

#### U.S. DEPARTMENT OF JUSTICE BUREAU OF JUSTICE STATISTICS

## 2019 SURVEY OF STATE ATTORNEY GENERAL OFFICES – HUMAN TRAFFICKING

2140					
ENTER THE CONTACT INFORMATION OF THE PERSON FILLING OUT THIS FORM					
Name		Title			
Address					
City	State	Zip Code			
Telephone		AG Office			
E-mail address					

#### AG Office UID (to be completed by the Urban Institute)

#### **GENERAL INFORMATION**

The purpose of this survey is to obtain information regarding your office's enforcement activities involving human trafficking. The data collected will be used to describe the organization, structure, and responsibilities of state attorney general offices in response to human trafficking. The information requested involves both criminal and civil enforcement activities, including investigations, prosecutions, and judicial proceedings, as well as participation in task forces and policy development. Although this survey is voluntary, we need and appreciate your cooperation to make the results comprehensive, accurate, and timely.

Please complete the survey by **January 31, 2019** and send your completed survey by email to <u>HTsurvey@urban.org</u> or by mailing it to –

Urban Institute Justice Policy Center BJS SSAGO-HT Survey 2100 M St NW Washington, DC, 20037

If you have any questions about the survey or require any assistance, please contact the principal investigators or BJS project manager –

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#### Burden Statement

Under the Paperwork Reduction Act (44 U.S.C. § 3501), federal agencies cannot ask you to respond to a collection of information unless it displays a currently valid OMB Control Number. Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate, or any other aspects of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531.

#### INSTRUCTIONS

- A case is defined as a set of all charges (or causes of action) filed in court against a single defendant that are handled by the court as a single incident. A case with three defendants should be recorded as three cases, but a case with one defendant with multiple charges (or multiple causes of action) should be counted as one case. Some questions ask for numbers or estimates (e.g., numbers of cases).
- 2. In this survey, we are interested in both the cases that were "open" and that were "closed" by your office during calendar year 2018 (January 1, 2018 December 31, 2018). A case is considered open when your office is dedicating resources to it or while it is still pending with the court. A case is considered closed when a court has entered their verdict or final finding in the case. Closed cases include dismissals, acquittals, not guilty findings, guilty findings, and other deferred dispositions, such as placement on an inactive docket. Civil closed cases include dismissals, entries of summary judgment, entry of judgment for or against a party, and when the parties enter into a settlement agreement and the court approves that agreement.
- 3. The survey asks about cases "handled" by your office, which means cases to which your office dedicates resources at any point of the process, including investigations, cases in the pre-indictment or pre-civil filing stage, court case filings, final case dispositions (adjudications and sentencings), and court findings (civil judgments and settlement agreements).
- 4. We recognize that it may be necessary to pass the survey to different individuals or units within your office to answer all of the questions on the survey. You may share the survey, but please designate one person as the contact person responsible for completing and submitting the survey, as well as for any follow-up questions regarding the survey once it is completed. If sharing the fillable PDF, do not send the password in the same email as the fillable PDF. Send the survey in one email and the password in a separate email.

#### **DEFINITIONS**

Our <u>definition</u> of human trafficking is based on the *Trafficking Victims Protection Act (TVPA)* of 2000 (and subsequent reauthorizations) and includes both **sex trafficking** and **labor trafficking**, which are defined below. However, we recognize that individual states may define sex trafficking and labor trafficking and the age of majority differently. **If your state's definition of trafficking or underage victims differ from the TVPA definitions, please use your state's definitions (as promulgated in your state human trafficking laws) while answering the questions in the survey.** 

- Sex trafficking is the recruitment, harboring, transportation, provision, obtaining, patronizing, or solicitation of a person for the purpose of a *commercial sex act*, in which the commercial sex act is induced by force, fraud, or coercion (22 USC § 7102); or to knowingly recruit, entice, harbor, transport, provide, obtain, or maintain a minor (defined as someone under 18 years of age) knowing or in reckless disregard of the fact that the victim is a minor and would be caused to engage in a commercial sex act (18 USC § 1591).
  - o **Commercial sex act**: any sex act for which anything of value (e.g., money, drugs, food, shelter, rent, etc.) or the promise of anything of value is given by any person. A third party may or may not be involved.
  - Coercion: involves threats of serious harm to or physical restraint against any person; any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or the abuse or threatened abuse of the legal process. Coercion may include psychological manipulation, documents confiscation, and shame- and fear-inducing threats to share information or pictures with others or to report to authorities.
- 2. **Labor trafficking** is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery (22 USC § 7102).
  - Involuntary servitude: a condition of servitude induced by means of any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm/physical restraint; or the abuse/threatened abuse of the legal process.
  - Debt bondage: the status or condition of a debtor arising from pledge by debtor of his/her personal services or those of a person under his or her control as a security for debt, if value of those services as reasonably assessed is not applied toward liquidation of the debt or the length and nature of those services are not respectively limited and defined.
  - Peonage: is a status or condition of involuntary servitude based on real or alleged indebtedness.
  - Slavery: is the status of being under the ownership or control of someone where a person is forced to work for another.

SECTION 1. GENERAL OFFICE INFORMATION
In this section, we are going to ask you questions about your office's staffing, training activities, and participation in educational forums and task forces.

Estimate				
If your office has a specialize how many Assistant/Deputy 2018? If you are not able to prestimate box.	Attorneys Gene	eral worked in that u	ınit as	s of Decembe
Estimate	Not Applicable	(no dedicated huma	ın trafi	ficking unit)
Do you have any of the folloconsultants? Check Yes, No	<b>-</b> -		cess t	o them as
Computer forensics experts	Yes, on staff   ☐	Yes, as consultant □	No □	Unknown □
Crime analysts				
Victim advocates				
Victim service providers				
Witness experts		П		
/hat is your office's jurisdic es, No, or Unknown for each		Yes	No	Unknown
Jurisdiction for civil cases				
Jurisdiction for criminal appear				
Jurisdiction for criminal appearance original jurisdiction for criminal	al cases			
Jurisdiction for criminal appear Original jurisdiction for crimin Concurrent jurisdiction for cri	al cases minal cases		_	
Jurisdiction for criminal appearance original jurisdiction for criminal	al cases minal cases			
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Jurisdiction for criminal appearance Original jurisdiction for criminal Concurrent jurisdiction for cri Jurisdiction for criminal cases permission of local DAs  //hat is your office's jurisdiction es, No, or Unknown for each  Jurisdiction for civil cases Jurisdiction for criminal appearance	al cases minal cases s by invitation or tional authority roption.	egarding labor traf	fickin	g cases? Che
Jurisdiction for criminal appearusion or criminal description for criminal cases permission of local DAs  Vhat is your office's jurisdiction for criminal cases of the control of the cont	al cases minal cases s by invitation or tional authority roption.  als al cases	egarding labor traf	fickin	g cases? Che
Jurisdiction for criminal appearance Original jurisdiction for criminal Concurrent jurisdiction for criminal cases permission of local DAs  What is your office's jurisdiction for civil cases Jurisdiction for civil cases Jurisdiction for criminal appearance	al cases minal cases s by invitation or tional authority roption.  als al cases minal cases	egarding labor traf	fickin	g cases? Che

6.	In calendar year 2018, did your office participate in any of the following jurisdictional task forces involving human trafficking? Check Yes, No, or Unknown for each option.								
			Yes	No	Unknown				
	U.S. DOJ Human Trafficking Task Fo	orce							
	FBI Innocence Lost Task Force								
	Internet Crimes Against Children Tas	sk Force							
	Anti-trafficking coordination teams								
	Other federal task force								
	Other joint federal/state task force								
	Other regional task force								
	Other state task force								
7.	In calendar year 2018, did your staff	receive tra	aining specific	cally on hun	nan trafficking?				
	, , , , , ,		Yes	-	Unknown				
8.	In calendar year 2018, did your offic programs regarding human trafficki Unknown for each option.			g? Check Ye					
	Businesses								
	General public (including online train	inas)							
	Judges	3-7							
	Law enforcement								
	Prosecutors								
9.		nan traffick	ing cases, ho	w important	are the				
	following?	Not at all important	Slightly important	Moderatel important	y Very important				
	Human trafficking prosecutors								
	Improved civil enforcement coordination (e.g., with Department of Labor)								
	Improved law enforcement coordination								
	Victim services advocacy or provision								
	Other (please specify below)								

#### SECTION 2. SEX AND LABOR TRAFFICKING CHARGING PRACTICES

In this section, we want to know more about your state's human trafficking statutes and how your office charges sex and labor trafficking cases. <u>Instructions for counting cases</u>: a case with three defendants should be counted three times, but a case with one defendant and multiple charges (or causes of action) should be counted as one case.

10. How many criminal and civil human trafficking cases of the following categories were handled by your office in calendar year 2018? Select the range of cases using the dropdown box for each category. If your office does not have jurisdiction, select No Jurisdiction for the option. If you are not able to provide a range, select Unknown.

Broad Category	Criminal Cases	Civil Cases
Labor trafficking	Choose an item.	Choose an item.
Sex trafficking of adults	Choose an item.	Choose an item.
Sex trafficking of minors	Choose an item.	Choose an item.

11.	Does your sta	ate have a spec	fic statute prohibiting <u>labor trafficking</u> ?
	Yes No		o to Question 15.
12.	2018 were cha	arged <u>only</u> with	fficking cases handled by your office in calendar year state labor trafficking statutes? If you are not able to provide an estimate and check the estimate box.
		Estimate	Not Applicable (no labor trafficking cases)
	were charged v	with both state	icking cases handled by your office in calendar year 201 labor trafficking statutes and other state statutes? If you percentage, provide an estimate and check the estimate box
		Estimate	Not Applicable (no labor trafficking cases)
	were charged	only with state	icking cases handled by your office in calendar year 201 statutes other than labor trafficking statutes? If you are not tage, provide an estimate and check the estimate box.
		Estimate	Not Applicable (no labor trafficking cases)

15. For <u>labor trafficking</u> charges other than did not handle any lal Applicable.'	human traf	ficking, what o	ther charges v	vere brough	nt? If your office
Not Applicable (no	labor trafficl	king cases) □	Vaa	No	Unknown
Child endangermer	nt		Yes □	No □	Unknown
Domestic abuse/as	sault				
Fraud					
Kidnapping/child st	ealing				
Labor code wage a	nd hour vio	lation			
Money laundering					
Purchase/sale of ar	n individual				
Sexual abuse					
Other charges (plea	ase specify	below)			
17. What percentage of were charged only we exact percentage, pro	▶ If No, go  sex traffic with state sovide an est	to Question 20 king cases han ex trafficking s imate and check	dled by your o tatutes? If you the estimate b	office in cale are not able	
E	Estimate	Not Applicable	(no sex traffick	king cases)	
18. What percentage of were charged with k not able to provide the	oth state s	sex trafficking s	statutes and of	ther state st	tatutes? If you are
E	Estimate	Not Applicable	(no sex traffick	king cases)	
19. What percentage of were charged only was able to provide the experience.	with state s	tatutes other th	nan sex traffic	king statute	s? If you are not
Е	Estimate	Not Applicable	(no sex traffick	king cases)	
				- ,	

20. For <u>sex trafficking</u> cases handled by your officharges other than human trafficking, what o did not handle any sex trafficking cases in calend	ther charges w	ere brough	nt? If your office
Not Applicable (no sex trafficking cases) □	Yes	No	Unknown
Child endangerment	res		
Conspiracy			
Contributing to the delinquency of a child			
Domestic abuse/assault			
Fraud			
Kidnapping/child stealing			
Money laundering			
Pandering			
Promoting or compelling prostitution/pimping			
Purchase/sale of an individual			
Sexual abuse			
Sexual assault of a minor			
Sexual exploitation of a minor			
Other charges (please specify below)			
SECTION 3. OFFENDERS AND VICTIMS OF HUM In this section, we want to know about the victim cases handled by your office.			n trafficking for
21. Indicate if the types of offenders listed below criminal or civil human trafficking cases hand 2018. Check Yes, No, or Unknown for each optic civil human trafficking cases in calendar year 20 to Question 22.	dled by your offon. If your office	f <b>ice during</b> did not hav	calendar year e any criminal or
Not Applicable □	Yes	No	Unknown
Individuals			
Groups of individuals (including organized crime)			
Businesses (not online, not subcontractors)			
Business subcontractors			
Online websites or website providers			
Other (please specify below)			

21a. Indicate which type of offenders listed below was the <u>most common</u> type of alleged offenders in criminal or civil human trafficking cases handled by your office during calendar year 2018. Please check only one answer.

	Most common			
Individuals	$\bigcirc$			
Groups of individuals (including organized crime)	Ŏ			
Businesses (not online, not subcontractors)				
Business subcontractors				
Online websites or website providers				
Other (please specify below)	Ŏ			
Indicate if the types of victims listed below we or civil human trafficking cases handled in yes, No, or Unknown for each option. If your of trafficking cases in calendar year 2018, please Question 23.	our office during fice did not have a	<b>calenda</b> ny crimina	<b>r year 2018.</b> Ch al or civil humaı	neck
Not Applicable □				
	Yes	No	Unknown	
Adult victims of labor trafficking	Ш		Ш	
Adult victims of sex trafficking	Ш			
Child victims of labor trafficking  Child victims of sex trafficking				
Crilia victims of sex transcring	Ш			
22a. Indicate which type of victims listed by victims in criminal or civil human trafficking calendar year 2018. Please check only one a	ng cases handled			ged
	Most common			
Adult victims of labor trafficking	Q			
Adult victims of sex trafficking	Q			
Child victims of labor trafficking	Q			
Child victims of sex trafficking				

23. What services for victims of labor and sex trafficking are available or can be arranged through your office? For each service listed below, please check Yes if your office provides this service or refers victims to other service providers for this service. Please check No if you office does not provide the service or does not refer victims to providers. Please check Unknown if you do not know about the provision of the below services.						
	Yes	No	Unknown			
Counseling						
Drug treatment						
Housing						
Legal services						
Other (please specify below)						

### SECTION 4. SEX AND LABOR TRAFFICKING REFERRALS AND CASES

In this section, we are going to ask about the sources referring cases and how cases are referred to your office, what you do when you do not open a case, and about how many cases your office opened and closed in calendar year 2018.

24. Have any of the following sources referred human trafficking matters to your office during calendar year 2018? "Matters" refer to all criminal <u>and</u> civil matters of concern brought to the attention of AG offices by any individual or entity, including any government office. Check Yes, No, or Unknown for each option.

Yes No Unknown
RE
care providers
care providers (including
emergency rooms)
CEMENT & PROSECUTION
au of Investigation
f Homeland Security
f Labor
including Sheriff's Office)
ey's Office
s Office
NMENTAL ORGANIZATIONS
er for Missing and Exploited
t groups $\square$
ates or victim service providers
RCES
icking Hotline/Polaris Project
luals $\square$
s, foster care agency, or foster $\Box$
specify below)

25. Did any of the <u>labor trafficking</u> cases (criminal or civil) that were opened by your office in calendar year 2018 occur within one of the venues listed below? Check Yes, No, Unknown, or NJ (no jurisdiction) for each offense. If your office did not have any open criminal or civil labor trafficking cases in calendar year 2018, please check 'Not Applicable' and proceed to Question 26.

Not Applicable (no labor trafficking cases were opened)  $\square$ 

		Cri	minal Cases	ninal Cases Civil Cases			vil Cases	
Venues	Yes	No	Unknown	NJ	Yes	No	Unknown	NJ
Agricultural work/ field labor								
Carnival work								
Commercial cleaning services								
Construction								
Custodial work								
Domestic servitude								
Elder care/nursing homes								
Factories/manufacturing								
Forestry and logging								
Health and beauty services/ nail salons								
Hotels/hospitality services								
Landscaping								
Restaurants/food services								
Street peddling/ begging								
Strip clubs								
Traveling sales crews								
Other (please specify below)								

		-

Not Applicable (no sex trafficking ca	ases w	ere o	pened) $\square$					
	Criminal Cases Civil Cases					vil Cases		
Venues	Yes	No	Unknown	NJ	Yes	No	Unknown	NJ
Escort services								
Massage parlors (illicit massage)								
Outdoor solicitation/street prostitution								
Residential brothels								
Strip clubs								
Other (please specify below)								
Instructions for counting cases: a ca times, but a case with one defendant counted as one case.								l be
times, but a case with one defendant	criminate of the contract of t	nultip	bor traffickie does not ha	(or ca ing ca ave jur range,	ses di isdiction	d you	r office closect No	
times, but a case with one defendant counted as one case.  27. In calendar year 2018, how many through the following methods?  Jurisdiction for each option. If you a	criminate of the contract of t	nultip	bor traffickie does not hat to provide a	ing ca ave jur range,	ses di isdiction select	d you	r office closect No	
times, but a case with one defendant counted as one case.  27. In calendar year 2018, how many through the following methods?  Jurisdiction for each option. If you a Case dismissed	criminate of the control of the cont	nultip	bor traffickie does not hat to provide a	ing ca ave jur range, an iter	ses di isdiction selection.	d you	r office closect No	

28. In calendar year 2018, how many cri	<u>iminal sex trafficking</u> cases did your office close
through the following methods? If yo	our office does not have jurisdiction, select No
Jurisdiction for each option. If you are i	not able to provide a range, select Unknown.

Guilty finding on any charge  Choose an item.  Not guilty on all charges (acquittal)  Choose an item.  Choose an item.	Case Dismissed	Choose an item.
Tvot gainty on an onargoo (abquittar)	Guilty finding on any charge	Choose an item.
Other finding (please specify below)  Choose an item.	Not guilty on all charges (acquittal)	Choose an item.
	Other finding (please specify below)	Choose an item.

# 29. In calendar year 2018, how many <u>civil labor trafficking</u> cases did your office close through the following methods? If your office does not have jurisdiction, select No Jurisdiction for each option. If you are not able to provide a range, select Unknown.

Judgment against the defendant	Choose an item.
Judgment for the defendant	Choose an item.
Case dismissed	Choose an item.
Parties reached a settlement agreement	Choose an item.
Other finding (please specify below)	Choose an item.

**30.** In calendar year 2018, how many <u>civil</u> <u>sex trafficking</u> cases did your office close through the following methods? If your office does not have jurisdiction, select No Jurisdiction for each option. If you are not able to provide a range, select Unknown.

Judgment against the defendant	Choose an item.
Judgment for the defendant	Choose an item.
Case dismissed	Choose an item.
Parties reached a settlement agreement	Choose an item.
Other finding (please specify below)	Choose an item.

Not Applicable □				
• •	Yes	No	Unknown	
Referred to law enforcement: state or local				
Referred to regulatory agencies: federal				
Referred to regulatory agencies: state				
Referred to state or local prosecutors				
Referred to U.S. Attorney's Office				
Closed after investigation				
Closed without investigation or referral				
32. How did your office handle sex trafficking rethat were not prosecuted? Check Yes, No, o have any sex trafficking referrals in calendar proceed to Question 33.	r Unknov	wn for ea	ach option. If y	our office did not
Not Applicable □	V	NI-	I lada accia	
Referred to law enforcement: state or local Referred to regulatory agencies: federal Referred to regulatory agencies: state Referred to state or local prosecutors Referred to U.S. Attorney's Office Closed after investigation Closed without investigation or referral	Yes	No	Unknown  □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □	
			numan trafficki	ing cases in you
33. What are the biggest challenges to successfu jurisdiction?	lly prose	ecuting r		o ,

You have reached the end of this survey. Please do not forget to save your responses by saving a copy of this PDF.

Thank you for participating in this survey.