

HUMAN TRAFFICKING SERIES

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Police Responses to Human Trafficking

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United States federal legislation defined human trafficking through the passage of the Trafficking Victims Protection Act (TVPA) in 2000 and subsequent reauthorizations in 2003, 2005, 2008, and 2013. Additionally, federal law has dedicated resources toward combatting trafficking in this country, and all 50 states have enacted legislation with the goal of preventing, identifying, and addressing human trafficking (Polaris Project, 2014).



Correlates of Identifying Human Trafficking

Responsibility for responding to and addressing human trafficking in the United States has predominantly resided with local and municipal law enforcement agencies. As of 2008, approximately seven percent of police departments had investigated a case of human trafficking, compared to estimates that up to 60,476 people are trafficked in the U.S. annually for labor and sex trafficking and

Police have had an essential role in the effort toward addressing human trafficking. Typically, crimes have been brought to the attention of the police through citizen complaints, and initial investigations have been conducted by responding patrol officers. If the patrol officer decided there was sufficient cause, more serious crimes have been forwarded to special investigators or detectives (Walker, 1993). In the case of human trafficking, cases have been transferred to specialized units within departments, such as human trafficking, vice, or special crimes investigators (see Table 1; Jurek, 2015). Once the investigators have gathered enough evidence, they pass the case on to county prosecutors, who decide whether to move forward with the case (Walker, 1993).

Despite recent attention directed at human trafficking and the resources dedicated toward combatting this crime, fewer cases have been identified as compared to empirical estimates of the extent of the problem (Farrell, 2014; Farrell & Pfeffer, 2014). In 2013, for example, the National Human Trafficking Hotline received reports of trafficking in all 50 states and the District of Columbia, where an estimated 60,100 people are currently enslaved in the United States. The current issue of the Human Trafficking Series focuses on police responses to various forms of human trafficking within the U.S. The following sections identify some of the factors associated with the identification of human trafficking cases. Next, some of the barriers that police face in identifying these cases are discussed. This report concludes with a brief overview of a large-scale human trafficking investigation.

indentured servitude (Farrell et al., 2009; Farrell, McDewitt, & Fahy, 2010). Indeed, police agencies of all sizes across the U.S. had investigated trafficking cases, but larger agencies with increased personnel and enhanced resources were more likely to

Table 1: Special Units Reported to Handle Human Trafficking Investigations

Unit	Number	Percent
<u>Human trafficking¹</u>	23	13.7 %
<u>Other²</u>		
Special investigations, Criminal investigations, Detectives	31	35.2 %
Vice, Drugs, Narcotics	18	20.5 %
Special victims, Sex crimes	10	11.4 %
Crimes against persons, Violent crimes, Abused persons	7	8.0 %
Juvenile, Crimes against children, Family services	7	8.0 %
FBI, Human trafficking task forces, other federal law enforcement	7	8.0 %
Homicide	1	1.1 %
Other	8	9.1 %
Missing	9	10.2 % ³

Data collected as part of unpublished Master's thesis (Jurek, 2015)

¹168 responses of 300 surveyed

²88 responses to telephone surveys

³Some agencies reported cases were assigned to more than 1 unit, so total >100%

have done so when compared with smaller agencies characterized by fewer staff and limited financial capital (Farrell et al., 2008; Farrell et al., 2010). Larger agencies were also more likely to have a specialized human trafficking unit, to provide training about human trafficking to patrol and investigative staff, and to have a formal written policy or procedure for addressing human trafficking (Farrell et al., 2008). These responses have been essential steps toward helping police identify cases of human trafficking. To be sure, agencies that engaged in at least one of these responses (e.g., having a human trafficking unit, training, or a written policy) were 630 percent more likely to identify human trafficking cases than those agencies that did not (Farrell, 2014). Indeed, police agency size has been among the most consistently significant predictors of police departments' capacity to respond to human trafficking across multiple jurisdictions (Farrell, 2014; Farrell et al., 2008; Farrell et al., 2010; Jurek, 2015). One of the most important factors in identifying cases of human trafficking has been the agency leader's perception of the magnitude of the crime problem in their community. Specifically, Farrell and colleagues (2008) reported that municipal police agencies increased investigative efforts in identifying human trafficking cases when agency leaders perceived trafficking as highly problematic in their respective jurisdictions. Additionally, at the time of the study, nearly three-quarters of law enforcement agencies reported human trafficking as a "rare" or "non-existent" problem in their community (Farrell et al., 2008). While the police agency leader's perceptions have had an effect on response to human trafficking, other individual and organizational factors have also had an impact.

Individual Barriers

Police officers have identified a number of factors that have made the investigation of human trafficking cases especially challenging. Chief among these has been defining human trafficking in order to identify it. While legal definitions of human trafficking have been in place for the last decade and a half, police officers have maintained that evolving legal designations have made it difficult for them to identify cases. This has been compounded by community perceptions in that the general population has been more sympathetic to domestic minor sex trafficking victims at the expense of other types of trafficking victims, including adults and victims of labor trafficking. Support from the community to aid these victims has hindered the ability of the police to identify and investigate these other human rights violations (Farrell & Pfeffer, 2014).

Once cases of sex trafficking have been identified, negative perceptions of victims have continued to impact police investigation efforts. To be sure, recent research has demonstrated the extent that individuals perceive prostituted youth as culpable offenders rather than vulnerable targets of manipulation and coercion by traffickers for sexual exploitation (Franklin & Menaker, 2015; Menaker & Franklin, 2013). These perceptions have reiterated the extent to which public and officer perceptions may influence criminal justice system response to various forms of trafficking victimization in adverse ways. Indeed, sex trafficking involves an act previously considered a criminal offense (i.e., commercial sex), and consequently, police officers have had trouble conceptualizing prostituted youth and adults

as victims (Farrell, Owens, & McDevitt, 2014). Halter (2010) reported, for example, that 40 percent of prostituted youth were treated as offenders rather than as victims.

Organizational Barriers

There have been a number of organizational factors identified as hindrances to the identification of human trafficking cases by law enforcement agencies. Police officers have reported that a lack of training on human trafficking inhibited their ability to identify cases (Farrell, Owens, & McDevitt, 2014). The importance of appropriate training was highlighted by Renzetti, Bush, Castellanos, and Hunt (2015), who reported that police agencies in Kentucky where someone had received training on human trafficking were approximately four times more likely to conduct human trafficking investigations than agencies with no training. A lack of specialized personnel and reliance on traditional crime control techniques has also been identified as problematic. In many police departments, reactive investigations have been conducted by traditional crime control units, such as vice, rather than proactive investigations by specialized human trafficking investigators (Farrell et al., 2014; Farrell & Pfeffer, 2014). Finally, police officers have indicated a lack of organizational structure to support these specialized investigations (Farrell & Pfeffer, 2014).

Consequences

The collection of individual and institutional barriers has inhibited the identification and investigation of human trafficking cases in the United States by law enforcement officers. Similarly, relatively few traffickers have been charged for their crimes. Prosecutors have faced many of the same challenges as law enforcement officers, including uncertainty about current law and legal precedents. To be sure, familiarity with existing statutes and a relative unwillingness to rely upon recent legislation to formally process cases have inhibited prosecutors from charging human trafficking cases (Farrell et al., 2014). Further, scholars have reported a lack of specialization and training, questions about victim credibility, and negative attitudes regarding victims of human trafficking as barriers toward formal criminal justice processing (Farrell et al., 2014). Spohn (2014) noted that these challenges were similar to those observed in implementing legal reforms for crimes such as rape and domestic violence in the 1970s. Unfortunately, this has left traffickers relatively unabated to continue to exploit vulnerable populations. There is hope, however. For the past thirteen years, the Federal Bureau of Investigation (FBI) has partnered with law enforcement agencies and social service groups nationwide to target human trafficking in this country. One successful example of this initiative, Operation Cross Country, is detailed here.

Conclusion

Law enforcement responses to human trafficking have faced significant challenges at both the individual officer and agency level, but advances in police education and training, organizational policy, and collaboration with the social service sector may facilitate more proactive and positive responses to human trafficking. Indeed, educational programs, like the training

Operation Cross Country

Operation Cross Country is an annual task force initiative that has targeted human trafficking in the United States. It began in 2003 with the Innocence Lost Initiative, which was a joint endeavor by the FBI, the Department of Justice Child Exploitation and Obscenity Section, and the National Center for Missing & Exploited Children that had the specific goal of addressing domestic minor sex trafficking (FBI, n.d.).

Each year, the FBI has partnered with local, state, and federal law enforcement agencies and the United States Attorney's Offices to identify, investigate, and prosecute human trafficking cases. The FBI has indicated that these investigations have typically originated at the local level, with operations targeting areas frequented by trafficking rings. These have included truck stops, casinos, street "tracks," and escort websites. While the first arrests are usually for offenses such as prostitution or solicitation, further investigations have led to the identification of traffickers and organized trafficking rings (FBI, 2014). Victims have received crisis intervention and assistance and have obtained basic resources through the FBI's Office for Victim Assistance (FBI, 2015).

The most recent Operation Cross Country took place in early October 2015. More than 500 law enforcement officers in 135 cities participated in the operation. The operation resulted in the identification of 149 child victims of sex trafficking and the arrest of more than 150 exploiters. Since its inception, Operation Cross Country has identified more than 4,800 minor victims of sex trafficking and has led to the conviction of more than 2,000 traffickers (FBI, 2015).

modules administered in Kentucky (Renzetti et al., 2015) that are designed to encourage law enforcement compliance with state and federal trafficking laws have the capacity to raise awareness, dispel common misperceptions regarding human trafficking, increase the identification of survivors, and produce victim-centered police responses. Moreover, organizational support through the "top-down" implementation of dedicated units and specialized police personnel within state, municipal, and local agencies can influence proactive legal action so that traffickers are investigated, apprehended, arrested, and formally processed. To be sure, collaborative approaches—like those described in Operation Cross Country—that draw on resources available through state coalitions, advocacy groups, and social services can produce promising outcomes toward combating the problem of human trafficking nationwide.

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Resources

- National Human Trafficking Resource Center
1 (888) 373-7888
SMS: 233733 (Text "HELP" or "INFO")
Hours: 24 hours, 7 days a week
Languages: English, Spanish and 200 more languages
Website: traffickingresourcecenter.org
- Federal Bureau of Investigation (FBI)
1-800-225-5324
- Model Law Enforcement Policy: The crime of human trafficking: A law enforcement guide to identification and investigation. Retrieved from <http://www.iacp.org/portals/0/pdfs/CompleteHTGuide.pdf>

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