



U.S. DEPARTMENT OF JUSTICE BUREAU OF JUSTICE STATISTICS

2019 SURVEY OF STATE ATTORNEYS GENERAL OFFICES – HUMAN TRAFFICKING

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 **[DATE]** 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

- 1. 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.

Es	timate				
If your office has a show many Assistant 2018? If you are not a estimate box.	Deputy Attori	neys Gene	ral worked in that ι	ınit as	of December
Es	stimate Not	Applicable	(no dedicated huma	ın traft	ficking unit)
Do you have any of toonsultants? Check				cess t	o them as
Computer forensics		es, on staff	Yes, as consultant	No	Unknown
Crime analysts	experts		П		
Victim advocates					
Victim advocates Victim service provid	lere				
Witness experts	ici 3		П		
/hat is your office's	iurisdictional	authority r	egarding sex traffic	ckina	cases? Chec
_	•	•	egarding sex traffio	cking No	cases? Chec
_	or each option.	•			
es, No, or Unknown f	for each option.	•		No	
es, No, or Unknown f	for each option. cases nal appeals		Yes □	No	Unknown
es, No, or Unknown f Jurisdiction for civil c Jurisdiction for crimir	for each option. cases nal appeals for criminal case	es	Yes	No	Unknown
es, No, or Unknown f Jurisdiction for civil c Jurisdiction for crimir Original jurisdiction for	for each option. cases nal appeals for criminal case on for criminal c	es eases	Yes	No	Unknown
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6.	In calendar year 2018, did your offic task forces involving human traffick				
			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 trai	ning specific	ally on hu	man trafficking?
••	in calculati year 2010, ala year etan	1000110 1141	Yes	No No	Unknown
8.	In calendar year 2018, did your office programs regarding human trafficki Unknown for each option.		the following	g? Check Y	es, No, or
	Businesses		Yes	No ≀	Jnknown
	General public (including online train	inac)			
	Judges	iiigs)			
	Law enforcement				
	Prosecutors			П	П
۵		on trofficki	_	_	_
9.	For your office to better handle hum following?	ian tranickii	ig cases, nov	w importan	t are the
	•	Not at all important	Slightly important	Moderate importar	ly Very important it
	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	ite 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	with <u>both</u> state	ficking cases handled by your office in calendar year 2018 labor trafficking statutes <u>and</u> other state statutes? If you t percentage, provide an estimate and check the estimate box
		Estimate	Not Applicable (no labor trafficking cases)
,	were charged	only with state	Ficking cases handled by your office in calendar year 2018 statutes other than labor trafficking statutes? If you are not atage, provide an estimate and check the estimate box.
		Estimate	Not Applicable (no labor trafficking cases)

15. For <u>labor trafficking</u> cas charges other than hum did not handle any labor t Applicable.'	an trafficking, what	other charges w	ere brough	nt? If your offic						
Not Applicable (no labo	r trafficking cases) \Box									
Not Applicable (no labo	i trafficking cases)	Yes	No	Unknown						
Child endangerment										
Domestic abuse/assaul	t									
Fraud										
Kidnapping/child stealir	ıg									
Labor code wage and h	our violation									
Money laundering										
Purchase/sale of an inc	ividual									
Sexual abuse										
Other charges (please	specify below)									
Yes No □ I f	16. Does your state have a specific statute prohibiting sex trafficking? Yes No □ □ ➡ If No, go to Question 20. 17. What percentage of sex trafficking cases handled by your office in calendar year 2018									
exact percentage, provide	_	-		o to provide the						
Estim	nate Not Applicab	le (no sex traffick	ing cases)							
			g cacce,							
18. What percentage of sex were charged with both not able to provide the ex	state sex trafficking act percentage, provi	statutes <u>and</u> ot	ther state state state check the	tatutes? If you	are					
19. What percentage of sex were charged only with able to provide the exact	state statutes other	than sex trafficl	king statute	s? If you are r						

20. For sex trafficking cases handled by your officharges other than human trafficking, what of did not handle any sex trafficking cases in calend	ther charges w	ere brough	nt? If your office
Not Applicable (no sex trafficking cases) □	Vaa	No	Linkanaura
Child endangerment	Yes □	No □	Unknown □
Conspiracy			
Contributing to the delinquency of a child			
Domestic abuse/assault			
Fraud			П
Kidnapping/child stealing		П	П
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 201 to Question 22.	lled by your off on. If your office	fice during 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	•			
	Groups of individuals (including organized crime)				
	Businesses (not online, not subcontractors)	0			
	Business subcontractors				
	Online websites or website providers	0			
	Other (please specify below)	0			
	Indicate if the types of victims listed below v				
1	or civil human trafficking cases handled in y Yes, No, or Unknown for each option. If your of trafficking cases in calendar year 2018, please Question 23.	fice did not have	any crimin	al or civil huma	heck n
	Not Applicable □				
	Adult victims of labor trafficking	Yes □	No □	Unknown □	
	Adult victims of sex trafficking				
	Child victims of labor trafficking				
	Child victims of sex trafficking				
	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 hand <mark>l</mark> e			∍ged
		Most common			
	Adult victims of labor trafficking	•			
	Adult victims of sex trafficking				
	Child victims of labor trafficking	0			
	Child victims of sex trafficking	O			

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 your 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
HEALTH CARE			
Mental health care providers			
Other health care providers (including hospitals and emergency rooms)			
LAW ENFORCEMENT & PROSECUTION			
Federal Bureau of Investigation			
Department of Homeland Security			
Department of Labor			
Local Police (including Sheriff's Office)			
State Police			
District Attorney's Office			
U.S. Attorney's Office			
NONGOVERNMENTAL ORGANIZATIONS			
National Center for Missing and Exploited Children (NCMEC)			
Public interest groups			
Victim advocates or victim service providers			
OTHER SOURCES			
National Trafficking Hotline/Polaris Project			
Press reports			
Private individuals			
Schools			
Social workers, foster care agency, or foste care providers	r 🗆		

25	. Did any of the labor trafficking 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) \Box

	Criminal Cases				Civil 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)								

		^-	iminal Casa			0:	uil Cooss	
Venues	Yes	Criminal Cases Civil Case Yes No Unknown NJ Yes No Unk						NJ
Escort services								
Massage parlors (illicit massage)								
Outdoor solicitation/street prostitution								
Residential brothels								
Strip clubs								
Other (please specify below)								
nstructions for counting cases: a ca imes, but a case with one defendant counted as one case. 27. In calendar year 2018, how many through the following methods? I Jurisdiction for each option. If you a	and r	nultir	bor traffickie does not ha	(or ca	ses di	d you	r office closect No	
imes, but a case with one defendant counted as one case. 27. In calendar year 2018, how many	and r	nultir	bor traffickie does not hato provide a	ng ca ny jur range,	ses di isdiction select	d you	r office closect No	
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imes, but a case with one defendant counted as one case. 27. In calendar year 2018, how many through the following methods? I Jurisdiction for each option. If you a Case dismissed	crimin f your re not	nultir	bor traffickie does not hat to provide a	ng caave jur range, an iter	ses di isdiction selection.	d you	r office closect No	

28. In calendar year 2018, how many <u>criminal sex trafficking</u> cases did your office of	lose
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.	

Guilty finding on any charge Choose an item. Not guilty on all charges (acquittal) Choose an item. Choose an item. Choose an item.	Case Dismissed	Choose an item.
Two guilty of all offarges (asquittar)	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.

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31. How did your office handle <u>labor trafficking</u> 2018 that were not prosecuted? Check Yes, did not have any labor trafficking referrals in ca Applicable' and proceed to Question 32.	No, or U	Jnknown 1	for each optic	n. If your office
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				
that were not prosecuted? Check Yes, No, of have any sex trafficking referrals in calendar proceed to Question 33. Not Applicable □	year 20)18, pleas	se check 'No	
Defermed to leve enforcement etche on level	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		Ш		
Closed without investigation or referral				
33. What are the biggest challenges to successful jurisdiction?	ally pros	ecuting h	uman traffick	ing cases in your

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.