



Federal Prosecution of Human-Trafficking Cases, 2015

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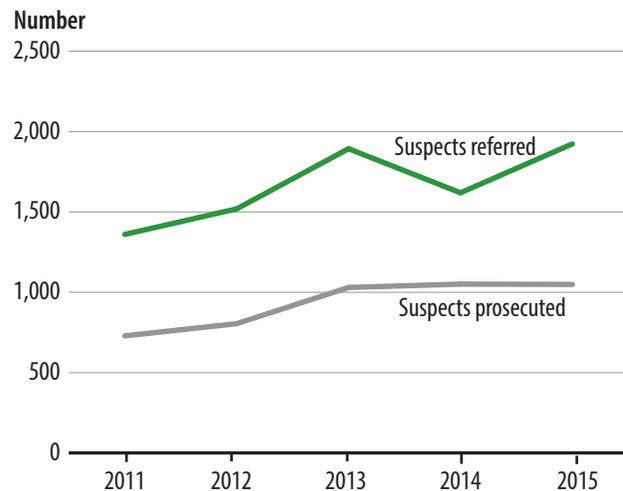
A total of 1,923 criminal suspects were referred to U.S. attorneys for human-trafficking offenses in fiscal year 2015 (figure 1).¹ This was a 41% increase from a total of 1,360 suspects referred in 2011. The number of suspects prosecuted for human trafficking increased from 729 in 2011 to 1,049 in 2015, a 44% increase.

This report uses data from three federal justice agencies:

- the Executive Office for U.S. Attorneys' (EOUSA) National LIONS (Legal Information Office Network System) database, which details the investigation and prosecution of suspects
- the Administrative Office of the U.S. Courts' Probation and Pretrial Services Automated Case Tracking System (PACTS) database, which describes defendants interviewed and supervised by pretrial services
- the Administrative Office of the U.S. Courts' (AOUSC) Criminal Master File, which describes criminal cases filed and terminated in U.S. district court including data on defendants sentenced.

¹In this report, annual federal justice data were reported for the fiscal year, October 1 to September 30.

FIGURE 1
Suspects in matters referred to and prosecuted by U.S. attorneys for human trafficking, 2011–2015



Note: See table 1 for data.

Source: Bureau of Justice Statistics, based on data from the Executive Office for U.S. Attorneys, National Legal Information Office Network System database, fiscal years 2011–2015.

HIGHLIGHTS

- In fiscal year 2015, 1,923 suspects were referred to U.S. attorneys with human trafficking as the lead charge—39% for peonage, slavery, forced labor, or sex trafficking; 32% for production of child pornography; and 29% for transportation for illegal sex activity.
- In 2015, the FBI (52%) and Immigration and Customs Enforcement (19%) referred the most human-trafficking suspects to U.S. attorneys.
- Nearly 6 in 10 (59%) human-trafficking suspects referred to U.S. attorneys in 2015 were prosecuted in U.S. district courts.
- In 2015, more than 9 in 10 (93%) human-trafficking defendants were convicted.
- Nearly all (99%) of the 769 convicted human-trafficking defendants in 2015 received a prison sentence.
- Human-trafficking defendants sentenced to prison increased from 132 in 2000 to 759 in 2015.
- The median prison sentence for defendants convicted of human trafficking in 2015 was 15 years.

Federal human-trafficking offenses

Human trafficking is used to describe multiple forms of exploitation. The federal response to human trafficking is rooted in the Thirteenth Amendment to the U.S. Constitution, which prohibits slavery and involuntary servitude. The Trafficking Victims Protection Act (TVPA) of 2000 expanded the scope of human-trafficking offenses and provided enhanced capacity for federal prosecutors to enforce human-trafficking laws (Trafficking Victims Protection Act of 2000, TVPA of 2000; P.L. 106-386). The TVPA of 2000 also provided for mandatory restitution and forfeiture at sentencing. Before the TVPA of 2000, involuntary servitude statutes were used to prosecute human-trafficking suspects in the federal justice system (Title 18 U.S.C. §§ 1581-1588), as were statutes under the Mann Act of 1910 (Title 18 U.S.C. § 2421).

Federal human trafficking in the U.S. criminal code prohibits coercion of persons to perform labor, services, or commercial sex acts. Labor trafficking prohibits recruiting, harboring, transportation, providing, or obtaining a person for labor or services using force, fraud, or coercion. According to the FBI, labor trafficking is likely to occur in low-skilled or temporary labor situations, including agriculture, traveling sales crews, and restaurants and food service.² Sex trafficking includes a commercial sex act induced by force, fraud, or coercion and sex acts performed by persons age 17 or younger.

²U.S. Department of Justice. (2017). *National Strategy to Combat Human Trafficking, 2017*. Retrieved from <https://www.justice.gov/humantrafficking/page/file/922791/download>

Sex trafficking is often facilitated through Internet transactions and takes place in massage parlors, through escort services, or via street prostitution.³

Amendments to the TVPA of 2000 increased focus on the transportation of minors for the purposes of engaging in criminal sexual activity and expanded the definition of human trafficking to include the production of child pornography. The Justice for Victims of Trafficking Act of 2015 (JVTA; P.L. 114-22) modified Title 18 U.S.C. § 2423(f) to “Clarify that producers of child pornography are human traffickers.” For this reason, the production of child pornography was included as a human-trafficking offense in this report. In addition, coercion and enticement to engage in prostitution (Title 18 U.S.C. § 2422), and transportation of minors with intent to engage in criminal sexual activity (Title 18 U.S.C. § 2423), were also included as human-trafficking offenses.⁴ This is consistent with the FBI’s reporting of federal arrests of human traffickers. See *Crime in United States, 2015*, Table 3.

The JVTA required that a report be submitted on restitution paid in connection with certain trafficking offenses. Restitution information is not part of BJS’s Federal Justice Statistics Program. The Executive Office for U.S. Attorneys’ Consolidated Assets Tracking System collects and reports that data.

³U.S. Department of Justice. (2016). *Attorney General’s Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons, Fiscal Year 2015*. Retrieved from <https://www.justice.gov/humantrafficking/page/file/948601/download>

⁴FBI Human Trafficking Arrests by FBI Field Office, 2015. Retrieved from <https://ucr.fbi.gov/crime-in-the-u.s/2015/crime-in-the-u.s.-2015/additional-reports/federal-crime-data/fedtable3-human-trafficking.xls>

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Federal human-trafficking offenses (continued)

For this report, human-trafficking offenses are defined according to the three categories of federal statutes:

1. **Peonage, slavery, forced labor, or sex trafficking**

- *Peonage* (18 U.S.C. § 1581): Prohibits holding a person in debt servitude, or peonage where involuntary servitude is tied to the payment of a debt and force, threat of force, or threat of legal coercion.
- *Involuntary servitude* (18 U.S.C. § 1584): Makes it unlawful to subject a person to a condition of compulsory service or labor against his or her will.
- *Forced labor* (18 U.S.C. § 1589): Makes it unlawful to provide or obtain the labor or services of a person through the use or threatened use of physical or legal coercion.
- *Trafficking with respect to peonage, slavery, involuntary servitude, or forced labor* (18 U.S.C. § 1590): Makes it unlawful to recruit, harbor, transport, or broker persons for labor or services.
- *Sex trafficking of children or by force, fraud, or coercion* (18 U.S.C. § 1591): Includes those who cause persons under 18 to engage in a commercial sex act or use force, fraud, or coercion to cause a person to engage in a commercial sex act.

- *Unlawful conduct with respect to documents in furtherance of trafficking* (18 U.S.C. § 1592): Makes it illegal to seize documents to force others to work.

2. **Child pornography production** (Title 18 U.S.C. § 2251): Prohibits enticement of a minor to engage in sexually explicit activity for the purpose of producing any visual depiction of such conduct; and Title 18 U.S.C. § 2251A: Punishes any person with rights of custody or control over a minor who transfers control of a minor with knowledge that the minor will be used to depict sexually explicit conduct.

3. **Transportation for illegal sex activity** (Title 18 U.S.C. § 2422): Prohibits enticement or coercion of a person to travel in interstate or foreign commerce, with intent that the person engage in prostitution or other sexual activity; and Title 18 U.S.C. § 2423: Punishes a person who knowingly transports an individual who has not attained the age of 18 with the intent that the minor engage in prostitution or other sexual activity for which any person can be charged with a crime.

Peonage, slavery, forced labor, or sex trafficking suspects made up 39% of human-trafficking referrals

In 2015, U.S. attorneys investigated 1,923 suspects for human trafficking (table 1). Human-trafficking suspects made up 1.2% of the 157,313 suspects investigated during this period (not shown). In fiscal year 2015, human-trafficking suspects were most commonly charged for peonage, slavery, forced labor, or sex trafficking (39%), followed by production of child pornography (32%) and transportation for illegal sex activity (29%).

Federal human-trafficking referrals to U.S. attorneys increased 41% from 2011 to 2015

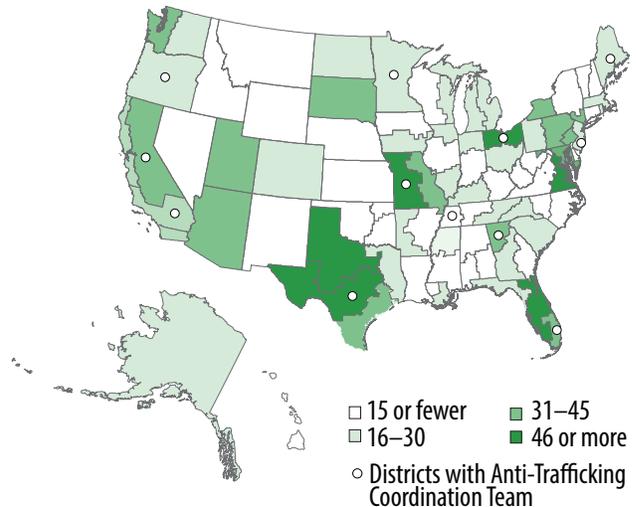
The number of suspects referred to U.S. attorneys for human-trafficking violations increased from 1,360 in 2011 to 1,923 in 2015 (up 41%). Referrals for sex trafficking increased 82% from 2011 to 2015, while referrals for forced labor decreased 6% during this 5-year period. Referrals for production of child pornography increased 44%, from 430 referrals in 2011 to 621 referrals in 2015.

Fifteen federal judicial districts referred 36% of human-trafficking suspects in 2015

Among the 94 federal districts in 2015, the Middle District of Florida (72) referred the most human-trafficking suspects

to U.S. attorneys, followed by the Northern District of Texas (64) and the Western District of Missouri (64) (map 1).

MAP 1
Number of human-trafficking suspects referred to U.S. attorneys, 2015



Note: A total of 1,923 suspects were investigated for a human-trafficking offense from October 1, 2014, to September 30, 2015. Excludes District of Columbia (13), Guam (2), Virgin Islands (1), and Puerto Rico (32).

Source: Bureau of Justice Statistics, based on data from the Executive Office for U.S. Attorneys, National Legal Information Network database, fiscal year 2015.

TABLE 1
Suspects referred to and prosecuted by U.S. attorneys for human-trafficking offenses, 2011–2015

| Suspects/offenses ^b | Total | | 2011 | | 2012 | | 2013 | | 2014 | | 2015 | | Percent change 2011–2015 ^a |
|---|--------|---------|--------|---------|--------|---------|--------|---------|--------|---------|--------|---------|---------------------------------------|
| | Number | Percent | |
| Total referred | 8,314 | 100% | 1,360 | 100% | 1,519 | 100% | 1,893 | 100% | 1,619 | 100% | 1,923 | 100% | 41.4% |
| Peonage, slavery, forced labor and sex trafficking | 3,029 | 36.4% | 464 | 34.1% | 544 | 35.8% | 715 | 37.8% | 564 | 34.8% | 742 | 38.6% | 59.9% |
| Peonage | 26 | 0.3 | 3 | 0.2 | 3 | 0.2 | 6 | 0.3 | 7 | 0.4 | 7 | 0.4 | : |
| Involuntary servitude | 18 | 0.2 | 8 | 0.6 | 8 | 0.5 | 2 | 0.1 | 0 | 0.0 | 0 | 0.0 | : |
| Enticement for slavery ^c | 16 | 0.2 | 11 | 0.8 | 2 | 0.1 | 0 | 0.0 | 2 | 0.1 | 1 | 0.1 | : |
| Forced labor ^d | 331 | 4.0 | 68 | 5.0 | 63 | 4.1 | 67 | 3.5 | 69 | 4.3 | 64 | 3.3 | -5.9 |
| Trafficking slaves ^d | 105 | 1.3 | 28 | 2.1 | 13 | 0.9 | 21 | 1.1 | 12 | 0.7 | 31 | 1.6 | 10.7 |
| Sex trafficking ^d | 2,245 | 27.0 | 306 | 22.5 | 402 | 26.5 | 557 | 29.4 | 423 | 26.1 | 557 | 29.0 | 82.0 |
| Other ^{d,e} | 288 | 3.5 | 40 | 2.9 | 53 | 3.5 | 62 | 3.3 | 51 | 3.2 | 82 | 4.3 | 105.0 |
| Production of child pornography | 2,694 | 32.4% | 430 | 31.6% | 471 | 31.0% | 631 | 33.3% | 541 | 33.4% | 621 | 32.3% | 44.4% |
| Transportation for illegal sex activity | 2,591 | 31.2% | 466 | 34.3% | 504 | 33.2% | 547 | 28.9% | 514 | 31.8% | 560 | 29.1% | 20.2% |
| Total prosecuted | 4,664 | | 729 | | 805 | | 1,030 | | 1,051 | | 1,049 | | 43.9% |

:Percentage change not calculated due to fewer than 10 cases.

^aFor each item, percentage change is computed as the difference between the number in 2011 and 2015, divided by the number in 2011, and multiplied by 100.

^bReferral offense is the substantive offense that is the primary basis of referral to U.S. attorneys.

^cIncludes enticement into slavery, vessels for slave trade, and transport of slaves.

^dOffenses added by the Trafficking Victims Protection Act of 2000.

^eIncludes unlawful conduct with respect to documents and general provisions (see *Federal human-trafficking offenses* text box). Includes 116 matters with a program category of 05E (human trafficking). See *Methodology*.

Source: Bureau of Justice Statistics, based on data from the Executive Office for U.S. Attorneys, National Legal Information Office Network System database, fiscal years 2011–2015.

Fifteen districts (16% of the total) accounted for more than a third (36%) of all human-trafficking referrals to federal prosecutors. When grouped by state, the most referrals of human-trafficking suspects to federal prosecutors in 2015 were in Texas (171), followed by Florida (141) and California (123).

21% of federal human-trafficking suspects were referred from the 12 districts with ACTeam task force

U.S. attorneys are authorized to request the appropriate federal agency to investigate alleged or suspected violations of federal law. The Anti-Trafficking Coordination Team (ACTeam) Initiative brings U.S. attorneys together with law enforcement from the Department of Justice (DOJ), Department of Homeland Security (DHS), Department of Labor (DOL), and state and local agencies. The 12 federal districts with designated ACTeams accounted for 1 in 5 human-trafficking referrals to U.S. attorneys.⁵

⁵Established or enhanced dedicated anti-trafficking law enforcement units investigate human-trafficking crimes and rescue victims. Since fiscal year 2015, the Bureau of Justice Assistance and Office for Victims of Crime have funded 29 Enhanced Collaborative Model Human Trafficking Task Forces to combat human trafficking in communities across the United States (see https://www.bja.gov/ProgramDetails.aspx?Program_ID=51). The following 12 districts had an ACTeam task force on December 31, 2015: Maine, Northern Ohio, New Jersey, Northern Georgia, Western Tennessee, Southern Florida, Western Texas, Western Missouri, Minnesota, Central California, Eastern California, and Oregon.

The FBI was the most common referring agency for each of the three types of human-trafficking offenses in 2015, referring more than half (52%) of federal human-trafficking matters to U.S. attorneys in that year (table 2).

Immigration and Customs Enforcement (ICE) was the next most common source of referral (19%), followed by federal and state task forces (8%) and state, county, and municipal authorities (6%). In 2015, DOJ agencies referred 54% of human-trafficking suspects, compared to 84% in 2000.

In 2015, DHS agencies accounted for 30% of human-trafficking referrals. That was up from 20% of referrals in 2005. DHS referral counts were reported in the U.S. attorney's National Legal Information Office Network System database following the enactment of the Homeland Security Act of 2002.⁶ Suspects referred to U.S. attorneys by other agencies, such as federal and state task forces, state and local law enforcement and other federal agencies (such as Department of State and DOL), increased from 85 in 2000 to 316 in 2015.

⁶As of November 25, 2002, the Homeland Security Act of 2002 transferred the U.S. Customs Service and the Secret Service from the U.S. Department of Treasury (DOT) to DHS. Responsibility for the Immigration and Naturalization Service was transferred from the DOJ to DHS, and the Bureau of Alcohol, Tobacco, Firearms, and Explosives transferred from DOT to DOJ.

TABLE 2
Suspects referred to U.S. attorneys for a human-trafficking offense, by agency of referral, 2015

| Agency of referral | Total | | Peonage, slavery, forced labor, and sex trafficking | | Production of child pornography | | Transportation for illegal sex activity | |
|---|--------|---------|---|---------|---------------------------------|---------|---|---------|
| | Number | Percent | Number | Percent | Number | Percent | Number | Percent |
| All agencies | 1,923 | 100% | 742 | 100% | 621 | 100% | 560 | 100% |
| Department of Homeland Security (DHS) | 579 | 30.1% | 201 | 27.1% | 210 | 33.8% | 168 | 30.0% |
| Citizen and Immigration Services | 23 | 1.2 | 4 | 0.5 | 7 | 1.1 | 12 | 2.1 |
| Immigration and Customs Enforcement | 360 | 18.7 | 117 | 15.8 | 140 | 22.5 | 103 | 18.4 |
| U.S. Secret Service | 16 | 0.8 | 3 | 0.4 | 8 | 1.3 | 5 | 0.9 |
| Office of Inspector General | 15 | 0.8 | 11 | 1.5 | 1 | 0.2 | 3 | 0.5 |
| Other DHS | 165 | 8.6 | 66 | 8.9 | 54 | 8.7 | 45 | 8.0 |
| Department of Justice (DOJ) | 1,028 | 53.5% | 421 | 56.7% | 316 | 50.9% | 291 | 52.0% |
| Federal Bureau of Investigation | 995 | 51.7 | 402 | 54.2 | 313 | 50.4 | 280 | 50.0 |
| Other DOJ | 33 | 1.7 | 19 | 2.6 | 3 | 0.5 | 11 | 2.0 |
| Federal and state task forces | 153 | 8.0% | 75 | 10.1% | 34 | 5.5% | 44 | 7.9% |
| State, county, and municipal authorities | 107 | 5.6% | 25 | 3.4% | 46 | 7.4% | 36 | 6.4% |
| Other agencies* | 56 | 2.9% | 20 | 2.7% | 15 | 2.4% | 21 | 3.8% |

*Includes referrals from the Department of State, Department of Labor, U.S. Postal Service, branches of the military, and other agencies.

Source: Bureau of Justice Statistics based on data from the Executive Office for U.S. Attorneys, National Legal Information Office Network database, fiscal year 2015.

In 2015, U.S. attorneys prosecuted 59% of suspects investigated for human trafficking

In 2015, U.S. attorneys concluded matters involving 1,771 suspects investigated for human trafficking, which means the federal prosecutor decided to prosecute and file a case in U.S. district court, declined the matter, or disposed the matter by U.S. magistrate (table 3).⁷ U.S. attorneys prosecuted 59% of these human-trafficking matters in U.S. district court, 6% were disposed and prosecuted by U.S. magistrates, and 35% were declined for further prosecution. Suspects investigated for forced labor matters (85%) were more likely to be declined for prosecution than suspects in matters involving sex trafficking (45%) and matters involving the production of child pornography (22%).

⁷In this section, “matters concluded” reflect the prosecutor’s decision to (1) prosecute the matter as a case in U.S. district court, (2) refer the matter for disposal in U.S. magistrate court, or (3) decline the matter, resulting in no further action in U.S. district or U.S. magistrate court.

The median processing time for human-trafficking matters concluded by U.S. attorneys was 105 days

The time taken by federal prosecutors to conclude a human-trafficking matter varied by the final decision made. Human-trafficking matters concluded by U.S. attorneys took a median of 105 days to reach a decision in 2015. When the decision was to prosecute, the median time to decision was 34 days. In comparison, the median time was 180 days when the decision was to dispose a matter by U.S. magistrate and 412 days when the decision was to decline prosecution.

TABLE 3
Suspects in human-trafficking matters concluded, by disposition of the matter, 2015

| Lead charge | All human-trafficking suspects | | | Prosecuted in U.S. district court | | Referred to U.S. magistrate and prosecuted | | Declined | |
|--|--------------------------------|---------|-------|-----------------------------------|---------|--|---------|----------|---------|
| | Number | Percent | Total | Number | Percent | Number | Percent | Number | Percent |
| Total | 1,771 | 100% | 100% | 1,049 | 59.2% | 101 | 5.7% | 621 | 35.1% |
| Peonage, slavery, forced labor and sex trafficking | 722 | 40.8% | 100% | 339 | 47.0% | 28 | 3.9% | 355 | 49.2% |
| Peonage | 9 | 0.5 | 100% | 5 | : | 0 | 0.0 | 4 | : |
| Involuntary servitude | 4 | 0.2 | 100% | 0 | 0.0 | 0 | 0.0 | 4 | : |
| Enticement for slavery ^a | 1 | 0.1 | 100% | 0 | 0.0 | 0 | 0.0 | 1 | : |
| Forced labor ^b | 66 | 3.7 | 100% | 10 | 15.2 | 0 | 0.0 | 56 | 84.9 |
| Trafficking slaves ^b | 46 | 2.6 | 100% | 16 | 34.8 | 2 | 4.4 | 28 | 60.9 |
| Sex trafficking ^b | 489 | 27.6 | 100% | 250 | 51.1 | 21 | 4.3 | 218 | 44.6 |
| Other ^{b,c} | 107 | 6.0 | 100% | 58 | 54.2 | 5 | 4.7 | 44 | 41.1 |
| Production of child pornography | 583 | 32.9% | 100% | 416 | 71.4% | 37 | 6.4% | 130 | 22.3% |
| Transportation for illegal sex activity | 466 | 26.3% | 100% | 294 | 63.1% | 36 | 7.7% | 136 | 29.2% |
| Prosecutor decision case processing time (median)^d | 105 days | | | 34 days | | 180 days | | 412 days | |

Note: The unit of count was suspects in matters concluded. Suspects investigated in more than one matter were counted separately. The primary charge was the substantive statute (lead charge) that was the primary basis for referral. The lead charge was most often the charge with the greatest potential sentence, but not always.

:Percentage not calculated due to fewer than 10 cases.

^aIncludes enticement into slavery, vessels for slave trade, and transport of slaves.

^bOffenses added to the human-trafficking statute (Chapter 77) by the Trafficking Victims Protection Act of 2000.

^cIncludes unlawful conduct with respect to documents and general provisions. Includes 56 matters with a program category of 05E (human trafficking). See *Methodology*.

^dProsecutor case processing time reflects the time from receipt of a matter by a prosecutor to the prosecutor’s decision (whether it is to prosecute a case in U.S. district court, refer for disposal in U.S. magistrate court, or decline the matter, resulting in no further action in U.S. district or U.S. magistrate court).

Source: Bureau of Justice Statistics, based on data from the Executive Office for U.S. Attorneys, National Legal Information Office Network database, fiscal year 2015.

Insufficient evidence was the most common reason human-trafficking matters were declined

Of the 621 suspects in human-trafficking matters that U.S. attorneys declined to prosecute in 2015, 58% were declined due to insufficient evidence—the most common reason for declining to prosecute across all three categories of human-trafficking cases (table 4). The second-most common reason for declining to prosecute human-trafficking cases in 2015 was that the matter was subject to the authority of another jurisdiction (18%). This included referrals to state, local, military, juvenile, or tribal courts. The remaining 24% of matters were declined for reasons such as prioritization of federal resources (8%), alternative to federal prosecution utilized (7%), and opened in error (4%).

Most human-trafficking defendants charged in 2015 were white, and most were under 35 years of age

Eighty-eight percent of defendants charged for a human-trafficking offense were male (table 5). Eighteen percent of defendants charged in 2015 were age 24 or younger, compared to 37% who were 25-34. Most human-trafficking

defendants charged in U.S. district court in 2015 were white (57%), followed by black (24%) and Hispanic defendants (17%). Seventy-seven percent of defendants charged with production of child pornography and 65% of defendants charged with transportation for illegal sex activity were white. Black defendants made up 60% of defendants charged with peonage, slavery, forced labor, or sex trafficking, and Hispanic defendants made up 22% of transportation for illegal sex activity defendants.

More than half (57%) of human-trafficking defendants had a high school education or less at the time of the pretrial interview. A greater proportion of defendants charged with peonage, slavery, forced labor, or sex trafficking offenses (38%) had less than a high school education than defendants charged with production of child pornography (17%) or transportation for illegal sex activity (15%).

More than 9 in 10 (94%) human-trafficking defendants charged in U.S. district courts in 2015 were U.S. citizens. Legal aliens and persons in the country without legal authorization made up 3% each of human-trafficking suspects charged in 2015.

TABLE 4
Suspects in human-trafficking matters U.S. attorneys declined to prosecute, by reason, 2015

| Reason not prosecuted | Total | | Peonage, slavery, forced labor, and sex trafficking | | Production of child pornography | | Transportation for illegal sex activity | |
|--|--------|---------|---|---------|---------------------------------|---------|---|---------|
| | Number | Percent | Number | Percent | Number | Percent | Number | Percent |
| Total | 621 | 100% | 355 | 100% | 130 | 100% | 136 | 100% |
| Insufficient evidence ^a | 361 | 58.1 | 228 | 64.2 | 68 | 52.3 | 65 | 47.8 |
| Referred to another jurisdiction ^b | 112 | 18.0 | 49 | 13.8 | 24 | 18.5 | 39 | 28.7 |
| Prioritization of federal resources ^c | 52 | 8.4 | 32 | 9.0 | 12 | 9.2 | 8 | 5.9 |
| Alternative to federal prosecution ^d | 42 | 6.8 | 21 | 5.9 | 13 | 10.0 | 8 | 5.9 |
| Opened in error ^e | 27 | 4.3 | 16 | 4.5 | 5 | 3.8 | 6 | 4.4 |
| Legally barred ^f | 11 | 1.8 | 5 | 1.4 | 2 | 1.5 | 4 | 2.9 |
| Rule 40 removal ^g | 11 | 1.8 | 3 | 0.8 | 4 | 3.1 | 4 | 2.9 |
| Defendant unavailable ^h | 5 | 0.8 | 1 | 0.3 | 2 | 1.5 | 2 | 1.5 |

Note: A matter was declined when, prior to the filing of a complaint, information, or indictment, a decision was made not to continue with the investigation of a matter that has been opened and under consideration for prosecution.

^aInability to prove the case in court beyond a reasonable doubt.

^bDefendant subject to the authority of another jurisdiction.

^cCase is declined because of existing Department of Justice or U.S. Attorney's Office policy.

^dAlternative civil, administrative, or disciplinary alternative was used.

^eOpened in error by the federal prosecutor (because users are unable to delete records in LIONS, this option serves as notification that the record should have been deleted).

^fUnited States lacks jurisdiction to file charges.

^gDefendant not prosecuted as they faced removal for an arrest for failing to appear in another district or for violating conditions of release set in another federal district.

^hDefendant is physically unavailable or the prosecutor exercises discretion based on defendant's circumstances (e.g., deceased, deported, a fugitive, age, health, prior record, or personal matter).

Source: Bureau of Justice Statistics, based on data from the Executive Office for U.S. Attorneys, National Legal Information Office Network System (LIONS) database, fiscal year 2015.

Half (51%) of human-trafficking defendants had a prior conviction

Thirty-one percent of human-trafficking offenders charged in U.S. district court in 2015 had a prior felony conviction, and 20% had a prior misdemeanor

conviction only. The proportion of persons with a prior felony conviction was higher for defendants charged with peonage, slavery, forced labor, or sex trafficking (46%) than for defendants charged with production of child pornography or transportation for illegal sex activity (25% each).

TABLE 5
Characteristics of human-trafficking defendants in cases charged in U.S. district court, 2015

| Characteristic | Total | | Peonage, slavery, forced labor, and sex trafficking | | Production of child pornography | | Transportation for illegal sex activity | |
|---|----------|---------|---|---------|---------------------------------|---------|---|---------|
| | Number | Percent | Number | Percent | Number | Percent | Number | Percent |
| Number of defendants | 964 | 100% | 283 | 100% | 370 | 100% | 311 | 100% |
| Sex | | | | | | | | |
| Male | 849 | 88.3% | 215 | 76.0% | 341 | 92.4% | 293 | 94.5% |
| Female | 113 | 11.7 | 68 | 24.0 | 28 | 7.6 | 17 | 5.5 |
| Race/Hispanic origin^a | | | | | | | | |
| White | 515 | 56.9% | 53 | 20.4% | 271 | 77.0% | 191 | 65.2% |
| Black | 219 | 24.2 | 157 | 60.4 | 29 | 8.2 | 33 | 11.3 |
| Hispanic | 157 | 17.3 | 46 | 17.7 | 47 | 13.4 | 64 | 21.8 |
| American Indian or Alaska Native | 6 | 0.7 | 1 | 0.4 | 3 | 0.9 | 2 | 0.7 |
| Asian, Native Hawaiian, or Other Pacific Islander | 8 | 0.9 | 3 | 1.2 | 2 | 0.6 | 3 | 1.0 |
| Age | | | | | | | | |
| 17 or younger | 1 | 0.1% | 1 | 0.4% | 0 | 0.0% | 0 | 0.0% |
| 18–19 | 22 | 2.3 | 14 | 4.9 | 5 | 1.4 | 3 | 1.0 |
| 20–24 | 151 | 15.7 | 69 | 24.4 | 43 | 11.6 | 39 | 12.6 |
| 25–29 | 214 | 22.2 | 88 | 31.1 | 66 | 17.8 | 60 | 19.4 |
| 30–34 | 146 | 15.2 | 42 | 14.8 | 62 | 16.8 | 42 | 13.5 |
| 35–39 | 127 | 13.2 | 31 | 11.0 | 53 | 14.3 | 43 | 13.9 |
| 40–44 | 100 | 10.4 | 17 | 6.0 | 49 | 13.2 | 34 | 11.0 |
| 45–49 | 71 | 7.4 | 6 | 2.1 | 34 | 9.2 | 31 | 10.0 |
| 50–54 | 54 | 5.6 | 7 | 2.5 | 29 | 7.8 | 18 | 5.8 |
| 55–59 | 39 | 4.0 | 4 | 1.4 | 14 | 3.8 | 21 | 6.8 |
| 60–64 | 19 | 2.0 | 2 | 0.7 | 8 | 2.2 | 9 | 2.9 |
| 65 or older | 19 | 2.0 | 2 | 0.7 | 7 | 1.9 | 10 | 3.2 |
| Median age | 33 years | | 27 years | | 35 years | | 35 years | |
| Citizenship | | | | | | | | |
| U.S. citizen | 896 | 93.9% | 256 | 92.1% | 355 | 96.5% | 285 | 92.5% |
| Legal alien | 28 | 2.9 | 13 | 4.7 | 6 | 1.6 | 9 | 2.9 |
| Illegal alien | 30 | 3.1 | 9 | 3.2 | 7 | 1.9 | 14 | 4.5 |
| Education level | | | | | | | | |
| Less than high school | 182 | 22.2% | 91 | 38.4% | 52 | 16.5% | 39 | 14.7% |
| High school graduate | 283 | 34.6 | 77 | 32.5 | 121 | 38.4 | 85 | 32.0 |
| Some college | 242 | 29.6 | 58 | 24.5 | 89 | 28.3 | 95 | 35.7 |
| College graduate | 111 | 13.6 | 11 | 4.6 | 53 | 16.8 | 47 | 17.7 |
| Marital status | | | | | | | | |
| Single | 418 | 49.9% | 154 | 65.8% | 142 | 43.2% | 122 | 44.4% |
| Married or cohabitating | 231 | 27.6 | 50 | 21.4 | 93 | 28.3 | 88 | 32.0 |
| Divorced or separated | 189 | 22.6 | 30 | 12.8 | 94 | 28.6 | 65 | 23.6 |
| Criminal record^b | | | | | | | | |
| No prior convictions | 477 | 49.5% | 84 | 29.7% | 209 | 56.5% | 184 | 59.4% |
| Prior misdemeanor only | 189 | 19.6 | 69 | 24.4 | 70 | 18.9 | 50 | 16.1 |
| Prior felony conviction | 297 | 30.8 | 130 | 45.9 | 91 | 24.6 | 76 | 24.5 |

Note: The unit of count was a defendant interviewed, investigated, or supervised by federal pretrial services. Percentages are based on nonmissing records. Data were missing for sex (2), race/Hispanic origin (59), age (1), citizenship (10), education level (146), marital status (126), and prior conviction (1).

^aExcludes persons of Hispanic or Latino origin, unless specified.

^bIncludes both federal and state convictions.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Probation and Pretrial Services Automated Case Tracking System, fiscal year 2015.

9 in 10 human-trafficking defendants adjudicated in U.S. district court in 2015 were convicted

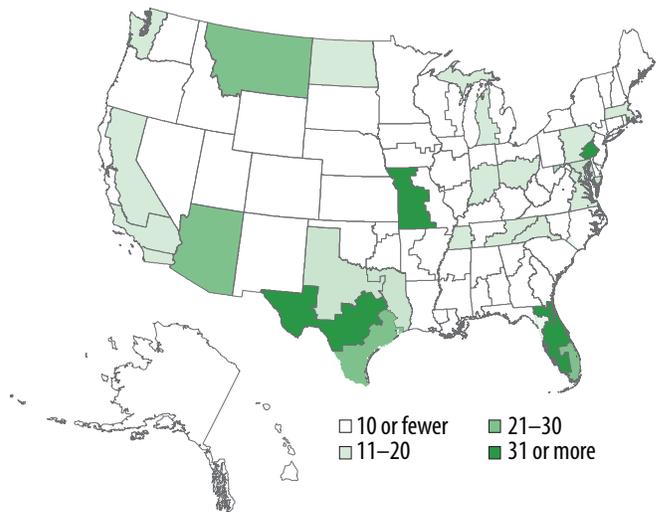
Human trafficking was the most serious offense at case termination for 825 defendants adjudicated in 2015. Of these, 93% (769) were convicted (table 6). Defendants charged with production of child pornography (96%) had the highest conviction rate among trafficking offenses, followed by transportation for illegal sex activity (92%) and peonage, slavery, forced labor, or sex trafficking (89%). Eighty-six percent of convicted defendants entered a guilty plea (table 7).

A third of the convictions of human-trafficking defendants occurred in 10 U.S. districts in 2015

Federal courts in 10 of the 94 federal districts handled 34% (263) of human-trafficking defendants convicted in 2015 (map 2). The five districts with the most human-trafficking convictions included Middle District of Florida (46), Western District of Texas (35), Southern District of Florida (28), Western District of Missouri (28), and Eastern District of Pennsylvania (26).

MAP 2

Number of human-trafficking defendants convicted in U.S. district courts, 2015



Note: A total of 769 defendants were convicted in cases where a human-trafficking offense was the most serious charge at termination. Data not shown for District of Columbia (4), Guam (0), Virgin Islands (2), Northern Mariana Islands (2), and Puerto Rico (16).

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Criminal Master File database, fiscal year 2015.

TABLE 6

Defendants in human-trafficking cases terminated, by verdict, 2015

| Most serious offense at termination | Total cases terminated | Total | Convicted | | Not convicted | |
|---|------------------------|-------|-----------|---------|---------------|---------|
| | | | Number | Percent | Number | Percent |
| Total | 825 | 100% | 769 | 93.2% | 56 | 6.8% |
| Peonage, slavery, forced labor, and sex trafficking | 179 | 100% | 160 | 89.4% | 19 | 10.6% |
| Forced labor | 3 | 100% | 3 | : | 0 | : |
| Trafficking slaves | 3 | 100% | 3 | : | 0 | : |
| Sex trafficking | 117 | 100% | 107 | 91.5 | 10 | 8.5 |
| Other* | 56 | 100% | 47 | 83.9 | 9 | 16.1 |
| Production of child pornography | 397 | 100% | 381 | 96.0% | 16 | 4.0% |
| Transportation for illegal sex activity | 249 | 100% | 228 | 91.6% | 21 | 8.4% |
| Median days from filing to disposition | 365 days | | 365 days | | 365 days | |

Note: Most serious offense at termination was determined by court personnel as the offense with the greatest statutory maximum sentence. The unit of count is a defendant in a case terminated in U.S. district court. Defendants terminated in more than one case are counted separately.

:Percentage not calculated due to fewer than 10 cases.

*Includes conspiracy to commit a peonage, slavery, or trafficking offense; and unlawful conduct with respect to documents.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Criminal Master File, fiscal year 2015.

TABLE 7**Defendants in human-trafficking cases terminated, by mode of disposition, 2015**

| Most serious offense at termination | Total cases terminated | Total | Guilty plea | | Convicted at trial | | Acquitted at trial | | Dismissed | |
|--|------------------------|-------|-------------|---------|--------------------|---------|--------------------|---------|-----------|---------|
| | | | Number | Percent | Number | Percent | Number | Percent | Number | Percent |
| Total | 825 | 100% | 709 | 85.9% | 60 | 7.3% | 4 | 0.5% | 52 | 6.3% |
| Peonage, slavery, forced labor, and sex trafficking | 179 | 100% | 140 | 78.2 | 20 | 11.2 | 2 | 1.1 | 17 | 9.5 |
| Sex trafficking | 117 | 100% | 91 | 77.8 | 16 | 13.7 | 1 | 0.9 | 9 | 7.7 |
| Other* | 62 | 100% | 49 | 79.0 | 4 | 6.5 | 1 | 1.6 | 8 | 12.9 |
| Production of child pornography | 397 | 100% | 354 | 89.2% | 27 | 6.8% | 1 | 0.3% | 15 | 3.8% |
| Transportation for illegal sex activity | 249 | 100% | 215 | 86.3% | 13 | 5.2% | 1 | 0.4% | 20 | 8.0% |
| Median days from filing to disposition | 365 days | | 335 days | | 547 days | | 532 days | | 365 days | |

Note: Most serious offense at termination was determined by court personnel as the offense with the greatest statutory maximum sentence. The unit of count is a defendant in a case terminated in U.S. district court. Defendants terminated in more than one case are counted separately.

*Includes forced labor; trafficking slaves; conspiracy to commit a peonage, slavery, or trafficking offense; and unlawful conduct with respect to documents.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Criminal Master File, fiscal year 2015.

TABLE 8**Type of sentence imposed following a conviction for a human-trafficking offense, 2015**

| Most serious offense at termination | Total convictions | Sentence imposed | | | | | | Prison term imposed (months) | |
|--|-------------------|------------------|---------|----------------|---------|--------------------|---------|------------------------------|--------|
| | | Any prison | | Probation only | | Suspended sentence | | Mean | Median |
| | | Number | Percent | Number | Percent | Number | Percent | | |
| Total | 769 | 759 | 99.0% | 1 | 0.1% | 7 | 0.9% | 253 | 180 |
| Peonage, slavery, forced labor, and sex trafficking | 160 | 156 | 98.1% | 1 | 0.6% | 2 | 1.3% | 160 | 134 |
| Forced labor | 3 | 2 | 66.7 | 1 | 33.3 | 0 | 0.0 | : | : |
| Trafficking slaves | 3 | 3 | 100 | 0 | 0.0 | 0 | 0.0 | : | : |
| Sex trafficking | 107 | 104 | 98.1 | 0 | 0.0 | 2 | 1.9 | 183 | 159 |
| Other* | 47 | 47 | 100 | 0 | 0.0 | 0 | 0.0 | 120 | 96 |
| Production of child pornography | 381 | 377 | 99.2% | 0 | 0.0% | 3 | 0.8% | 356 | 240 |
| Transportation for illegal sex activity | 228 | 226 | 99.1% | 0 | 0.0% | 2 | 0.9% | 144 | 120 |

Note: The most serious offense was determined by court personnel as the offense with the greatest statutory maximum sentence. The unit of count is a defendant in a case terminated with a conviction and sentence in U.S. district court. Defendants convicted and sentenced in more than one case are counted separately. Two records were missing sentence type, and 11 records were missing prison sentence length.

:Mean and median sentence length not calculated due to fewer than 10 cases.

*Includes conspiracy to commit a peonage, slavery, or trafficking offense; and unlawful conduct with respect to documents.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Criminal Master File database, fiscal year 2015.

Nearly all human-trafficking defendants convicted in federal court received a prison sentence in 2015

Ninety-nine percent of the convicted human-trafficking defendants (759 of 769) received a prison sentence in 2015 (table 8). Prison sentence rates did not vary much by type of human-trafficking offense. The number of defendants sentenced to prison increased from 132 in 2000 to 759 in 2015 (table 9, figure 2).

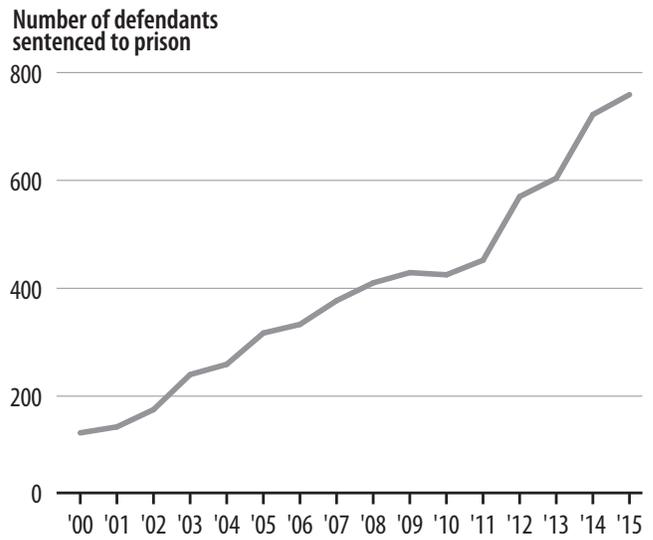
TABLE 9
Human-trafficking defendants sentenced annually to prison, 2000–2015

| Fiscal year | Number of defendants sentenced to prison |
|-------------|--|
| 2000 | 132 |
| 2001 | 143 |
| 2002 | 175 |
| 2003 | 240 |
| 2004 | 259 |
| 2005 | 317 |
| 2006 | 333 |
| 2007 | 377 |
| 2008 | 410 |
| 2009 | 429 |
| 2010 | 425 |
| 2011 | 452 |
| 2012 | 570 |
| 2013 | 604 |
| 2014 | 722 |
| 2015 | 759 |

Note: Defendants convicted and sentenced to prison had human trafficking as most serious offense at case termination.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Criminal Master File, fiscal years 2000–2015.

FIGURE 2
Human-trafficking defendants sentenced annually to prison, 2000–2015



Note: Defendants convicted and sentenced to prison had human trafficking as the most serious offense at case termination. See table 9 for data.

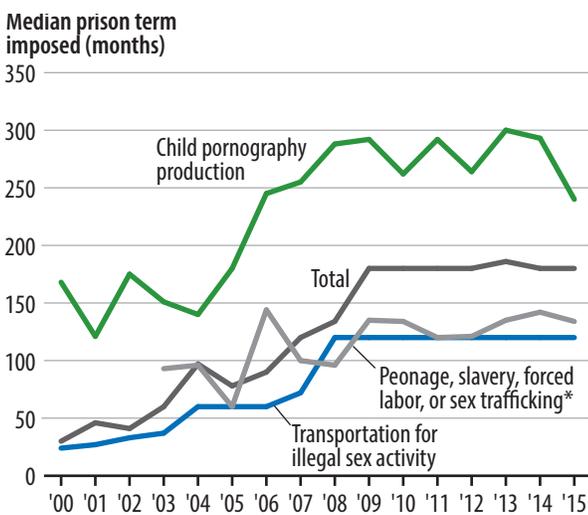
Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Criminal Master File, fiscal years 2000–2015.

The median prison sentence for convicted human-trafficking defendants was 15 years in 2015

The median prison sentence imposed on the 759 defendants convicted and sentenced to prison for a human-trafficking offense was 15 years (180 months). In 2015, defendants sentenced to prison for production of child pornography offenses (240 months) had the longest median prison term, followed by defendants convicted of sex trafficking (159 months) and transportation for illegal sex activity (120 months).

The median prison sentence for human-trafficking defendants increased from 30 months in 2000 to 180 months in 2015. Defendants sentenced for production of child pornography received a median prison sentence of 240 months in 2015, up from 168 months in 2000 (figure 3). Prison terms imposed

FIGURE 3
Median prison sentence imposed on human-trafficking defendants sentenced to prison, by offense type, 2000–2015



Note: Defendants convicted and sentenced to prison had human trafficking as the most serious offense at case termination. See appendix table 1 for data.

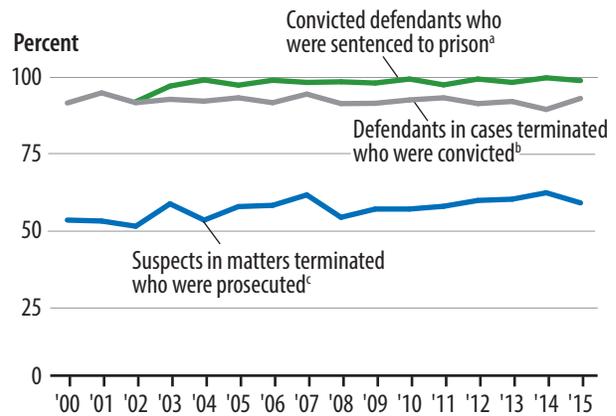
*The median prison term imposed is not displayed from 2000 to 2002 due to fewer than 10 defendants sentenced to prison in each year.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Criminal Master File, fiscal years 2000–2015.

on defendants convicted of transportation for illegal sex activity increased from a median of 24 months in 2000 to 120 months in 2015. Peonage, slavery, forced labor, or sex trafficking defendants received a median prison term of 93 months in 2003 (the first year in the series that had more than 10 cases with which to compute a median) to 134 months in 2015.

The percentage of human-trafficking suspects prosecuted increased from 54% in 2000 to 59% in 2015 (figure 4). The percentage of prosecuted human-trafficking defendants who were convicted varied from 90% in 2014 to 95% in 2001, while the percentage of convicted defendants who received a prison sentence increased from 92% in 2000 to 99% in 2015.

FIGURE 4
Percent of human-trafficking suspects prosecuted, convicted, and sentenced to prison, 2000–2015



Note: See appendix table 2 for data.

^aPercentage of convicted defendants who had human trafficking as the most serious charge at case termination and received a prison sentence.

^bPercentage of defendants at case termination who had human trafficking as the most serious charge and were convicted.

^cPercentage of suspects in matters concluded who had human trafficking as the lead charge and were prosecuted in U.S. district court.

Source: Bureau of Justice Statistics, based on data from the Executive Office for U.S. Attorneys, National Legal Information Office System and the Administrative Office of the U.S. Courts, Criminal Master File, fiscal years 2000–2015.

Methodology

This report uses data from the Bureau of Justice Statistics' Federal Justice Statistics Program (FJSP) to describe persons federally charged, adjudicated, and sentenced for human trafficking.

The FJSP receives administrative data files from six federal criminal justice agencies and standardizes this information to maximize comparability across and within agencies over time. This standardization process includes—

- applying, where possible, person-case as the primary unit of count
- using fiscal year (October 1 through September 30) as the period for reported events
- applying a uniform offense classification across agencies
- classifying disposition and sentences imposed.⁸

Data sources

Executive Office for U.S. Attorneys (EOUSA).

EOUSA's National Legal Information Office Network System (LIONS) contains data on suspects in matters investigated and concluded by U.S. attorneys. Human-trafficking crimes are identified through two methods. First, program category codes are used to report human-trafficking crimes handled by U.S. attorneys. The program category code 05E is used to denote matters (since January 31, 2011) that involve "Slavery/involuntary servitude and trafficking in persons. Violations of 18 U.S.C. §§ 1581 (peonage), 1583 (enticement into slavery), 1584 (involuntary servitude), 1589 (forced labor), 1590 (trafficking into servitude), 1591 (where the offense involves sex trafficking of adults by force, fraud, or coercion), 1592 (document servitude), 1593A (benefiting financially from peonage, slavery, and trafficking in persons), and 1594 (attempt or conspiracy to violate sections 1581-1590 or attempt or conspiracy to violate 1591 where the offense involves sex trafficking of adults by force, fraud, or coercion)." Second, the LIONS manual defines the lead charge variable as

⁸The FJSP was initiated in 1982 to serve as a central resource for information describing the case processing of federal criminal defendants and to meet BJS's statutory mandate to "collect, analyze, and disseminate comprehensive federal justice transaction statistics ... and to provide technical assistance to and work jointly with other federal agencies to improve the availability and quality of federal justice data" (34 U.S.C. 10132 (c) (15)).

"the substantive statute that is the primary basis for referral." The unit of count is a suspect in a matter investigated or concluded. A matter may have more than one suspect. A matter is opened for investigations when an assistant U.S. attorney spends at least 1 hour on the matter. LIONS data also include case processing time from receipt of a matter by a federal prosecutor to the time of the decision by the prosecutor.

Administrative Office of the U.S. Courts

(AOUSC). The AOUSC's Probation and Pretrial Services Automated Case Tracking System (PACTS) database contains information on defendants interviewed and supervised by pretrial services. Demographic characteristics of defendants charged with a human-trafficking offense are derived from information collected at the pretrial interview. Offenses in the PACTS database are based on the most serious charged offense, as determined by the probation officer responsible for interviewing the defendant. The determination is made by first classifying the major offense charged into AOUSC four-digit offense codes. For defendants charged with more than one offense on an indictment, the officer chooses as the major charged offense the one carrying the most severe penalty or, in the case of two or more charges carrying the same penalty, the one with the highest offense severity. To determine the offense severity level, offenses are ranked according to the maximum sentence length, type of crime, and maximum fine amount.

AOUSC's Criminal Master File. Data on defendants in cases filed and terminated in U.S. district court are from the AOUSC's Criminal Master File. The Criminal Master File includes defendants charged with a felony or Class A or B misdemeanor offense in U.S. district court. Human-trafficking crimes are identified by using the most serious offense at termination. AOUSC data include information on mode of disposition, sentence type, duration of prison and probation terms imposed, and district. The unit of count is a defendant in a case filed or terminated in U.S. district court. Defendants in more than one case filing are counted separately.

APPENDIX TABLE 1**Data for figure 3: Median prison sentence imposed on human-trafficking defendants sentenced to prison, by offense type, 2000–2015**

| Fiscal year | Total | Peonage, slavery, forced labor, or sex trafficking | Production of child pornography | Transportation for illegal sex activity |
|-------------|---------|--|---------------------------------|---|
| 2000 | 30 mos. | -- | 168 | 24 |
| 2001 | 46 | -- | 121 | 27 |
| 2002 | 41 | -- | 175 | 33 |
| 2003 | 60 | 93 | 151 | 37 |
| 2004 | 97 | 96 | 140 | 60 |
| 2005 | 78 | 60 | 180 | 60 |
| 2006 | 90 | 144 | 245 | 60 |
| 2007 | 120 | 100 | 255 | 72 |
| 2008 | 134 | 96 | 288 | 120 |
| 2009 | 180 | 135 | 292 | 120 |
| 2010 | 180 | 134 | 262 | 120 |
| 2011 | 180 | 120 | 292 | 120 |
| 2012 | 180 | 121 | 264 | 120 |
| 2013 | 186 | 135 | 300 | 120 |
| 2014 | 180 | 142 | 293 | 120 |
| 2015 | 180 | 134 | 240 | 120 |

--The median prison term imposed is not displayed from 2000 to 2002 due to fewer than 10 defendants sentenced to prison in each year.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Criminal Master File, fiscal years 2000–2015.

APPENDIX TABLE 2**Data for figure 4: Percent of human-trafficking suspects prosecuted, convicted, and sentenced to prison, 2000–2015**

| Fiscal year | Suspects in matters terminated who were prosecuted | Defendants in cases terminated who were convicted | Convicted defendants who were sentenced to prison |
|-------------|--|---|---|
| 2000 | 53.6% | 91.7% | 91.7% |
| 2001 | 53.3 | 95.0 | 94.7 |
| 2002 | 51.6 | 91.8 | 92.1 |
| 2003 | 58.9 | 92.9 | 97.2 |
| 2004 | 53.6 | 92.3 | 99.2 |
| 2005 | 58.0 | 93.4 | 97.5 |
| 2006 | 58.4 | 91.8 | 99.1 |
| 2007 | 61.8 | 94.6 | 98.4 |
| 2008 | 54.5 | 91.5 | 98.6 |
| 2009 | 57.2 | 91.6 | 98.2 |
| 2010 | 57.2 | 92.7 | 99.5 |
| 2011 | 58.1 | 93.4 | 97.6 |
| 2012 | 60.0 | 91.5 | 99.5 |
| 2013 | 60.4 | 92.2 | 98.4 |
| 2014 | 62.5 | 89.6 | 99.9 |
| 2015 | 59.2 | 93.2 | 99.0 |

Source: Bureau of Justice Statistics, based on data from the Executive Office for U.S. Attorneys, National Legal Information Office System and the Administrative Office of the U.S. Courts, Criminal Master File, fiscal years 2000–2015.



The Bureau of Justice Statistics of the U.S. Department of Justice is the principal federal agency responsible for measuring crime, criminal victimization, criminal offenders, victims of crime, correlates of crime, and the operation of criminal and civil justice systems at the federal, state, tribal, and local levels. BJS collects, analyzes, and disseminates reliable statistics on crime and justice systems in the United States, supports improvements to state and local criminal justice information systems, and participates with national and international organizations to develop and recommend national standards for justice statistics. Jeffrey H. Anderson is director.

This report was written by Mark Motivans and Howard N. Snyder. Suzanne Strong verified the report.

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