PART B. Statistical Methods

1. The potential respondent universe of the form *Monthly Return of Human Trafficking Offenses Known to Law Enforcement* includes respondents from United States (U.S.) law enforcement agencies (LEAs) who voluntarily report human trafficking crimes to the FBI's Uniform Crime Reporting (UCR) Program. During 2014, 18,498 law enforcement agencies participated in the FBI UCR Program. LEAs consist of local, county, state, tribal and federal agencies that correlate to all population group sizes and have many diverse attributes. These agencies include a mix of population density and degrees of urbanization; various compositions of population particularly youth concentration; population mobility with respect to residents' mobility, commuting patterns, and transient factors; different economic conditions including median income, poverty level, and job availability; areas with different modes of transportation and highway systems; different cultural factors and educational, recreational, and religious characteristics; family conditions with respect to divorce and family cohesiveness; climate; effective strength of law enforcement; policies of other components of the criminal justice system; citizens' attitudes toward crime; and crime reporting practices of the citizenry.

   Response rates have increased over the last few years. The 2013 figures revealed that 23.1 percent of all UCR LEAs provided either incidents of human trafficking or zero incidents of human trafficking to the UCR Program. Figures for 2014 showed 105 LEAS from 17 states and two tribal agencies reported 443 human trafficking offenses. A total of 5,650 LEAs from 23 states and two U.S. territories reported zero incidents of human trafficking, leaving 12,747 LEAs as non-reporters. Thirteen additional states, five tribal agencies, and two U.S. territories began contributing human trafficking data in 2014. This is an increase of 5.8 percent from the 2013 figures. The FBI UCR Program actively liaisons with national and federal LEAs to encourage participation in the human trafficking data collection. Training modules and reference materials are also provided to these LEAs.

   For the first time in 2014, the FBI began reporting human trafficking arrest data by field office for violations of sections of the U.S. Code relevant to human trafficking. The FBI collected 562 arrests from the FBI's internal case-management system. This data was collected from 52 of the 56 FBI Field Offices. Data were not included for arrests made in a joint investigation with other agencies when a state or local code was used nor for human trafficking cases when a different provision of the U.S. Code was used for the basis of arrest.

2. Human trafficking data are collected/received from State UCR Program participants on a monthly basis. The FBI's UCR Program has established various time frames and deadlines for acquiring the monthly data. Monthly reports/submissions should be received at the FBI by the seventh day after the close of each month. Annual deadlines are also designated in order to collect/assess receipt of monthly submissions. There are times when special circumstances may cause an agency to request an extension. The FBI's UCR Program has the authority to grant these extensions. Although monthly

reports are preferred by agencies, the FBI's UCR Program has agencies that submit data quarterly, twice a year, and even once a year. Upon approval, the FBI UCR Program agencies can submit their data at intervals that minimizes the burdens to the agency.

LEAs participating in the Summary Reporting System (SRS) submit human trafficking data to the FBI UCR Program via electronic files or by using the Microsoft Excel Workbook Tool which contains an electronic version of the *Monthly Return of Human Trafficking Offenses Known to Law Enforcement*. The SRS is referred to as the "traditional" FBI UCR reporting system; it began in 1930, and has had few modifications through the years.

As the UCR human trafficking data collection is intended to collect all reported human trafficking offenses from law enforcement agencies in the U.S., sampling methodologies are not used. Estimation procedures will not be applied due to human trafficking being a relatively new data collection and response rates are anticipated to be low, and therefore, may not be a true representation of the offense. As more data are received, estimation procedures will be examined. With the development of the new Uniform Crime Reporting Redevelopment Project (UCRRP), the possibility of more advanced estimation procedures will be reviewed by the UCR survey statistician, UCR Advisory Policy Board (APB) Subcommittee members, and with the involvement of OMB statisticians.

The FBI relies on the integrity of data contributors reporting data, however, Quality Assurance Reviews are conducted by the Criminal Justice Information Services (CJIS) Audit Unit on a triennial basis. The results of the audits are not used to adjust crime data, but are used to educate reporting agencies on compliance with national UCR guidelines.

3. Response rates are maximized through liaison with state UCR programs. Communications encouraging data submissions occur frequently because of the relationship between FBI UCR staff and LEAs. FBI UCR staff have a strong understanding of contextual challenges agencies face in reporting valid and reliable data and regularly work to overcome nonresponse issues when such challenges occur. The mission of the FBI UCR Program is to acquire human trafficking data, establish guidelines for the collection of such data, and publish human trafficking data. Although the FBI makes every effort through its editing procedures, training practices, and correspondence to ensure the validity of the data it receives, the accuracy of the statistics depends primarily on the adherence of each contributor to the established standards of reporting. The FBI is working to help LEAs participate in the human trafficking data collection with the FBI CJIS Division's UCRRP to manage the acquisition, development, and integration of a new information systems solution which affects UCR participating local, state, tribal, and federal law enforcement agencies. The UCRRP's goal is to improve UCR efficiency, usability, and maintainability while increasing the value to users of UCR products. The UCRRP reduced the exchange of printed materials between submitting agencies. The FBI began accepting data by electronic means only on July 1, 2014. The UCRRP developed numerous options for accepting electronic

submissions, they are: Extensible Markup Language, Flat File Formats, and an FBI provided Microsoft Excel Workbook and Tally Book Tool.

Training also encourages participation in the FBI's UCR Program. The FBI has trainers who provide on-site training for any law enforcement agency that participate in the FBI UCR Program. The trainers furnish introductory, intermediate, or advanced courses in data collection procedures and guidelines. In addition, the trainers are available by telephone or e-mail to provide LEAs with answers to specific questions about classification, scoring and other questions regarding the FBI UCR Program.

Providing vital links between local law enforcement and the FBI in the conduct of the FBI UCR Program are the Criminal Justice Information Systems Committees of the International Association of Chiefs of Police (IACP) and the National Sheriffs' Association (NSA). The IACP, as it has since the FBI UCR Program began, represents the thousands of police departments nationwide. The NSA encourages sheriffs throughout the country to participate fully in the FBI UCR Program. Both committees serve in advisory capacities concerning the FBI UCR Program's operation. The Association of State Uniform Crime Reporting Programs (ASUCRP) focuses on UCR issues within individual state law enforcement associations and also promotes interest in the FBI UCR Program. These organizations foster widespread and responsible use of uniform crime statistics and lend assistance to data contributors when needed.

The FBI UCR Program was recently asked by the Anti-Human Trafficking National Training and Technical Assistance Program for Law Enforcement Task Forces to add verbiage to the Bureau of Justice Assistance (BJA) Human Trafficking Task Force Grants which will require a task force receiving BJA grant money to submit their Human Trafficking data to the national UCR Program. This verbiage will be added to the BJA grants beginning for 2017. Although these task forces are small, the data received should dramatically increase the numbers reported to the FBI UCR Program.

4. During the implementation of the human trafficking information collection, extensive research regarding the offense of human trafficking was conducted. Discussing the steps necessary to begin the collection of human trafficking information within the scope of the FBI's UCR Program as mandated were members of the CJIS Division's, Law Enforcement Support Section, UCR Program Office; the Office of the General Counsel Division, General Law and Legal Training Branch, Access Integrity Unit, CJIS Division; Information Technology Management Section; the Criminal Investigative Division (CID), Civil Rights Unit; FBI Office of Congressional Affairs; Bureau of Justice Statistics; and special interest group, Polaris Project, a leading organization in the global fight against human trafficking and modern day slavery.

The primary emphasis in developing an approach for collecting national human trafficking statistics was to meet the requirements of the "*William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008,*" and to avoid placing major new reporting burdens on law enforcement agencies contributing data to the FBI UCR

Program. To accomplish this goal, a data collection was developed based on the program's existing reporting systems, the NIBRS and the SRS. Furthermore, the method by which human trafficking is collected by the FBI UCR Program was fully vetted and approved by the FBI's CJIS APB process. The APB was established to ensure a "shared management" concept with the nation's law enforcement community for all criminal justice information systems managed by the CJIS Division. It ensures law enforcement has the opportunity to discuss and vote on any policy or procedural changes to CJIS systems affecting law enforcement's ability to share information to the nation. The APB reviews policy, technical, and operational issues related to the CJIS services and recommends to the Director appropriate changes. In addition to the APB, the CJIS Advisory Process also includes five Regional Working Groups and many Subcommittees, including the UCR Subcommittee. The CJIS Advisory Process is an effective way to test concepts and develop the shared systems that support law enforcement and criminal justice agencies.

On December 23, 2008, the President signed Public Law 110-457 (HR 7311), the *William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008*, which requires the FBI to implement the collection of human trafficking data; to collect subcategories for "state sex crimes," that do, or do not, involve force, fraud, or coercion for persons under 18 years of age, or 18 years of age and older; and to distinguish between incidents of assisting or promoting prostitution, purchasing prostitution, and prostitution. The *Wilberforce Act* states:

> (a) TRAFFICKING OFFENSE CLASSIFICATION.—The Director of the Federal Bureau of Investigation shall—(1) classify the offense of human trafficking as a Part I crime in the Uniform Crime Reports; (2) to the extent feasible, establish subcategories for State sex crimes that involve—(A) a person who is younger than 18 years of age; (B) the use of force, fraud, or coercion; or (C) neither of the elements described in subparagraphs (A) and (B); and (3) classify the offense of human trafficking as a Group A offense for the purpose of the National Incident-Based Reporting System.

> (b) ADDITIONAL INFORMATION.—The Director of the Federal Bureau of Investigation shall revise the Uniform Crime Reporting System and the National Incident-Based Reporting System to distinguish between report of – (1) incidents of assisting or promoting prostitution, which shall include crimes committed by person who—(A) do not directly engage in commercial sex acts; and (B) direct, manage, or profit from such acts, such as pimping and pandering crimes; (2) incidents of purchasing prostitution, which shall include crimes committed by persons who purchase or attempt to purchase or trade anything of value of commercial sex acts; and (3) incidents of prostitution, which shall include crimes committed by persons providing or attempting to provide commercial sex acts. *William Wilberforce Trafficking Victims Protection Reauthorization Act (TVPRA) of 2008* § 237, 28 U.S. C. § 534 note (2004).

From 2009 through 2011, various recommendations were made to various components of the APB regarding the human trafficking collection in SRS and NIBRS. During this time, the UCR Program Office researched the definitions of human trafficking/commercial sex acts, human trafficking/involuntary servitude and purchasing prostitution. The APB approved the following recommendations during this time period:

- Establishment two Part I human trafficking offenses in SRS to be collected on a separate form to enable the UCR Program to collect human trafficking offenses as an exception to the hierarchy rule and to distinguish between commercial sex trafficking and involuntary servitude.

- Modification to the collection of prostitution offenses on the SRS ASR Form to capture three subcategories for Prostitution and Commercialized Vice.

- Accepted the addition of "peonage, debt bondage, or slavery," to the definition for Human Trafficking/Involuntary Servitude.

- Approved the FBI UCR Program definition change to read "Prostitution—to engage in commercial sex acts for anything of value" and moved for no change and not modify the NIBRS collection of Crimes Against Society to allow prostitutes to be reported as either victims or offenders.

During 2011, the new *Monthly Return of Human Trafficking Offenses Known to Law Enforcement* form was pretested by conducting interviews with 9 individuals. Six were law enforcement officers from the FBI Police and three were retired law enforcement officers now serving in the FBI as UCR Program Law Enforcement Officers Killed and Assaulted Program Training Specialists. The purpose of the interviews was to test cognitive and usability elements of the Human Trafficking form. The interviews identified issues and the appropriate changes were made to the form.

There have not been any changes to the current *Monthly Return of Human Trafficking Offenses Known to Law Enforcement* form that would currently need to be tested. No comments or suggestions of problems with the form have been reported through the CJIS Advisory Board (APB) Working Groups, UCR Subcommittee, CJIS APB, or the ASUCRP which meet frequently throughout each year and are dedicated to improving the collection, use, and utility of crime data as reported through the FBI UCR Program and all state and local crime reporting programs.

5. **Points of Contact**

Lisa A. Vincent
Acting LESS Chief
lisa.vincent@ic.fbi.gov
304-625-3690

Samuel Berhanu
CSMU Chief
samuel.berhanu@ic.fbi.gov
304-625-3692

Brian L. Edgell
Supervisory Management Analyst and Program Analyst
brian.edgell@ic.fbi.gov
304-625-3551

Lora Klingensmith
Management and Program Analyst
lora.klingensmith@ic.fbi.gov
304-625-4073

Kristi L. Donahue
Management Analyst and Program Analyst
kristi.donahue@ic.fbi.gov
304-625-2972