICKING CASES

In federal criminal cases where human trafficking is an ancillary matter, the FHTR captured only defendants whom the government charged with a human trafficking crime. The FHTR categorized human trafficking as an ancillary matter where it was clear that the *primary purpose* of the criminal enterprise was *not* human trafficking. For example, if a federal case was primarily about health care fraud, and the government charged only one of ten defendants with a human trafficking crime and the remaining defendants with non-human trafficking-related offenses, the FHTR considered human trafficking an ancillary matter in the case. The FHTR only captured information about the defendant the government charged with a human trafficking crime, it did not include other defendants unrelated to the trafficking crime(s).

Alternatively, the FHTR did not consider human trafficking as an ancillary matter in cases where the case is *primarily* about human trafficking even if the majority of charges brought were non-human trafficking offenses (i.e., where one defendant was charged with sex trafficking while the other defendants were charged non-human trafficking offenses for acts related to the same sex trafficking scheme). For example, if federal prosecutors charged one of ten defendants with a human trafficking crime and the remaining defendants with alien harboring and money laundering in a scheme where 30 women were smuggled into the United States and compelled to provide commercial sex at a massage parlor, the FHTR *did not* consider human trafficking to be an ancillary

matter. Accordingly, the FHTR captured information about all the defendants the government charged.

Of the new criminal cases charged in 2022, the FHTR found that human trafficking was an ancillary matter in 1 sex trafficking case. It is important to note that in cases where trafficking was an ancillary matter, the case becomes inactive when the defendant charged with a trafficking crime becomes inactive, even where charges may still be pending against the other defendants.

## HUMAN TRAFFICKING & NON-HUMAN TRAFFICKING CHARGES

The FHTR captured each charge that the government filed against each defendant, including both human trafficking charges and non-human trafficking charges. The FHTR relied 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 indicated the government reduced a defendant's human trafficking charges as part of a plea agreement. In this situation, to accurately reflect that the defendant pled down from a human trafficking charge, the FHTR relied on the last in-time charging instrument that contains a human trafficking charge.

## HUMAN TRAFFICKING CHARGES

This FHTR categorized any charge filed against a defendant under the following criminal statutes as a human trafficking charge:

- 18 U.S.C. § 2 (Attempt to Commit Human Trafficking);
- 18 U.S.C. § 371 (Conspiracy to Commit Human Trafficking);
- 18 U.S.C. § 1581 (Peonage);

## CIVIL DEFENDANTS

For civil human trafficking cases, the FHTR included only defendants against whom plaintiffs allege Chapter 77 or Fair Labor Standards Act claims. Where a defendant in a civil suit files a counterclaim against the plaintiff involving a Chapter 77 offense, the FHTR adds the plaintiff as the "defendant" in the database, as they are the party being accused of the human trafficking conduct.

- 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. § 1593A (Benefiting Financially);
- 18 U.S.C. § 1594 (Attempt or Conspiracy to Commit Human Trafficking);
- 18 U.S.C. § 1597 (Immigration Documents);
- 18 U.S.C. § 1952 (ITAR to Human Trafficking);
- 18 U.S.C. § 1962 (RICO to Human Trafficking);

This list encompasses all Chapter 77 offenses, as well as attempt, conspiracy, ITAR, and RICO charges 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 crimes are classified as non human-trafficking offenses. Non human trafficking charges include, inter alia, the following offenses:

- 8 U.S.C. § 1324 (Alien harboring);
- 18 U.S.C. §§ 2421–2423 (Mann Act);
- 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);
- 18 U.S.C. §§ 2251–2252 (Child sexual abuse material);
- 18 U.S.C. § 371 (Conspiracy);

- 18 U.S.C. § 1952 (ITAR); and
- 18 U.S.C. § 1962 (RICO) where the predicate offense is outside of Chapter 77.

## NUMBER OF CHARGES

In general, the number of charges that the FHTR captured for a defendant equals the total number of charges included in the final charging instrument against the defendant. Where the government filed a superseding information that included additional charges for the sole purpose of a plea agreement, the FHTR also captured the charges from the charging instrument immediately preceding the superseding information. In doing so, the FHTR aimed 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, the FHTR included all charges that the government brought against only those defendants involved in the trafficking enterprise. This includes both human trafficking and non-human trafficking charges filed against those defendants.

## HUMAN TRAFFICKING VICTIMS

### VICTIMS IN CRIMINAL CASES

The FHTR captured only publicly-available information about victims the government identified by name, initials, or pseudonym within one or more human trafficking charges or related charges listed in the charging instruments. For these victims, the FHTR tracked the victim's gender, age, particular vulnerabilities the recruiter may have exploited, the manner in which the victim was recruited, who recruited the victim, and the length of time the victim was exploited. The FHTR also provided data on the nationality of victims, type of visa held, if applicable, and whether the victim was trafficked into the United States, after they were already present in the United States, or abroad.

HTI's ability to determine the total number of victims exploited by defendants in federal human trafficking cases is limited, as the total number of victims exploited by a defendant may be more than the victims identified in the charging instrument. The victim-related findings in this FHTR **should not** be used as a prevalence estimate for the number of victims traffickers exploited in the United States, nor should they serve as an estimate of the number of victims assisted by the government or civil society organizations. It should also be noted that fictional victims are not included in the overall total number of victims featured in the FHTR. Total number of victim calculations are reserved for real victims only.

## HUMAN TRAFFICKING APPEALS

Where a defendant filed a notice of appeal in a criminal case, the FHTR tracked the timing and decision of the appeal. The FHTR tracked only direct appeals that followed a final judgment in the case that were filed within the timeline set out in Rule 4 of the Federal Rules of Appellate Procedure. The FHTR captured information about direct appeals to an appellate

court, and direct appeals to the United States Supreme Court. The FHTR did not track interlocutory appeals. Furthermore, the FHTR did 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.

## REVIEW OF FEDERAL HUMAN TRAFFICKING CASE DATA

In an effort to provide a complete and accurate analysis of human trafficking cases filed in federal court, HTI engaged in a comprehensive review process of each human trafficking case entered into the database. Every case in the database was reviewed by at least two different project attorneys. 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 FHTR's Primary Authors for decisions. In addition, the project attorneys reviewed the database through various topical troubleshooting reports to detect any blank fields or unusual entries.

Note, all percentages in the FHTR are rounded up to the nearest whole number. For this reason, percentages may not always add up to 100%.



# Terminology

## SOLICITATION STRATEGIES IN SEX TRAFFICKING CASES

The 2022 FHTR tracked the primary method that defendants in sex trafficking cases used to solicit buyers. The method of solicitation was determined by how or where a defendant located buyers, including the following strategies:

- **Bar or Club:** When a trafficker solicited buyers of commercial sex at an establishment which served alcohol or drinks as their primary business purpose.
- **Brothels:** When a trafficker solicited buyers of commercial sex through an illegal establishment where in-house commercial sex was offered to customers.
- **Internet:** When a trafficker solicited buyers of commercial sex through an online website or social media platform.
- **Massage Parlor:** When a trafficker solicited buyers of commercial sex at a business that offered, or claimed to offer, legitimate spa services. This included legal massage parlors, as well as illicit massage parlors that claimed to offer legitimate spa services but whose true purpose was to offer commercial sex to customers.
- **Pre-existing Relationship:** When a trafficker solicited buyers of commercial sex among individuals they already knew. An example of the pre-existing relationship method of solicitation would be a drug dealer who began 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 solicited or expected a victim to solicit buyers or initiate commercial sex at a strip club.

- **Truck Stop:** When a trafficker solicited or expected a victim to solicit buyers or initiate commercial sex at a truck stop.

## INDUSTRIES IN FORCED LABOR CASES

The 2022 FHTR tracked the primary industry in forced labor cases, which was defined by the predominant type of labor or services that the defendant compelled a victim to provide. Federal human trafficking cases involved victims exploited for labor or services in the following industries:

- **Agriculture:** When a trafficker compelled 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 compelled a victim to provide labor or services at an establishment that served alcohol or drinks as its primary business purpose.
- **Beauty Services:** When a trafficker compelled a victim to work at a business, the primary purpose of which was providing health or beauty services. This includes but is not limited to manicures, haircuts, hair braiding, facials, and/or waxing.
- **Construction:** When a trafficker compelled 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 compelled a victim to work for a family or household performing tasks such as cleaning or childcare, often living on site.
- **Hospitality:** When a trafficker compelled 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.
- **Imprisonment:** When a victim alleged that their detention in jail/prison alone constituted forced labor.

- **Janitorial Services:** When a trafficker compelled a victim to work in janitorial or cleaning duties for a cleaning company or for commercial or public properties. This includes but is not limited to employees of maid services, and commercial janitors.

- **Labor While Incarcerated:** When victims were forced to perform labor or any other services while in jail/prison without adequate compensation.

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

- **Massage Parlor:** When a trafficker compelled a victim to work in a business that offered, or claimed to offer, legitimate spa services. This includes but is not limited to legal massage parlors, as well as illicit massage parlors that claimed to offer legitimate spa services but whose true purpose was to offer commercial sex to customers.

- **Medical or Health Services:** When a trafficker compelled a victim to work in any industry focused on health and medical care.

- **Restaurant or Food Industries:** When a trafficker compelled a victim to work at a venue, the primary purpose of which was selling prepared food. This includes but is not limited to fast food restaurants, sit down restaurants, and food or ice cream trucks.

- **Retail:** When a trafficker compelled a victim to work at a commercial venue whose primary purpose was to sell merchandise. This includes but is not limited to gas stations, grocery stores, and car dealerships.

- **Technology Services:** When a trafficker compelled a victim to work in the technological industry.





## METHODS OF COERCION

The 2022 FHTR categorized every method of coercion as either physical or nonphysical. Physical coercion included any method that involved bodily contact, physical restraint, or physical isolation, as well as conduct that impacted the victim's physical health.

The following methods of coercion were categorized as physical coercion:

- Cages, locked rooms, or barred cells
- Chains or shackles
- Controlling or withholding a victim's access to food
- Forced abortion
- Inducing or exploiting a substance use disorder or forcing a victim to use drugs
- Physical abuse
- Physical isolation
- Rape or sexual violence
- Sleep deprivation
- Tattoos or branding
- Withholding medical care

Nonphysical coercion included any method that involves threats, fraud or conduct that impacted the victim's mental or emotional health.

The following methods of coercion were categorized as nonphysical coercion:

- Abuse of a position of power
- Controlling or withholding access to the victim's child or family members
- Brandishing weapons
- Debt manipulation
- Exploitation of a cognitive disability
- Extortion, including threatening to share images or videos
- Fear of gang violence
- Fraudulent misrepresentation of a job
- Fraudulent promise of romantic relationship
- Language barrier
- Manipulation of a written contract
- Religious abuse, including the abuse of leadership in religious settings, as well as the exploitation of religious beliefs or principles to compel labor or sex
- Threats of arrest for forced unlawful acts
- Threats of deportation
- Threats of physical abuse
- Threats to other victims or third parties
- Threats to the victim's child or other family members
- Verbal or emotional abuse
- Withholding immigration documents
- Withholding pay
- Withholding personal identification documents

## ADDITIONAL TERMINOLOGY

- **Adult:** Any person who was 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.
- **Commercial exchange:** When persons provide a thing of value to another individual in exchange for a good or service
- **District Court:** The district court was categorized by the district of the trial court that had jurisdiction over the case, or the district court that ultimately disposed of the charges in the case.
- **Fictitious Victim:** A fake or imaginary victim created by law enforcement for the purpose of engaging with targets in an undercover operation or sting.
- **Minor:** Any person under the age of 18.
- **Life Imprisonment:** A sentence of imprisonment

for the defendant to remain in prison for the rest of their natural life. The FHTR captured life sentences that the court imposed against a defendant in a human trafficking case, even where the defendant was also convicted of other serious crimes.

• **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 was 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 HTI searched during the collection and entry of case data for the FHTR. This included case filings that HTI purchased from PACER or documents that HTI retrieved from subscription legal databases.

• **Sting Case:** A deceptive law enforcement operation used to catch a person committing a crime. This included sting cases in which law enforcement responded to an advertisement posted by a trafficker selling a victim, and cases in which law enforcement advertised a fictitious victim to attract buyers.



*Appendix*

## CHARGE & CONVICTION TABLES

### HUMAN TRAFFICKING CHARGES FILED AGAINST NEW DEFENDANTS IN SEX TRAFFICKING CASES IN 2022

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CHARGED	COUNTS CHARGED
18 U.S.C. § 1591 Sex Trafficking	116	230
18 U.S.C. § 1594(c) Conspiracy Sex Trafficking	53	53
18 U.S.C. § 1594(a) Attempted Sex Trafficking	25	26
18 U.S.C. § 1591(d) Obstructing Enforcement of Sex Trafficking Offense	6	6
18 U.S.C. § 1952 ITAR to Commit Trafficking Offense	1	1

### HUMAN TRAFFICKING CHARGES FILED AGAINST NEW DEFENDANTS IN FORCED LABOR CASES IN 2022

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CHARGED	COUNTS CHARGED
18 U.S.C. § 1589 Forced Labor	8	14
18 U.S.C. § 1594(b) Forced Labor Conspiracy	3	5
18 U.S.C. § 1590 Trafficking for Peonage, Slavery, Involuntary Servitude, or Forced Labor	3	3
18 U.S.C. § 1584 Involuntary Servitude	1	2

### HUMAN TRAFFICKING CONVICTIONS IN SEX TRAFFICKING CASES IN 2022

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CONVICTED	COUNTS OF CONVICTION
18 U.S.C. § 1591 Sex Trafficking	107	175
18 U.S.C. § 1594(c) Conspiracy Sex Trafficking	62	64
18 U.S.C. § 1594(a) Attempted Sex Trafficking	21	22
18 U.S.C. § 1962 RICO to Commit Trafficking Offense	4	4
18 U.S.C. § 1591(d) Obstructing Enforcement of Sex Trafficking Offense	3	3
18 U.S.C. § 1590 Trafficking for Peonage, Slavery, Involuntary Servitude, or Forced Labor	2	2
18 U.S.C. § 371 Conspiracy to Commit Human Trafficking	1	1
18 U.S.C. § 1589 Forced Labor	1	1
18 U.S.C. § 1952 ITAR to Commit Trafficking Offense	1	1
18 U.S.C. § 1594(b) Forced Labor Conspiracy	1	1

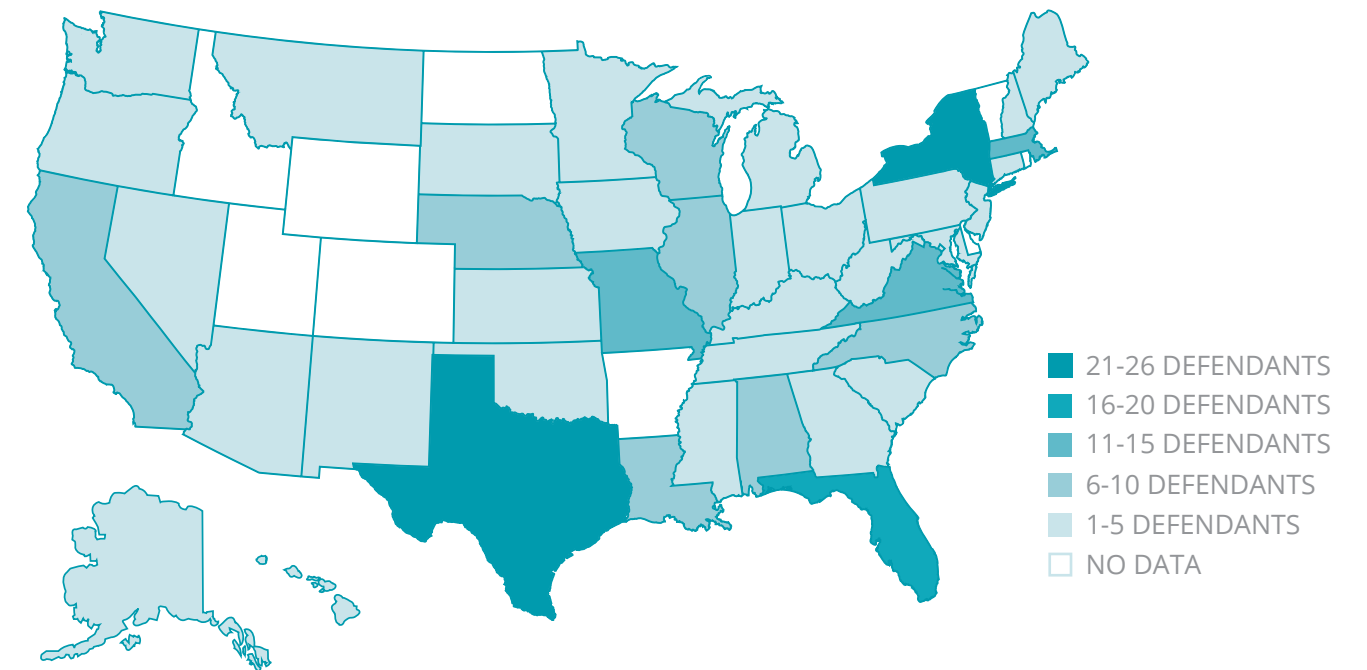
### NON HUMAN TRAFFICKING CONVICTIONS IN SEX TRAFFICKING CASES IN 2022

NON HUMAN TRAFFICKING OFFENSE	DEFENDANTS CONVICTED	COUNTS OF CONVICTION
18 U.S.C. § 2422(b) Coercion/Enticement of minor	75	78
18 U.S.C. § 2421 Mann Act	24	27
18 U.S.C. § 2251 Sexual exploitation of children	20	23
18 U.S.C. § 2423 (a) Travel with intent to engage in criminal sexual activity	19	22
Drug-Related Offense	13	18
18 U.S.C. § 2252A Certain activities relating to material constituting or containing child pornography	15	17
18 U.S.C. § 2423 (b) Travel with intent to engage in illicit sexual conduct	14	14
8 U.S.C. § 1201 Kidnapping	11	13
18 U.S.C. § 371 Conspiracy to commit offense or to defraud the United States	13	13
18 U.S.C. § 2422(a) Coercion/Enticement of adult	10	12
18 U.S.C. § 922(g) Felon in Possession of Firearm	9	12
18 U.S.C. § 1952 ITAR	11	11
18 U.S.C. § 2252 Child Pornography	8	10
18 U.S.C. § 1959 Violent crimes in aid of racketeering activity	5	8
18 U.S.C. § 1951 Interference with commerce by threats or violence	6	8
8 U.S.C. § 1324 Alien Harboring	2	7
18 U.S.C. § 2260A Penalties for Registered Sex Offenders	5	5
18 U.S.C. § 1001 Statements or entries generally	4	5
18 U.S.C. § 4 Misprision of felony	5	5
26 U.S.C. § 7201 Attempt to evade or defeat tax	1	4
18 U.S.C. § 2425 Use of Interstate Facilities to Transmit Information	4	4
18 U.S.C. § 1962 RICO	4	4
18 U.S.C. § 1470 Attempted Transfer of Obscene Material to a Minor	4	4
18 USC § 924(c) Possession of a Firearm (Crime of Violence)	4	4
18 U.S.C. § 2423 (c) Engaging in illicit sexual conduct in foreign places	3	3
18 U.S.C. § 1956 Laundering of monetary instruments	3	3
18 U.S.C. § 201 Bribery	2	3
18 U.S.C. § 1512 Witness Tampering	2	2
18 U.S.C. § 1623 False declarations before grand jury or court	1	1
18 U.S.C. § 1546 Visa Fraud	1	1
18 U.S.C. § 1519 Destruction, alteration, or falsification of records	1	1
18 U.S.C. § 1343 Wire Fraud	1	1
18 U.S.C. § 922(a) Illegal Dealing in Firearms	1	1
18 U.S.C. § 912 Officer or employee of the United States	1	1
18 U.S.C. § 875 Interstate Communications	1	1
18 U.S.C. § 751 Prisoners in custody of institution or officer	1	1
18 U.S.C. § 111 Resisting Officers	1	1
18 U.S.C. § 3 Accessory after the fact	1	1
State Offense	1	1



## MAPS OF FEDERAL HUMAN TRAFFICKING CASES BY STATE

### NEW DEFENDANTS CHARGED IN 2022



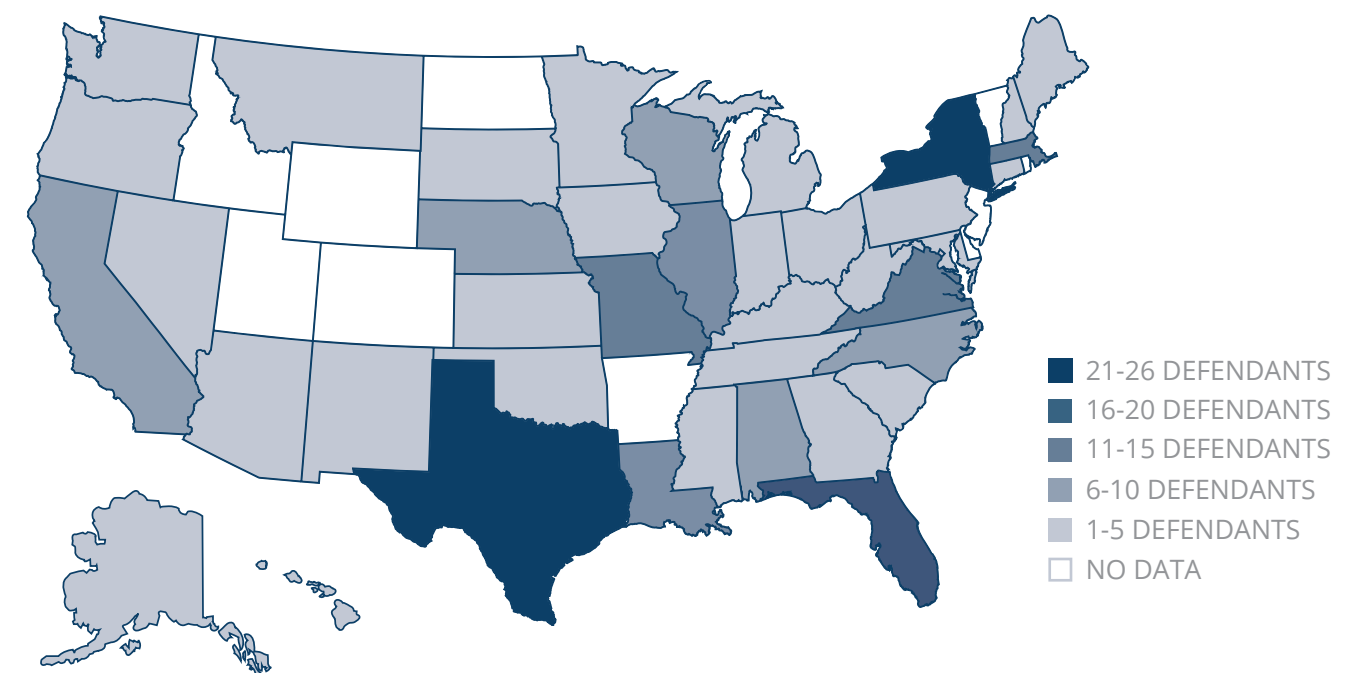
### HUMAN TRAFFICKING CONVICTIONS IN FORCED LABOR CASES IN 2022

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CONVICTED	COUNTS OF CONVICTION
18 U.S.C. § 371 Conspiracy to Commit HT Offense	5	5
18 U.S.C. § 1589 Forced Labor	4	6
18 U.S.C. § 1962 RICO to Commit Trafficking Offense	3	3
18 U.S.C. § 1592 Documents	3	5
18 U.S.C. § 1594(b) Forced Labor Conspiracy	2	2

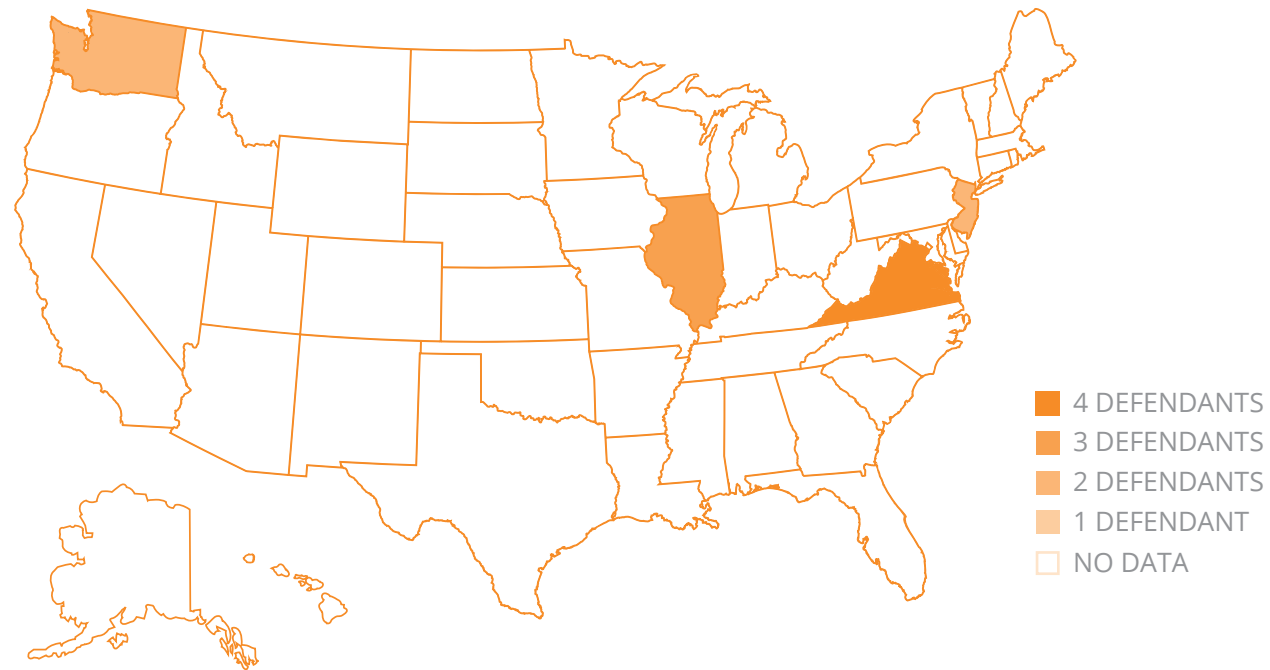
### NON HUMAN TRAFFICKING CONVICTIONS IN FORCED LABOR CASES IN 2022

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CONVICTED	COUNTS OF CONVICTION
7 U.S.C. § 2024 Illegal Benefit Transactions	9	9
8 U.S.C. § 1324 Alien Harboring	3	3
18 U.S.C. § 1597 Unlawful conduct with respect to immigration documents	2	2
18 U.S.C. § 2423 (a) Travel with intent to engage in criminal sexual activity	1	1
18 U.S.C. § 371 Conspiracy to commit offense or to defraud the United States	1	1
18 U.S.C. § 4 Misprision of felony	1	1

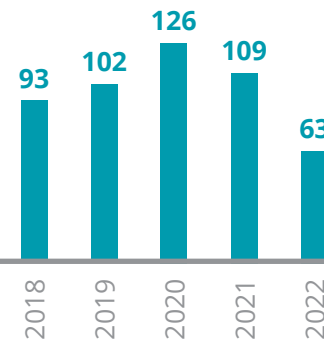
### NEW DEFENDANTS IN CRIMINAL SEX TRAFFICKING CASES IN 2022



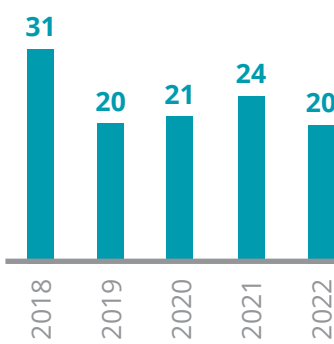
**NEW DEFENDANTS IN CRIMINAL FORCED LABOR CASES IN 2022**



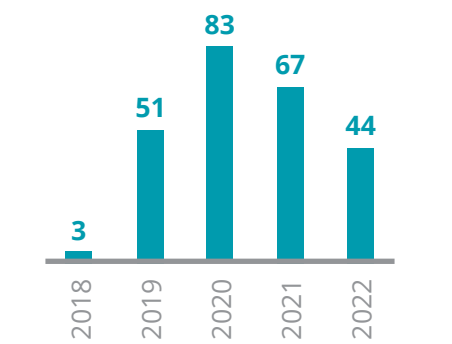
**NEW CRIMINAL SEX TRAFFICKING CASES WITH CHILD VICTIMS ONLY**



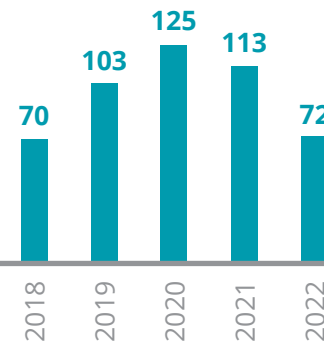
**NEW CRIMINAL SEX TRAFFICKING CASES WITH CHILD & ADULT VICTIMS**



**NEW CRIMINAL STING SEX TRAFFICKING CASES WITH EXCLUSIVELY FICTITIOUS VICTIMS**



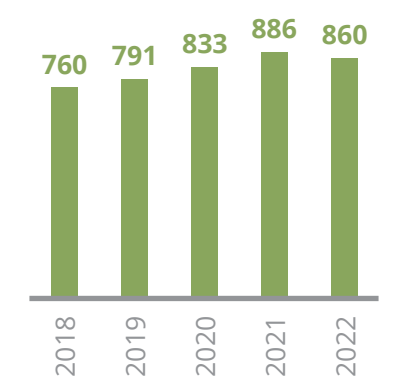
**NEW CRIMINAL SEX TRAFFICKING CASES WITH BUYER DEFENDANTS**



**NEW CRIMINAL FORCED LABOR CASES**

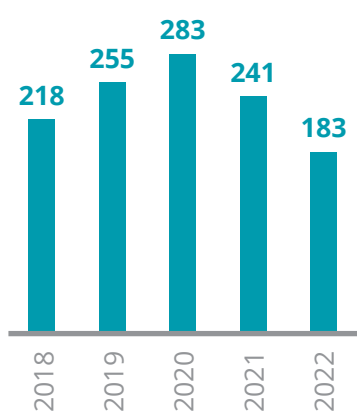


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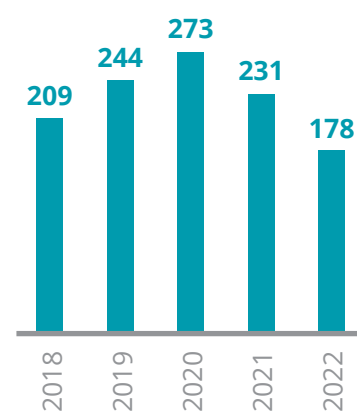


**YEAR-OVER-YEAR CHARTS**

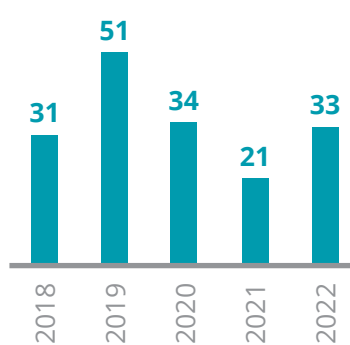
**NEW CRIMINAL HUMAN TRAFFICKING CASES**



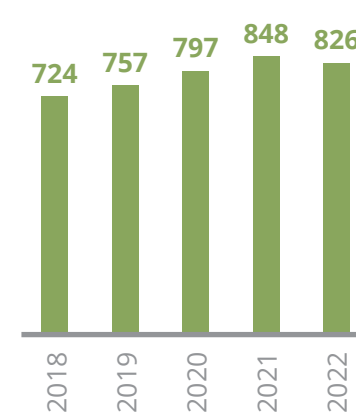
**NEW CRIMINAL SEX TRAFFICKING CASES**



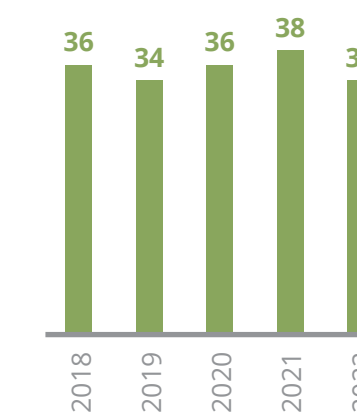
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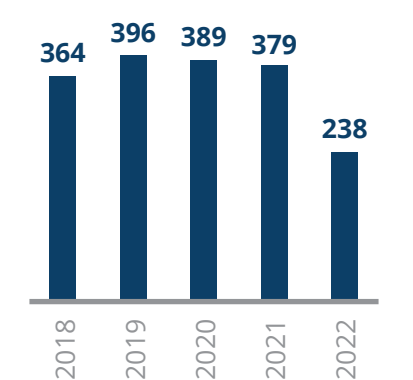
**PENDING CRIMINAL SEX TRAFFICKING CASES**



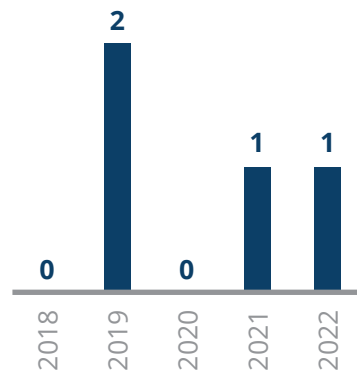
**PENDING CRIMINAL FORCED LABOR CASES**



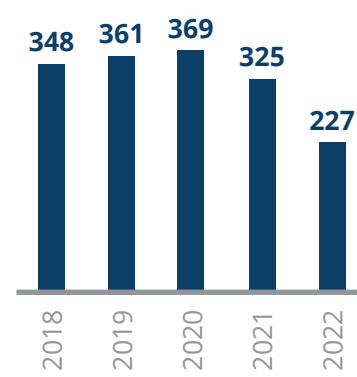
**NEW DEFENDANTS IN CRIMINAL HUMAN TRAFFICKING CASES**



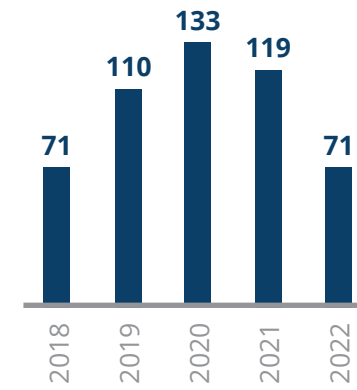
NEW ENTITY CRIMINAL DEFENDANTS IN HUMAN TRAFFICKING CASES



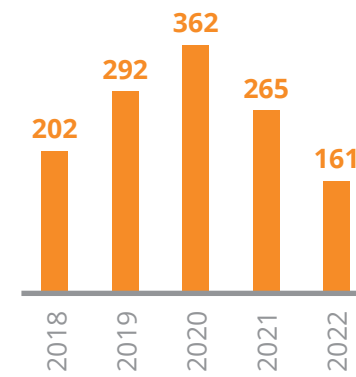
NEW CRIMINAL DEFENDANTS IN SEX TRAFFICKING CASES



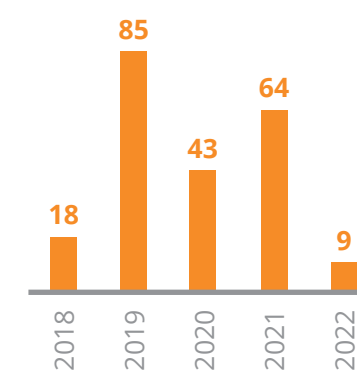
NEW CRIMINAL BUYER DEFENDANTS IN SEX TRAFFICKING CASES



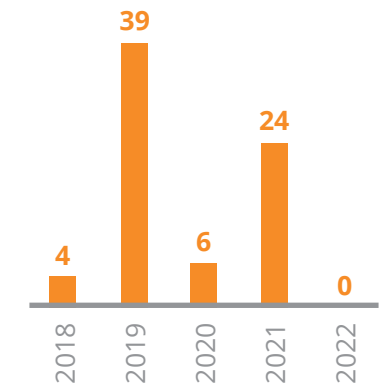
MINOR VICTIMS IN NEW CRIMINAL SEX TRAFFICKING CASES



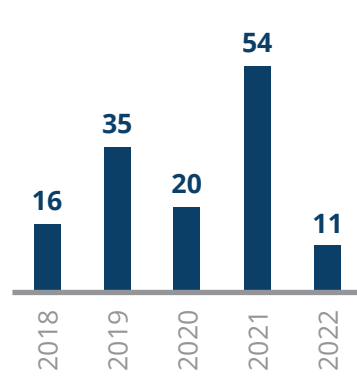
VICTIMS IN NEW CRIMINAL FORCED LABOR CASES



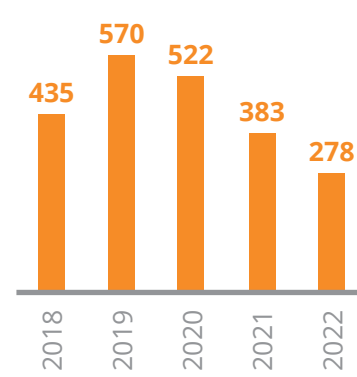
MALE VICTIMS IN NEW CRIMINAL FORCED LABOR CASES



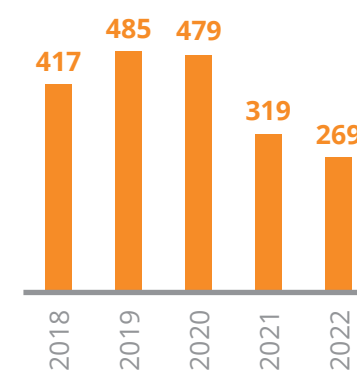
NEW CRIMINAL DEFENDANTS IN FORCED LABOR CASES



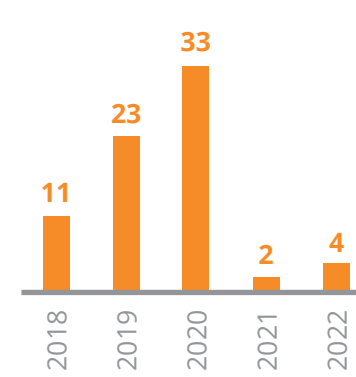
VICTIMS IN NEW CRIMINAL HUMAN TRAFFICKING CASES



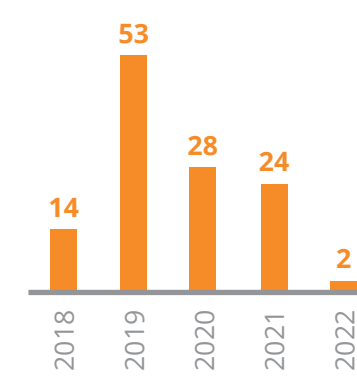
VICTIMS IN NEW CRIMINAL SEX TRAFFICKING CASES



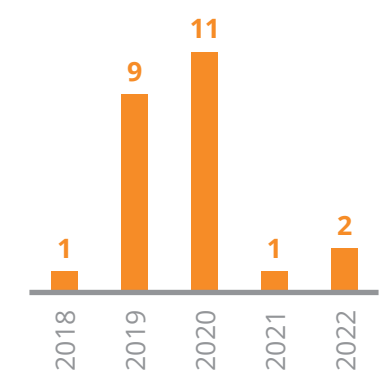
FEMALE VICTIMS IN NEW CRIMINAL FORCED LABOR CASES



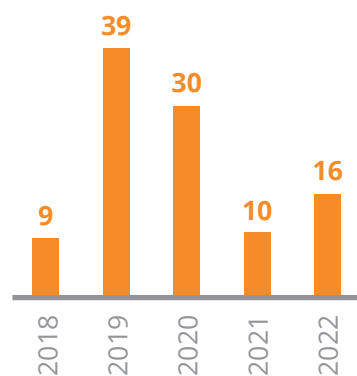
ADULT VICTIMS IN NEW CRIMINAL FORCED LABOR CASES



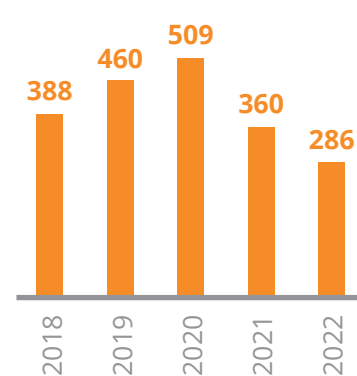
MINOR VICTIMS IN NEW CRIMINAL FORCED LABOR CASES



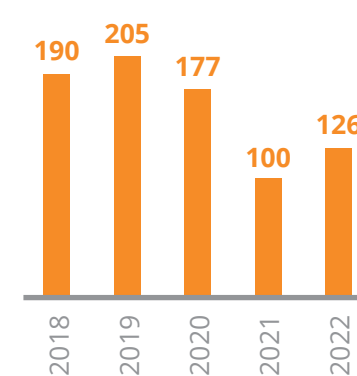
MALE VICTIMS IN NEW CRIMINAL SEX TRAFFICKING CASES



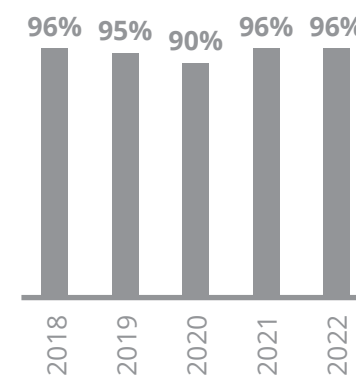
FEMALE VICTIMS IN NEW CRIMINAL SEX TRAFFICKING CASES



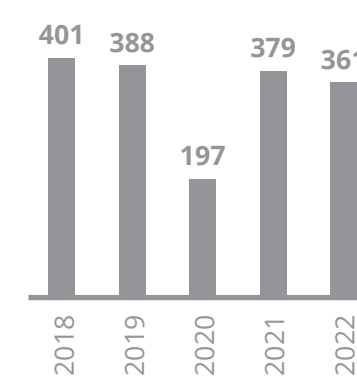
ADULT VICTIMS IN NEW CRIMINAL SEX TRAFFICKING CASES



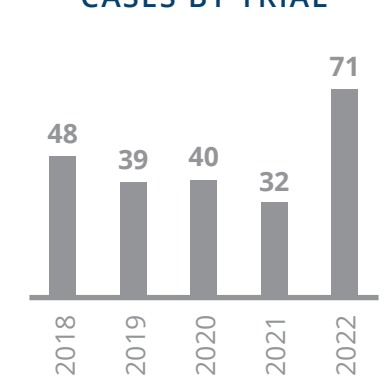
CONVICTION RATE IN HUMAN TRAFFICKING CASES



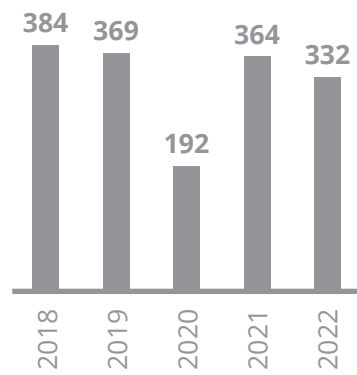
DEFENDANTS CONVICTED IN HUMAN TRAFFICKING CASES



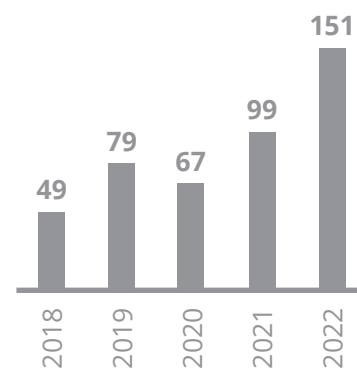
DEFENDANTS CONVICTED IN HUMAN TRAFFICKING CASES BY TRIAL



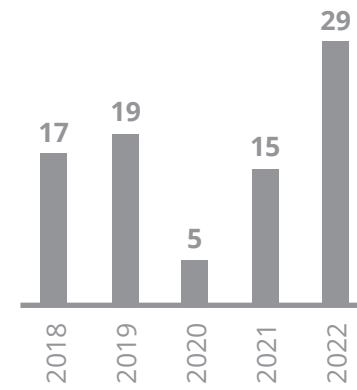
**DEFENDANTS CONVICTED IN SEX TRAFFICKING CASES**



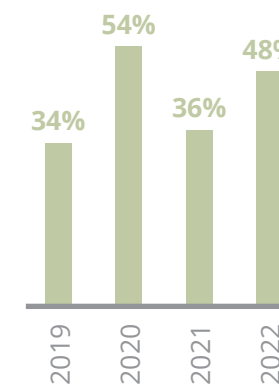
**BUYER DEFENDANTS CONVICTED IN SEX TRAFFICKING CASES**



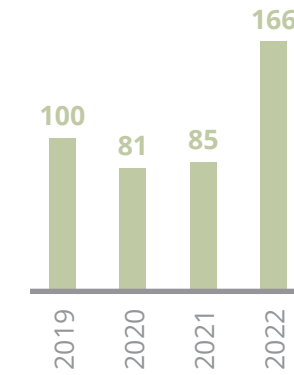
**DEFENDANTS CONVICTED IN FORCED LABOR CASES**



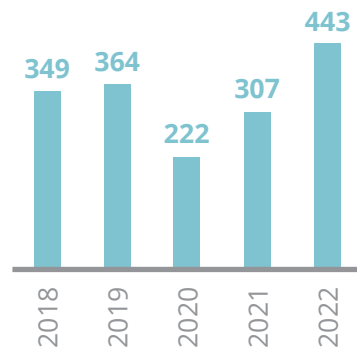
**DEFENDANTS ORDERED TO PAY MANDATORY RESTITUTION (%)**



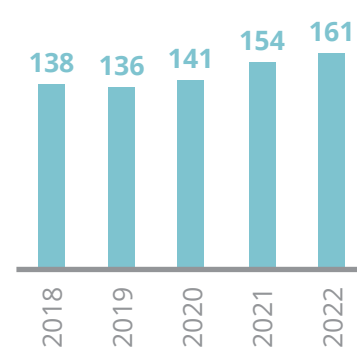
**DEFENDANTS ORDERED TO PAY MANDATORY RESTITUTION**



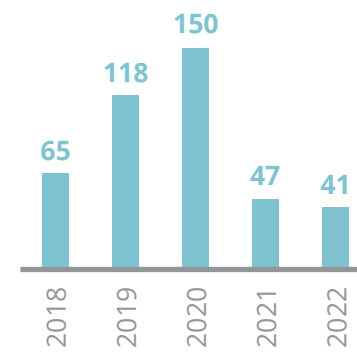
**DEFENDANTS IN HUMAN TRAFFICKING CASES SENTENCED TO TERM OF IMPRISONMENT**



**AVERAGE LENGTH OF SENTENCE FOR SEX TRAFFICKING DEFENDANT (MONTHS)**



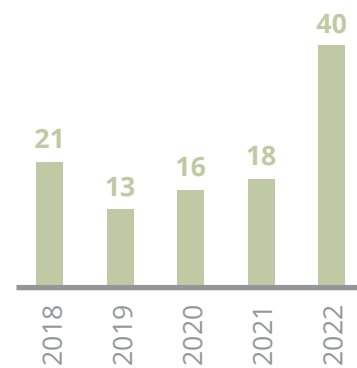
**AVERAGE LENGTH OF SENTENCE FOR FORCED LABOR DEFENDANT (MONTHS)**



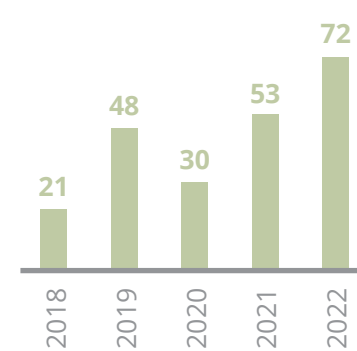
**HUMAN TRAFFICKING DEFENDANTS SENTENCED TO LIFE IN PRISON**



**HUMAN TRAFFICKING DEFENDANTS ORDERED TO PAY A FINE**



**HUMAN TRAFFICKING DEFENDANTS ORDERED TO PAY \$5,000 JVTA ASSESSMENT**



**FEDERAL JUDICIAL DISTRICT TABLES**

**NEW CRIMINAL CASES & DEFENDANTS CHARGED IN 2022**

DISTRICT	NEW SEX TRAFFICKING CASES	NEW DEFENDANTS IN SEX TRAFFICKING CASES	NEW FORCED LABOR CASES	NEW DEFENDANTS IN FORCED LABOR CASES	NEW CASES CHARGED OUTSIDE CH. 77
Alabama Middle	3	3	0	0	0
Alabama Northern	5	5	0	0	4
Alabama Southern	0	0	0	0	0
Alaska	2	2	0	0	2
Arizona	1	2	0	0	0
Arkansas Eastern	0	0	0	0	0
Arkansas Western	0	0	0	0	0
California Central	2	3	0	0	0
California Eastern	0	0	0	0	0
California Northern	1	1	0	0	1
California Southern	3	3	0	0	0
Colorado	0	0	0	0	0
Connecticut	1	1	0	0	0
Delaware	0	0	0	0	0
District of Columbia	1	1	0	0	1
Florida Middle	5	5	0	0	3
Florida Northern	0	0	0	0	0
Florida Southern	12	12	0	0	1

DISTRICT	NEW SEX TRAFFICKING CASES	NEW DEFENDANTS IN SEX TRAFFICKING CASES	NEW FORCED LABOR CASES	NEW DEFENDANTS IN FORCED LABOR CASES	NEW CASES CHARGED OUTSIDE CH. 77
Georgia Middle	1	2	0	0	0
Georgia Northern	2	2	0	0	1
Georgia Southern	1	1	0	0	1
Guam	0	0	0	0	0
Hawaii	1	1	0	0	0
Idaho	0	0	0	0	0
Illinois Central	6	6	1	3	1
Illinois Northern	0	0	0	0	0
Illinois Southern	1	1	0	0	1
Indiana Northern	1	1	0	0	0
Indiana Southern	2	2	0	0	1
Iowa Northern	1	1	0	0	0
Iowa Southern	3	3	0	0	2
Kansas	1	3	0	0	0
Kentucky Eastern	0	0	0	0	0
Kentucky Western	1	1	0	0	0
Louisiana Eastern	5	6	0	0	0
Louisiana Middle	0	0	0	0	0
Louisiana Western	0	0	0	0	0
Maine	1	3	0	0	0
Maryland	2	4	0	0	0
Massachusetts	10	11	0	0	0
Michigan Eastern	1	1	0	0	1
Michigan Western	1	1	0	0	1
Minnesota	1	1	0	0	1
Mississippi Northern	0	0	0	0	0
Mississippi Southern	2	4	0	0	0
Missouri Eastern	9	10	0	0	6
Missouri Western	3	3	0	0	2
Montana	1	1	0	0	0
Nebraska	7	7	0	0	4
Nevada	4	4	0	0	1
New Hampshire	1	1	0	0	0
New Jersey	0	0	1	2	0
New Mexico	2	2	0	0	1
New York Eastern	6	21	0	0	0
New York Northern	0	0	0	0	0
New York Southern	3	3	0	0	1
New York Western	1	2	0	0	0
North Carolina Eastern	2	4	0	0	1
North Carolina Middle	2	3	0	0	0

DISTRICT	NEW SEX TRAFFICKING CASES	NEW DEFENDANTS IN SEX TRAFFICKING CASES	NEW FORCED LABOR CASES	NEW DEFENDANTS IN FORCED LABOR CASES	NEW CASES CHARGED OUTSIDE CH. 77
North Carolina Western	2	3	0	0	1
North Dakota	0	0	0	0	0
Northern Mariana Islands	0	0	0	0	0
Ohio Northern	1	1	0	0	0
Ohio Southern	1	1	0	0	0
Oklahoma Eastern	0	0	0	0	0
Oklahoma Northern	2	2	0	0	0
Oklahoma Western	2	2	0	0	1
Oregon	2	2	0	0	1
Pennsylvania Eastern	0	0	0	0	0
Pennsylvania Middle	0	0	0	0	0
Pennsylvania Western	3	4	0	0	0
Puerto Rico	0	0	0	0	0
Rhode Island	0	0	0	0	0
South Carolina	3	4	0	0	1
South Dakota	2	2	0	0	2
Tennessee Eastern	0	0	0	0	0
Tennessee Middle	2	4	0	0	1
Tennessee Western	1	1	0	0	0
Texas Eastern	1	1	0	0	1
Texas Northern	4	6	0	0	1
Texas Southern	12	17	0	0	3
Texas Western	1	2	0	0	0
Utah	0	0	0	0	0
Vermont	0	0	0	0	0
Virginia Eastern	9	11	1	4	3
Virginia Western	0	0	0	0	0
Virgin Islands	0	0	0	0	0
Washington Eastern	1	1	0	0	0
Washington Western	1	1	2	2	3
West Virginia Northern	0	0	0	0	0
West Virginia Southern	2	2	0	0	2
Wisconsin Eastern	6	6	0	0	1
Wisconsin Western	0	0	0	0	0
Wyoming	0	0	0	0	0
<b>TOTAL</b>	<b>179</b>	<b>227</b>	<b>5</b>	<b>11</b>	<b>59</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.



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