



Federal

HUMAN TRAFFICKING *Report*

A PUBLICATION OF

HUMAN
TRAFFICKING
INSTITUTE





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The Report is authored by Lindsey Lane, Senior Legal Counsel,
Angela Gray, Senior Project Attorney and Alicen Rodolph, Project Attorney,
with contributions from Brittany Ferrigno, Legal and Development Research Analyst.

William Hall, Data Analyst

Graphic Design by Amy Nelson, Roaring Jellyfish Designs

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DATA ANALYST

William Hall

INTERACTIVE DATA DASHBOARD DESIGNERS

William Hall, Cassio Roman da Costa Souza and Evan Fantozzi

PROJECT ATTORNEYS

Angela Gray, Senior Project Attorney

Alicen Rodolph

Renee Pierson

LEGAL AND DEVELOPMENT RESEARCH ANALYST

Brittany Ferrigno

LAW STUDENTS

2021-2022 Class of Douglass Fellows

Natalie Assaad

Ashleigh Luschei

Maura Reinbrecht

Christy Salzman

HTI STAFF

Emma Ecker

Annick Febrey

John Freeman

Marie Martinez Israelite

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WELCOME LETTER

Dear Reader,

In 2017, the Human Trafficking Institute (HTI) published the first Federal Human Trafficking Report (“the Report”) as a solution to a gaping need to better understand the United States’ federal response to human trafficking. The Report was the first, and remains the only, exhaustive review of every criminal human trafficking case filed in the United States Federal Courts. In the past five years, the Report has captured specific data points from thousands of human trafficking cases filed in the Federal Court System since the TVPA was enacted in 2000, with the goal of providing objective data that can be used to inform prosecutors, investigators, policymakers, service providers, and practitioners.

The tremendous time and effort invested in building the Report database and producing prior publications of the Report resulted in an incredibly strong foundation for the future of the Report. Building upon that foundation, this year, the Report focuses on transitioning from a reliable resource to a vital tool for practitioners. The Report began that transition by streamlining relevant information for easy year-over-year comparison and analysis, providing additional case highlights on nuanced areas of human trafficking, and highlighting best practices specifically as they relate to maintaining a victim-centered approach.

The most exciting development to the 2021 Report is the creation of interactive features. The information published in the Report each year is only a small representation of the amount of data contained within the Report database. This year, the Report provides an interactive feature to allow readers more access to the data held within the Report database, to explore data beyond the information provided in the published Report. Readers can now manipulate filters within certain sections to view more specific, narrowly tailored information. These features can be accessed through the digital version of the 2021 Report provided at data.traffickinginstitute.org.

We hope this interactive feature is just the first of many new tools made available to practitioners through the Report, as we strive to develop new ways to assist practitioners in decimating human trafficking. On this, the 5th anniversary of the Report, we celebrate the accomplishments of the past, and look forward to the exciting opportunities for growth in the future.

Sincerely,



Lindsey Lane
Senior Legal Counsel







EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

Human trafficking is the crime of using force, fraud, or coercion to compel an individual to work or to engage in a commercial sex act. Prosecuting human traffickers is part of a holistic approach to combating this pervasive form of exploitation. The Human Trafficking Institute's (HTI) annual Federal

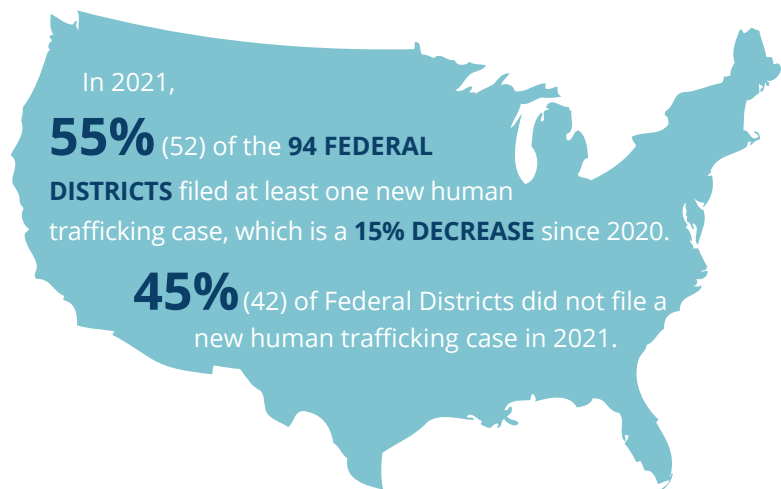
Human Trafficking Report ("the Report") provides an exhaustive review of human trafficking cases in the United States Federal Courts System. To date, this is the only review of its kind. The Report presents data from both criminal forced labor and sex trafficking prosecutions.

CRIMINAL HUMAN TRAFFICKING CASES IN 2021

NEW CASES



Breakdown of
NEW CRIMINAL CASES
filed in 2021:



DEFENDANTS IN NEW CASES



There were **260** **NEW DEFENDANTS CHARGED** with human trafficking in 2021.



In 2021, **ONE (1) ENTITY**, an **AGRICULTURAL COMPANY**, was charged with human trafficking.

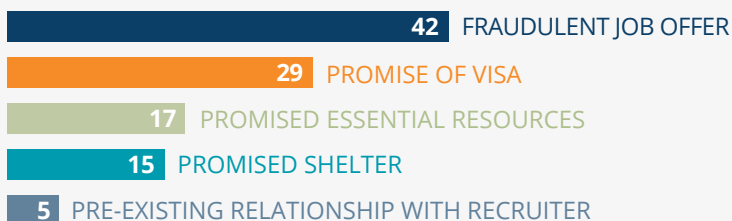
VICTIMS IN NEW CASES

There were
449 VICTIMS
in new cases filed in 2021.



The total number of **VICTIMS** in new cases filed in 2021 declined **25%** from 2020.

Victims of **FORCED LABOR** were recruited by:



FORCED LABOR:

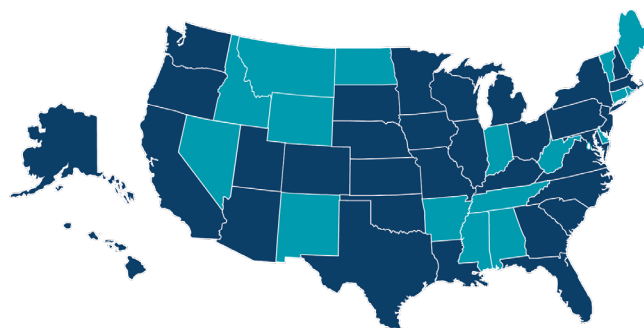
The number of criminal **FORCED LABOR CASES** filed in 2021 increased by **22%** since 2020.

- STATES THAT HAVE FILED AT LEAST ONE FORCED LABOR CASE SINCE THE TVPA WAS ENACTED IN 2000
- STATES WITH NO FEDERAL CRIMINAL FORCED LABOR CASES FILED SINCE THE TVPA WAS ENACTED IN 2000

There are many states and jurisdictions in the United States that have **NEVER** filed a criminal forced labor case.*

Since the **TVPA's** enactment, only

53%
(50) of Federal Districts have charged **AT LEAST ONE FORCED LABOR CASE** under Chapter 77.*



U.S. TERRITORIES



* Based on 94 Federal Districts in the United States.

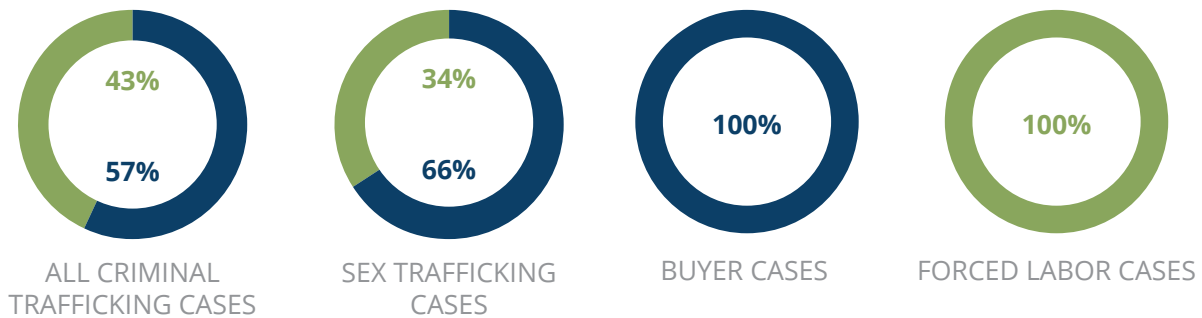
+ Based on 94 Federal Districts in the United States.

VICTIMS:

OVER HALF

of the victims identified in new criminal human trafficking cases in 2021 were **MINORS**.

■ MINOR ■ ADULTS



Since 2000, traffickers have recruited

55%

of sex trafficking victims online, usually through social media platforms, web-based messaging apps, online chat rooms, dating apps, classified advertisements, or job boards.[~]

Defendants used the internet as their primary method of soliciting buyers in **85%** of the new cases filed.[^]

CONVICTIONS:

In 2021, Federal Courts **CONVICTED 96%** of defendants in sex trafficking cases.

63% of the time, mandatory **RESTITUTION WAS NOT ORDERED** in 2021. Courts ordered **52** defendants to pay restitution out of the **141** defendants sentenced in cases where restitution was mandatory.

On average, defendants sentenced in human trafficking cases in 2021 received a **TERM OF IMPRISONMENT FOR 160 MONTHS** (13 years, 4 months), which is the highest average sentence imposed in human trafficking cases since the enactment of the TVPA.

[~] Based on 655 of 1,213 victims with at least one identified location of recruitment from 2000-2021.

[^] Based on 82 new criminal sex trafficking cases filed in 2021 where at least one means of solicitation could be identified.

INTERACTIVE DATA WEBSITE

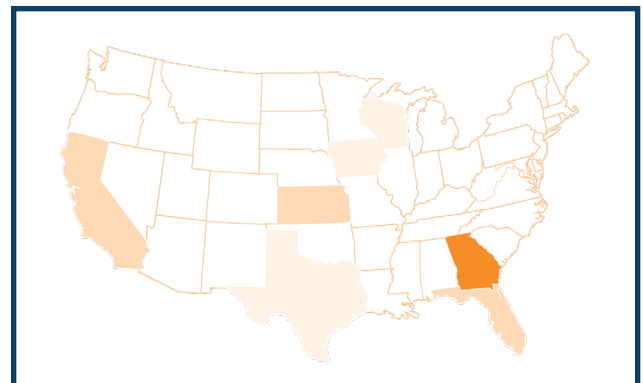
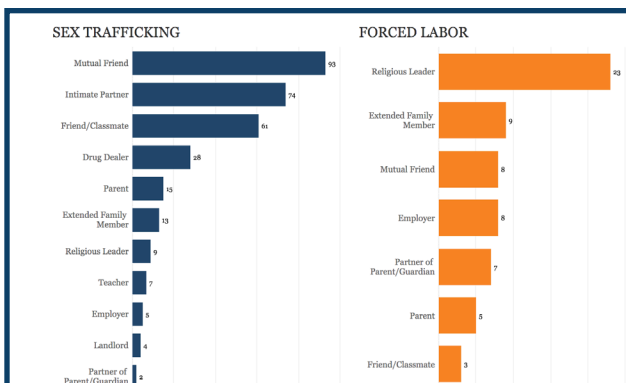
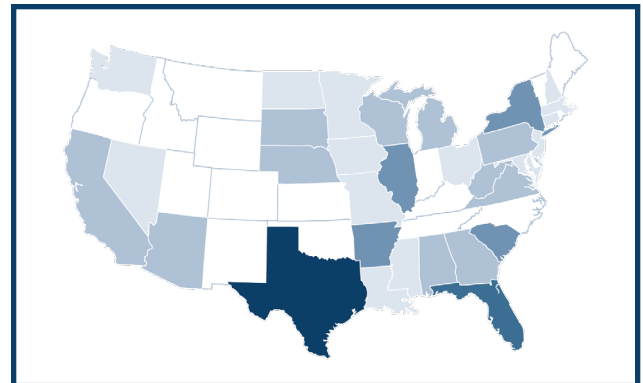
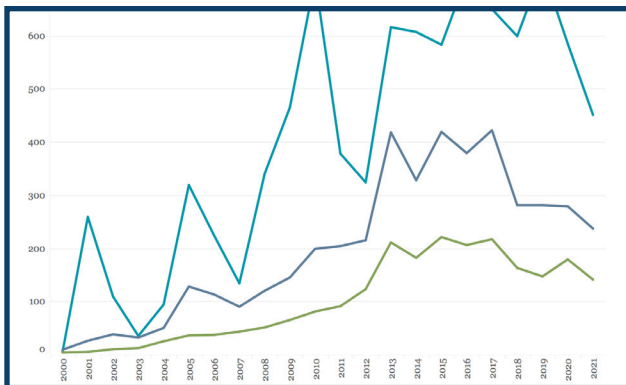
The Federal Human Trafficking Report was first published in 2017 as the only exhaustive review of every criminal human trafficking case filed in the United States Federal Courts. Since then, the Report has captured data from thousands of human trafficking cases filed since the Trafficking Victims Protection Act (TVPA) was enacted in 2000. The data published in the Report each year is only a small representation of the amount of data collected from those cases and stored within the HTI database.

This year, the Report seeks to make some of those additional data points available to readers through an interactive section of our website, with the

ability to download PDFs of the data visuals. These interactive features will allow readers more hands-on access to the data held within the Report database so as to explore beyond the information provided in the published Report. Readers can now manipulate filters to review more information on:

- Prosecution of Human Trafficking Cases
- Victims in Cases by District
- Recruiters in Human Trafficking Cases
- Industries Identified in Forced Labor Cases

We hope this new interactive feature will help provide objective data that can be used to inform prosecutors, investigators, policymakers, service providers, and practitioners.



**CLICK HERE TO VIEW THE
INTERACTIVE DATA**

DATA.TRAFFICKINGINSTITUTE.ORG





INTRODUCTION



INTRODUCTION

Human trafficking is a complex and nuanced crime. Traffickers use a multitude of methods and schemes to recruit, coerce, and exploit victims in both forced labor and commercial sex trafficking. Each human trafficking case filed in the Federal Court System is different, presenting its own unique set of facts, methods, and schemes. Raw data regarding these specific facts, when examined independently, provides limited information as to how traffickers operate, and how cases are investigated or prosecuted. These individual data points, when examined narrowly and independently, appear futile. But much like an impressionist painting, when these specific data points are extracted from multiple cases over time, organized, and then examined on a wider more comprehensive scale, they paint a much clearer image of human trafficking in the United States.

The Federal Human Trafficking Report (“the Report”) captures raw data identified in human trafficking cases filed in the Federal Court System, disaggregates, and verifies the data, and organizes it in such a way as to transform individual data points into information and insight. The data provided in the Report is intended to serve as a resource and a tool for prosecutors, investigators, and practitioners in their efforts to combat human trafficking. *The Report is neither an indicator of the prevalence of human trafficking in the United States nor a reflection of the investigations and prosecutions that take place at the state level, outside the Federal Court System.*

"The Report is neither an indicator of the prevalence of human trafficking in the United States nor a reflection of the investigations and prosecutions that take place at the state level, outside the Federal Court System."

SECTIONS

The Report is arranged into three sections. Section 1, Criminal Human Trafficking Case Profiles, breaks down the profile of new criminal human trafficking cases filed in the Federal Court System in 2021. It examines the types of cases filed, provides information on the defendants charged, and discusses various data points relating to the victims identified in those cases. Section 2, Human Trafficking Prosecutions, shifts focus from how traffickers operate to how the U.S. investigates and prosecutes defendants in human trafficking cases. This section provides data on case referrals, investigations, charges, convictions, sentences, and appeals. Finally, Section 3, Uganda & Belize, introduces the data-driven approaches HTI is implementing in our Partner Countries as we expand the use of data collection and analysis to reach targeted goals.

FOCUS ON NEW CASES

The FHTR database boasts twenty-one years of data from the thousands of human trafficking cases filed since the TVPA was enacted in 2000. Because of the breadth of data available, the 2021 Report shifts focus from providing information on pending active cases, and instead focuses primarily on new cases filed, year-over-year. This shift is intended to eliminate data from older cases that are still pending as active cases that would skew new trends, such as common apps or internet websites used in trafficking schemes. This year, the Report focuses on providing data from the new cases filed each year so that a more specific comparison of trends can be made year-over-year using the most relevant data points.

NEW DATA FIELDS

In 2021, the Report captured numerous new data points from human trafficking cases filed in the Federal Court System. Some of the new data points featured throughout the Report include information regarding the identification of the involvement of a task force in investigations, locations where victims are commonly recruited, how victims are transported, pre-existing relationships between traffickers and victims prior to recruitment, and methods through which human trafficking cases are referred to law enforcement. A full list of the new data points included in the 2021 Report can be found in the Methodology on page 117.



Section 1:

CRIMINAL HUMAN TRAFFICKING CASE PROFILES





Section 1:

CRIMINAL HUMAN TRAFFICKING CASE PROFILES

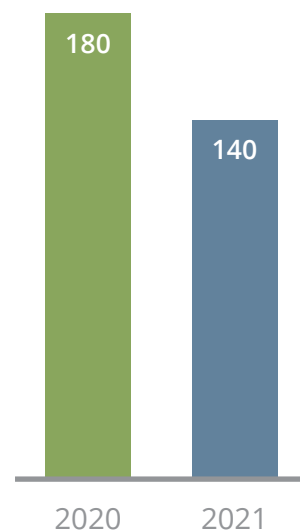
The human trafficking cases filed in the Federal Court System each year are a reflection of the unique, complex, and ever-changing methods used by traffickers to exploit victims. While each case is different and the methods employed by each trafficker vary from case-to-case, recognizing common patterns or practices in the cases filed each year can help us identify best practices in the investigation and prosecution of human trafficking.

This section breaks down the profile of new criminal human trafficking cases filed in the Federal Court System in 2021.¹ It examines the types of cases filed, provides information on the defendants charged, and discusses various data points relating to the victims identified in those cases. The identification and organization of these specific data points are intended to provide a broader, clearer picture of the anatomy of human trafficking cases filed in the Federal Court System and to allow for the close inspection and analysis of year-over-year totals to identify key findings and emerging trends.

1.1 CRIMINAL CASES

In 2021, federal prosecutors filed 140 new criminal cases of human trafficking in Federal Courts. This number is a 22% decrease from 2020, when prosecutors filed 180 new criminal cases.² The number of new criminal cases filed has decreased steadily since 2017, with the exception of an uptick in criminal cases in 2020.³

**NEW CRIMINAL CASES OF HUMAN
TRAFFICKING IN 2020 AND 2021**



¹ A criminal human trafficking case is considered new in 2021 if it was filed between January 1, 2021, and December 31, 2021.

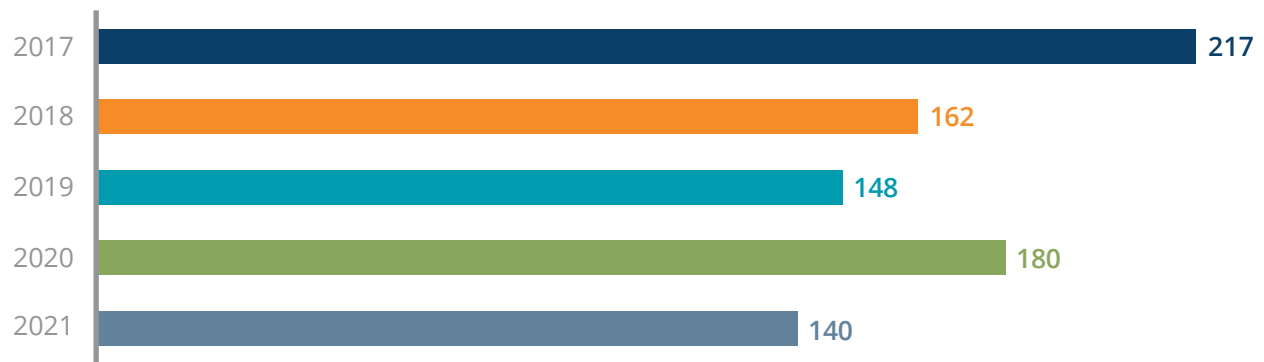
² Based on the decrease from 180 new criminal human trafficking cases in 2020 to 140 new criminal human trafficking cases in 2021.

³ Based on 217 new criminal human trafficking cases in 2017; 162 in 2018; 148 in 2019; 180 in 2020; and 140 in 2021.



Human trafficking cases are complex and often require a significant amount of time for resolution after the case is filed. For this reason, many cases remain active in the Federal Court System over the span of more than one calendar year. The Report considers a criminal case to be *active* in 2021 if the government filed charges in a Federal Court in any year and the case is still open with at least one defendant in the case awaiting trial or sentencing, or at least one defendant with time remaining in the cause of action to file a direct appeal. Of the 140 new criminal cases filed in 2021, only 2 received disposition within the same year, leaving 99% of the cases filed in 2021 as active cases awaiting disposition.⁴

YEAR OVER YEAR NEW CRIMINAL CASES OF HUMAN TRAFFICKING

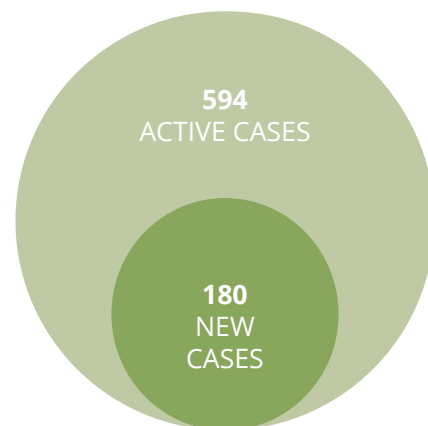


⁴ See Section 2.5 for further information on the length of disposition.

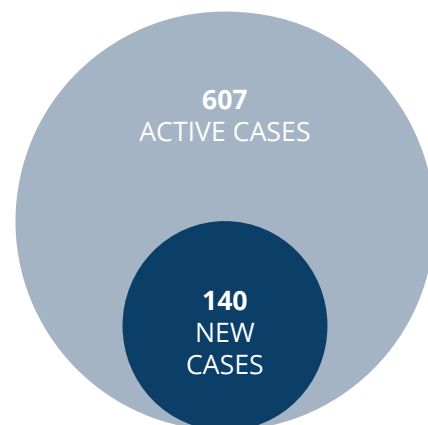


Active cases continue to require the attention and commitment of prosecutors, investigators, and victim service providers as they are prepared for disposition, including preparation for trial. While the number of new criminal cases decreased in 2021, it is important to note that there were 607 *active* criminal cases of human trafficking pending in Federal Courts during 2021. This number is up slightly from 594 *active* cases in 2020. This means that even though federal prosecutors filed fewer new cases in 2021, they handled more *active* cases of human trafficking in 2021 than in the previous year.

2020 CRIMINAL HUMAN TRAFFICKING CASES



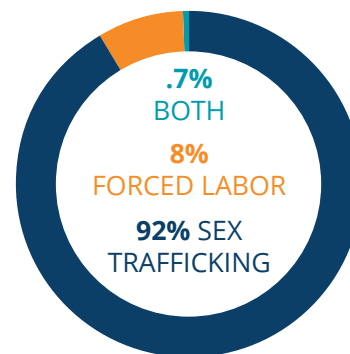
2021 CRIMINAL HUMAN TRAFFICKING CASES



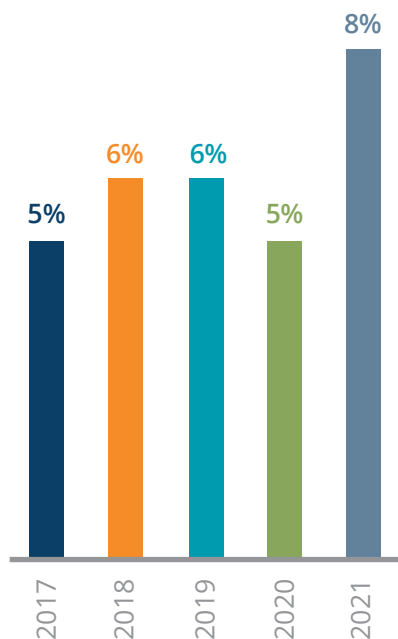
"...even though federal prosecutors filed fewer new cases in 2021, they handled more active cases of human trafficking in 2021 than in the previous year."

Of the 140 new criminal cases filed in 2021, 92% (129) of those cases included at least one charge for sex trafficking. Only 8% (11) of new criminal cases filed involved at least one charge of forced labor. There was one (1) case that involved at least one charge for sex trafficking and at least one charge for forced labor. While the total number of new criminal cases filed decreased by 22% in 2021, the number of new forced labor cases increased by 22% from 2020.⁵

NEW 2021 CRIMINAL HUMAN TRAFFICKING CASES



PERCENTAGE OF NEW FORCED LABOR CASES FILED SINCE 2017



The number of criminal sex trafficking cases filed each year is traditionally much higher than the number of criminal forced labor cases filed. Over the past 5 years, 6% of new criminal cases filed were forced labor.⁶ Since the enactment of the TVPA in 2000, only 7% of the cases filed were for forced labor.⁷ The ratio of sex trafficking and forced labor cases in new cases filed has varied only slightly since 2017.

ARE THERE CASES THAT INVOLVE SEX TRAFFICKING AND FORCED LABOR?

Yes. Although the Report categorizes all cases as either “Sex Trafficking” or “Forced Labor,” some cases have characteristics of both sex trafficking and forced labor. In 2021, HTI identified one (1) new criminal case involving both sex trafficking and forced labor charges. In the case identified, prosecutors charged one defendant with both forced labor and sex trafficking of a minor for causing the minor victim to engage in sexual acts and work in a strip club. After a thorough review of the court dockets and related materials, HTI determined that the trafficking operation was primarily a sex trafficking enterprise in this case. This fact pattern of forced labor and coercing a victim to engage in commercial sex acts is not uncommon, particularly in industries such as agriculture, domestic work, and massage parlors. Though HTI completes a review of these cases to determine the primary trafficking type, prosecutors may choose to proceed against a defendant on both theories.

⁵ Based on 9 new criminal forced labor cases in 2020 and 11 new criminal forced labor cases in 2021.

⁶ Based on 49 of 847 new criminal forced labor cases filed between 2017 and 2021.

⁷ Based on 151 of 2,250 criminal forced labor cases filed since 2000.



NEW CRIMINAL HUMAN TRAFFICKING CASES SINCE 2000



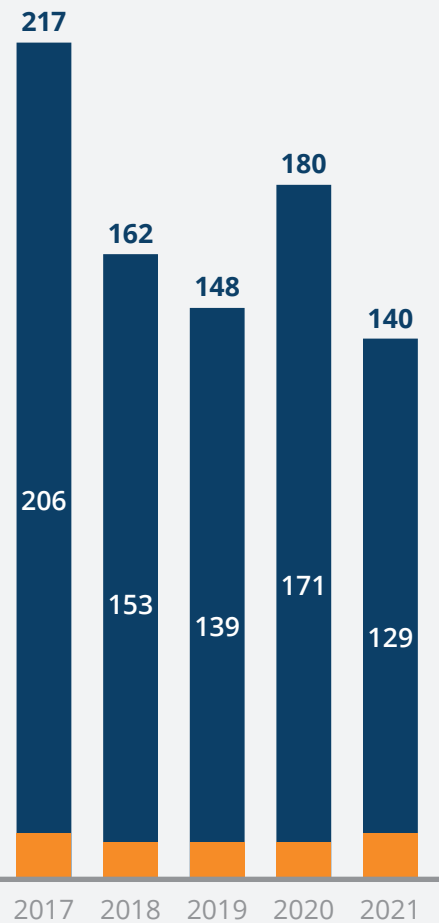
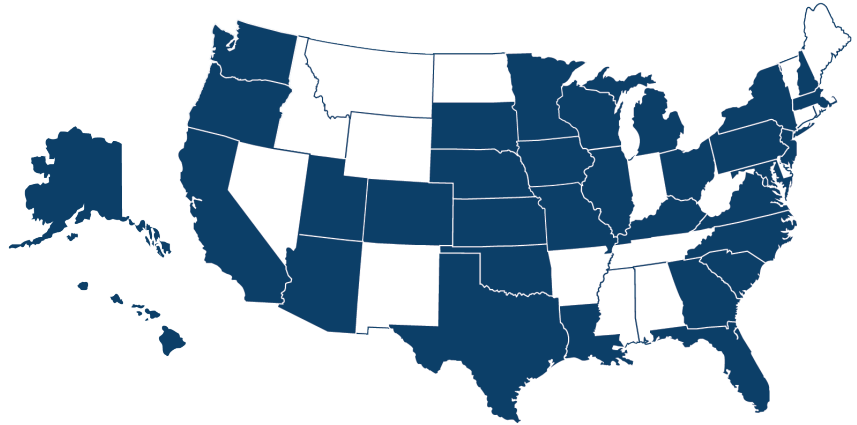
The increase in the number of new criminal forced labor cases filed in 2021 is encouraging, but not predictive of a continued increase in criminal forced labor cases. There are many states and jurisdictions that have never filed a criminal forced labor case.⁸ Since the TVPA's enactment, only 53% (50) of Federal Districts have charged at least one forced labor case under Chapter 77.⁹ Of that 53% (50), 36% (18) of Federal Districts have prosecuted only one forced labor case. In contrast, 99% (93) of Federal Districts have prosecuted a sex trafficking case.

⁸ Based on 94 Federal Districts in the United States.

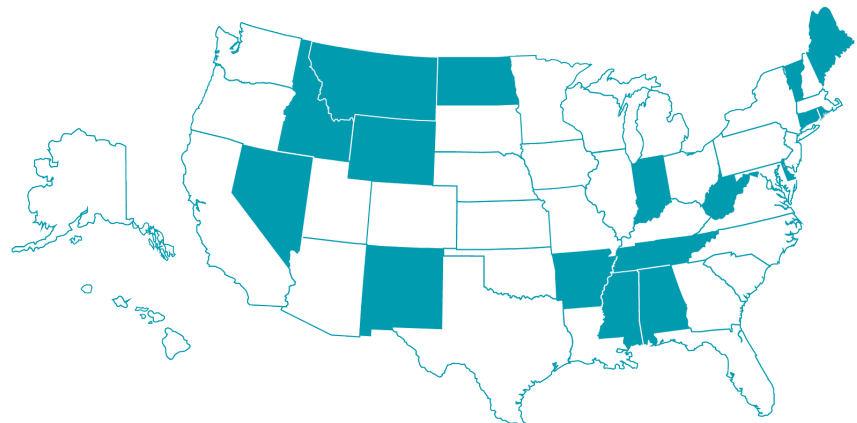
⁹ Based on 94 Federal Districts in the United States.



STATES THAT HAVE FILED AT LEAST ONE FORCED LABOR CASE SINCE THE TVPA WAS ENACTED IN 2000



DISTRICTS WITH NO FEDERAL CRIMINAL FORCED LABOR CASE FILED SINCE THE TVPA WAS ENACTED

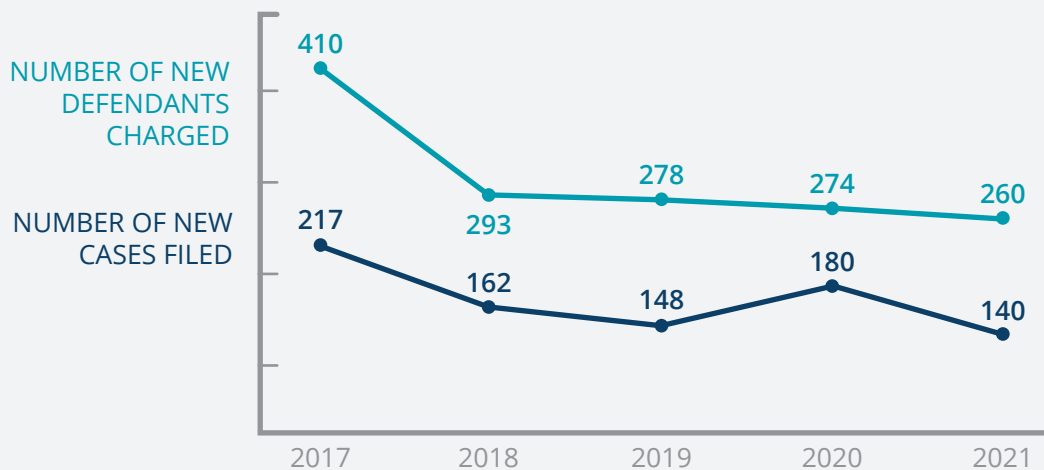


U.S. TERRITORIES

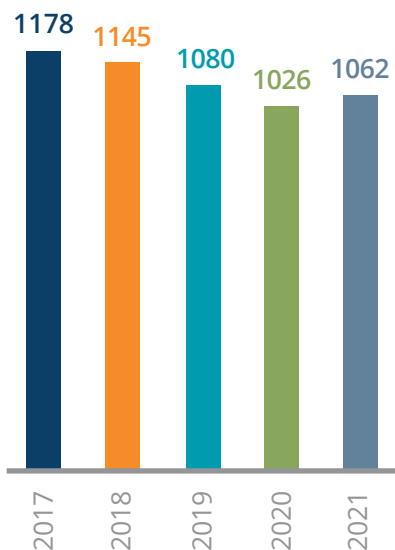


1.1.1 CRIMINAL CASES AND DEFENDANTS

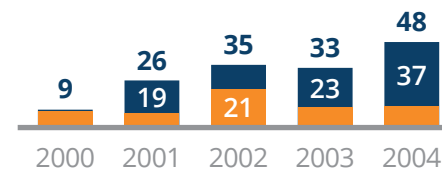
In 2021, there were 140 new criminal human trafficking cases filed against 260 defendants. When compared to 2020, these numbers reveal a 5% decrease in new defendants and a 22% decrease in new cases.¹⁰ Since 2017, the number of defendants charged has decreased by 37%.¹¹ The decrease in defendants charged each year correlates to the decrease in new criminal cases filed.



NUMBER OF ACTIVE CRIMINAL HUMAN TRAFFICKING DEFENDANTS



While the number of new defendants decreased in 2021, it is important to note that there were 1,062 active criminal defendants in cases pending in the Federal Courts during 2021. This number is up slightly from 1,026 active criminal defendants in 2020. The number of active criminal defendants in 2021 has decreased 10% since 2017.¹²



¹⁰ Based on 274 new criminal defendants and 180 new criminal human trafficking cases in 2020.

¹¹ Based on 410 new criminal defendants in 2017.

¹² Based on 1,178 active criminal defendants in 2017.

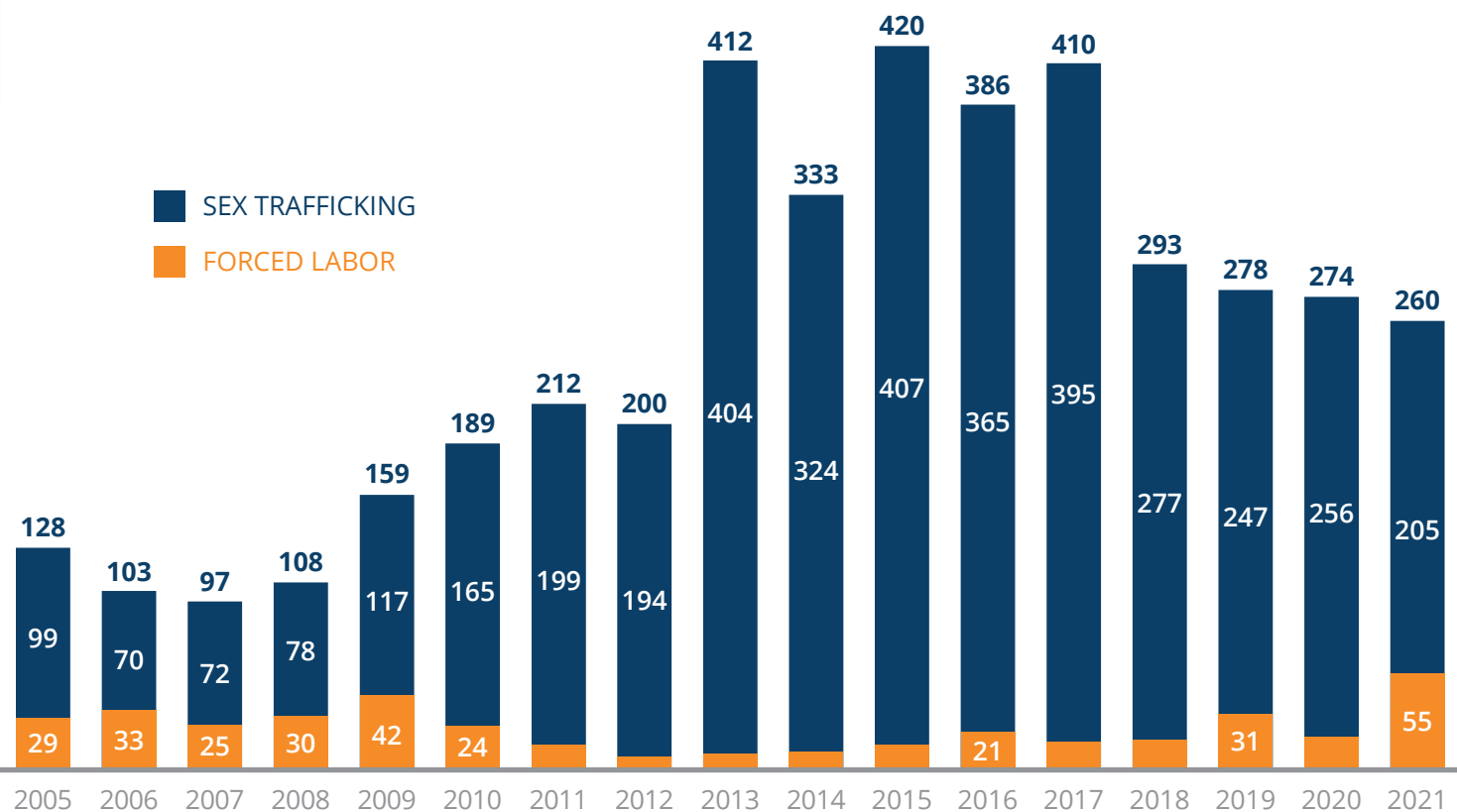
1.1.2 INDIVIDUAL DEFENDANTS IN CRIMINAL CASES

As has been the case since the enactment of the TVPA, there were far fewer new forced labor cases filed than sex trafficking cases in 2021, resulting in fewer defendants charged with criminal forced labor than sex trafficking.¹³ Of the 260 new defendants charged in 2021, 21% (55) were charged in criminal forced labor cases.¹⁴ In contrast, 79% (205) of new defendants were charged in criminal sex trafficking cases.¹⁵ One (1) defendant was charged with both criminal forced labor and sex trafficking charges in 2021.

NEW 2021 CRIMINAL DEFENDANTS



YEAR OVER YEAR CRIMINAL HUMAN TRAFFICKING DEFENDANTS CHARGED BY CASE TYPE



¹³ For more information on forced labor cases, see Section 1.4.

¹⁴ Based on 260 new criminal defendants in 2021.

¹⁵ Based on 260 new criminal defendants in 2021.

1.1.3 ENTITY DEFENDANTS IN CRIMINAL CASES

In 2008, Congress amended the criminal forced labor statute, allowing corporations to be charged criminally if they knowingly or in reckless disregard benefit financially from participation in a venture that engaged in forced labor.¹⁶ In 2021, prosecutors initiated criminal charges against one (1) corporate entity. As a result, entities made up fewer than 1% of all defendants in criminal human trafficking cases.¹⁷ The single new entity defendant charged in 2021 was a farming/agriculture company in a forced labor case.

NEW 2021 CRIMINAL ENTITY & INDIVIDUAL DEFENDANTS



CASE HIGHLIGHT

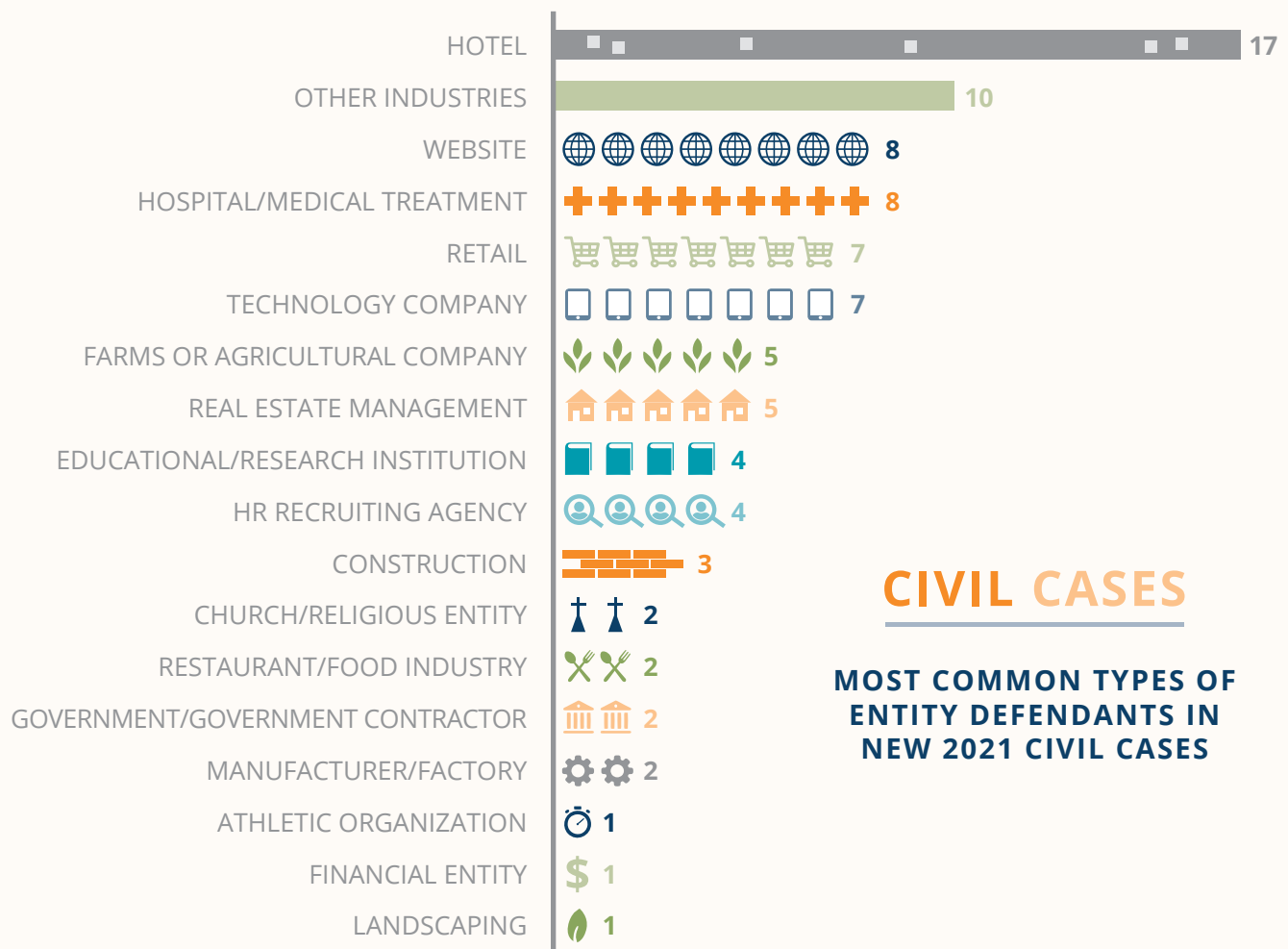
UNITED STATES V. ELIZABETH BALCAZAR, ENRIQUE BALCAZAR, AND BALCAZAR NATURE HARVESTING, LLC

In 2021, the District of South Carolina was the only district out of the 94 Federal Court Districts to criminally charge an entity as allowed under the forced labor statute, 18 U.S. §1589. Elizabeth and Enrique Balcazar owned and operated Balcazar Nature Harvesting, LLC, which provided seasonal farming labor throughout South Carolina and surrounding area farms. One victim, identified as “Victim 1” in the indictment, was recruited from Mexico by way of a job offer with Balcazar Nature Harvesting, LLC. Once Victim 1 arrived in the United States and began working for the defendants, they were forced to work an excessive amount of hours without just compensation and were threatened with deportation if they did not work the hours required. The defendants further coerced Victim 1 by confiscating their passport and threatening them by brandishing and discharging firearms. The District of South Carolina charged all three defendants in a five-count indictment with forced labor, conspiracy to commit forced labor, confiscation of documents, and fraud in foreign labor contracting. The indictment indicates there were multiple individuals victimized in this case. While initiating criminal charges against an entity is not commonly used, it is a viable option for the prosecution of traffickers under federal law.

¹⁶ 18 U.S.C. § 1589.

¹⁷ Based on 260 new criminal defendants in 2021.

It is important to note that the TVPA also creates a pathway for corporate entities to be sued civilly for benefiting from forced labor or sex trafficking schemes. This avenue of enforcement is essential to creating corporate accountability, particularly as it relates to transparency in supply chains.¹⁸ More importantly, access to the courts for civil liability is essential for financial recovery for victims.¹⁹ Trafficking victims may recover damages not only from their traffickers, but also from third parties who knowingly benefit from the trafficking.²⁰ In 2021, 83 new civil cases were filed in Federal Courts by persons who were trafficked.²¹ The respondents in these civil cases varied – they included hotels, websites, medical facilities, and educational institutions.²²



¹⁸ Lindsey Roberson & Johanna Lee, *The Road to Recovery After Nestlé: Exploring the TVPA as a Promising Tool for Corporate Accountability*, Columbia Human Rights Law Review Online, Nov. 9, 2021, <https://hrlr.law.columbia.edu/hrlr-online/the-road-to-recovery-after-nestle-exploring-tvpa-as-a-promising-tool-for-corporate-accountability/>.

¹⁹ See Section 2.6.3 for more information on how infrequently restitution is awarded to victims.

²⁰ Alexandra F. Levy, *Federal Human Trafficking Civil Litigation: 15 Years of the Private Right of Action*, The Human Trafficking Legal Center, Dec. 2018, at 22, <https://htlegalcenter.org/wp-content/uploads/Federal-Human-Trafficking-Civil-Litigation-1.pdf>.

²¹ Based on review of filings in 94 Federal Districts.

²² The primary focus of the Report is on the criminal prosecution of human trafficking cases in the United States. For more information regarding civil cases initiated by victims of human trafficking, visit the Human Trafficking Legal Center at www.htlegalcenter.org.



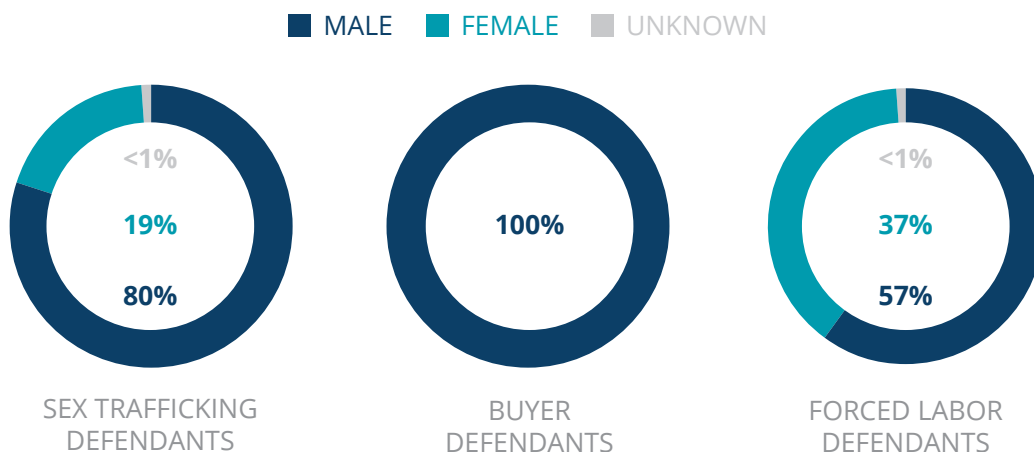
1.1.4 DEMOGRAPHICS OF DEFENDANTS IN CRIMINAL CASES

The amount of reliable information provided in publicly available documents regarding a defendant's demographics is incredibly limited. While certain data points relating to age and gender can be gleaned from public records, demographics such as race and nationality cannot often be ascertained. For this reason, the Report provides very limited data on the demographics of the defendants charged in human trafficking cases in the Federal Courts.

Of all new criminal defendants charged in 2021, 75% (195) were identified as male and 22% (58) were identified as female.²³ Gender was unknown for 2% (6) of defendants.²⁴ Male defendants made up a higher percentage in sex trafficking cases than forced labor cases. For instance, males made up 80% (164) of new defendants in sex trafficking cases compared to females, who comprised 19% (38).²⁵ Although the percentage of female defendants was higher in forced labor cases (37%, 20) than in sex trafficking cases, males still accounted for the majority (57%, 31) of defendants.²⁶

Buyer defendants are a subset of individual sex trafficking defendants whom prosecutors charge for buying or attempting to buy commercial sex with a victim of sex trafficking. In 2021, buyer defendants accounted for 17% (35) of new defendants in sex trafficking cases; all of them male.²⁷

NEW 2021 CRIMINAL DEFENDANTS BY GENDER



²³ Based on 259 new criminal defendants in 2021. Six defendants' gender was unknown.

²⁴ Based on 259 new criminal defendants in 2021. Six defendants' gender was unknown.

²⁵ Based on 205 new criminal sex trafficking defendants in 2021. Three criminal sex trafficking defendants' gender was unknown.

²⁶ Based on 54 new criminal forced labor defendants in 2021. Three forced labor defendants' gender was unknown.

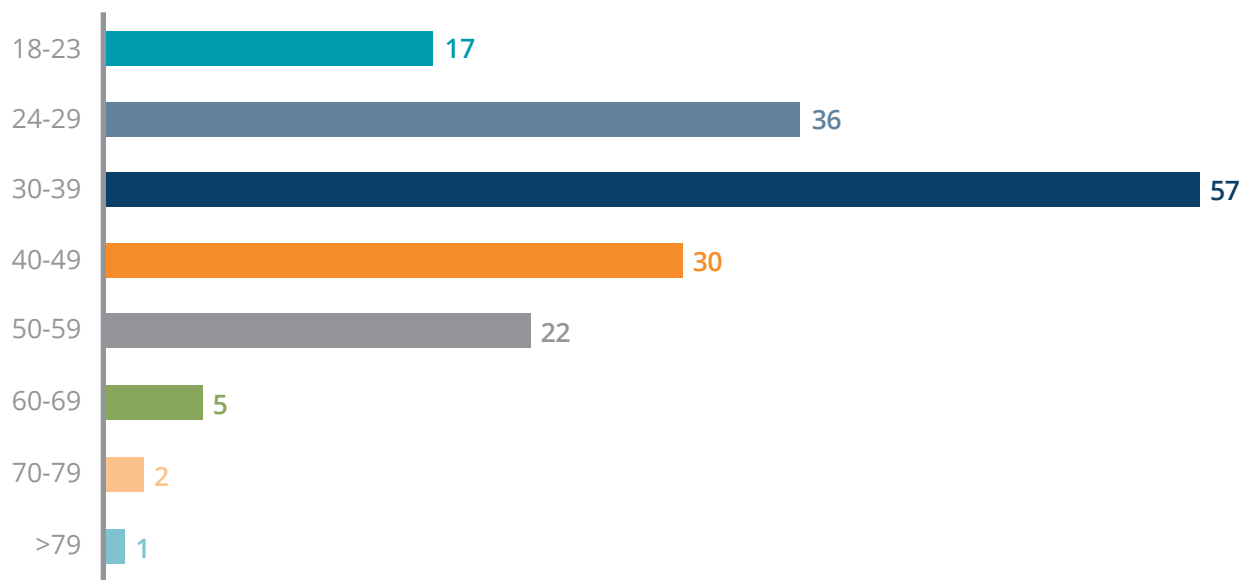
²⁷ Based on 259 new defendants in 2021 criminal sex trafficking cases.

At the time of arrest, new defendants ranged in age from 18 to 90 years old.²⁸ Defendants were most likely to be in their 30s, with an average age in all cases of 37 years old.²⁹ The average age of sex trafficking defendants was 35 years old, and the average age of buyer defendants was 44 years old.³⁰ By comparison, defendants in new forced labor cases averaged 43 years old.³¹ When breaking the age demographics down by gender, male and female defendants were typically about the same age, with an average age of 37 and 38 years old, respectively.³²

Of the 259 new individual defendants in 2021, there were 12 defendants whose country of origin was outside of the United States.³³ Eight (8) of these defendants were identified as citizens of Mexico, and one (1) defendant was identified as a citizen of Honduras.³⁴ Three (3) other defendants were identified as U.S. Citizens or Legal Permanent Residents with country origins of Mexico (2) and the Republic of Korea (1).³⁵ The remaining 247 new individual defendants' countries of origin are unknown.



AGE OF NEW 2021 CRIMINAL DEFENDANTS



²⁸ Based on 170 new criminal defendants in 2021 whose exact age was known.

²⁹ Based on 170 new criminal defendants in 2021 whose exact age was known.

³⁰ Based on 129 new criminal defendants in sex trafficking cases in 2021 whose exact age was known, and 26 new criminal buyer defendants whose age was known.

³¹ Based on 41 new defendants in criminal forced labor cases in 2021 whose exact age was known.

³² Based on 165 new criminal defendants in 2021 whose age and gender was known.

³³ Based on 259 new criminal defendants in 2021.

³⁴ Based on 259 new criminal defendants in 2021.

³⁵ Based on 259 new criminal defendants in 2021.



VICTIMS IN NEW 2021 CRIMINAL CASES BY CASE TYPE



1.2 VICTIMS IN CRIMINAL CASES

Trafficked persons experience complex and often co-occurring traumas, which can be unique from harm caused by other crimes.³⁶ This form of complex trauma is often compounded by “polyvictimization,” when victims experience other forms of trauma in addition to trafficking.³⁷ The harms trafficked individuals endure are multidimensional, occurring at a physical, psychological, emotional, and financial level.³⁸ Traffickers use various tactics to recruit and coerce victims, exploiting vulnerabilities while simultaneously creating dependence or fear to keep victims within the trafficking scheme. Stress resulting from ongoing trauma can result in serious and lasting harm to victims, affecting every facet of their life.

To protect their privacy, data relating to victims of human trafficking is limited in public documents. The Report does, however, provide a small glimpse into the demographics of the 449 victims in new cases filed in 2021. Of those 449 victims, 244 were identified by prosecutors—usually by initials, for anonymity—and 201 victims were unidentified but extracted by HTI through review of public sources. Data is limited to public information about federal prosecutions and only includes victims that prosecutors referenced in criminal counts. Thus, the total number of individuals harmed by the crimes for which new cases were filed in 2021 is underrepresented.³⁹ Most importantly, like all the data presented in the Report, it is inaccurate to use the following information as a reflection of the prevalence of victims in the United States, or to extrapolate demographic trends to victims beyond those named in federal prosecutions.

1.2.1 VICTIMS IN CRIMINAL CASES BY CASE TYPE

Of the 449 victims in new cases filed in 2021, 64% (287) were victims of sex trafficking and 36% (162) were victims of forced labor. The total number of victims in new cases filed in 2021 declined 25% from 2020, when there were 595 victims.⁴⁰ In fact, 449 is the lowest number of victims in new criminal human trafficking cases since 2012.⁴¹

³⁶ U.S. Dept. of Justice, Office For Victims of Crime, *Human Trafficking Task Force e-Guide Strengthening Collaborative Responses*, <https://www.ovcttac.gov/taskforceguide/eguide/4-supporting-victims/44-comprehensive-victim-services/mental-health-needs/>; see also, Rodolph, Alicen, *The Task Ahead: Improving the United States' Task Force Model to Better Serve Victims and Survivors*, (March 1, 2022), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4132576.

³⁷ *Id.*

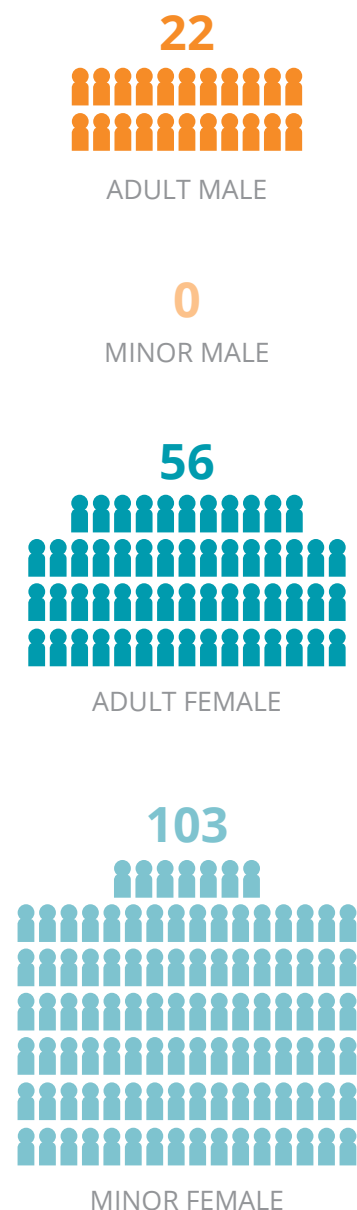
³⁸ Heather J. Clawson, et al., *Treating The Hidden Wounds: Trauma Treatment and Mental Health Recovery for Victims of Human Trafficking*, U.S. Dept. of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, <https://aspe.hhs.gov/sites/default/files/private/pdf/75356/ib.pdf>.

³⁹ Public sources indicate at least 201 individuals who were not named in pleadings that were impacted by crimes committed in new criminal human trafficking cases in 2021.

⁴⁰ Compared to 449 victims in new criminal human trafficking cases filed in 2021.

⁴¹ When there were 315 identified victims.

VICTIMS IN NEW 2021 CRIMINAL CASES



1.2.2 VICTIMS IN CRIMINAL CASES BY GENDER & AGE

To identify and track victim age and gender data, the Report includes information from publicly available sources and court records. Of the 449 total victims indicated in new criminal human trafficking cases, age and gender information was available for 181 (41%) victims. Minor victims comprise 57% (103) of new victims, while adults comprise 43% (78). Of identified victims, 88% (159) were identified as female and 12% (22) were identified as male.⁴²

Where *both* age and gender could be identified in new criminal cases, minor female victims were identified at the highest rate, accounting for 57% (103) of victims.⁴³ Adult females were the next-most frequently identified victim demographic, comprising 31% (56) of victims.⁴⁴ There were zero identified minor males and 22 identified adult males.⁴⁵

Although public sources rarely reveal information about gender identity or sexual orientation, at least one victim in 2021 new criminal cases self-identified as lesbian, gay, bisexual, transgender, queer, or questioning (LGBTQ).⁴⁶ Because of the limited information available through public sources on the sexual orientation or sexual identity of victims, the number of persons within the LGBTQ community who are impacted by federal human trafficking may be underrepresented.

"Because of the limited information available...the number of persons within the LGBTQ community who are impacted by federal human trafficking may be underrepresented."

⁴² Based on 181 identified victims in new criminal human trafficking cases in 2021 whose gender was known.

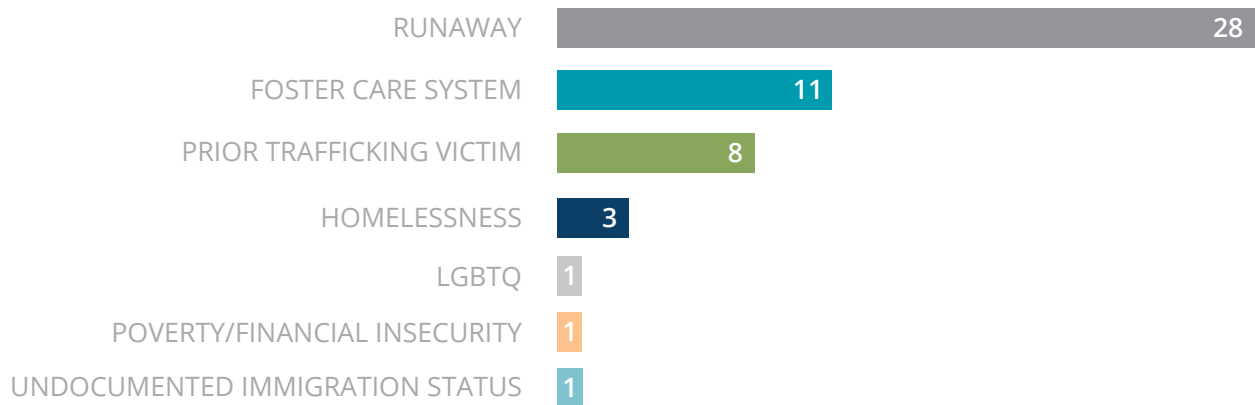
⁴³ Based on 181 identified victims in new criminal human trafficking cases in 2021 whose gender *and* age were known.

⁴⁴ Based on 181 identified victims in new criminal human trafficking cases in 2021 whose gender *and* age were known.

⁴⁵ Based on 181 identified victims in new criminal human trafficking cases in 2021 whose gender *and* age were known.

⁴⁶ The Report categorizes defendants and victims as "male," "female," or "other" based on how they self-identified when this information becomes publicly available. When there is no information on how an individual self-identifies, the Federal Human Trafficking Report categorizes based on how an individual is identified by law enforcement or others in public sources.

VULNERABILITIES OF MINOR FEMALE VICTIMS IN CRIMINAL CASES

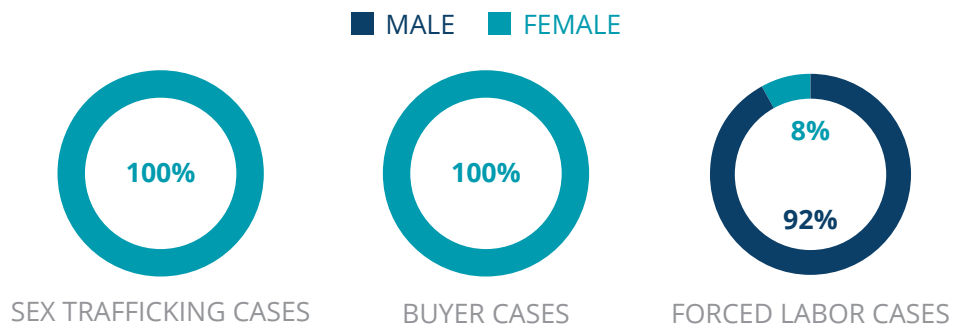


Victims experience unique vulnerabilities based on their age and gender. For minor females, the top vulnerabilities were having run away from home (78%, 28) and being in the foster care system (31%, 11).⁴⁷ The most prevalent vulnerabilities for adult females were substance use dependency (63%, 5) and undocumented immigration status (25%, 2),⁴⁸ and the most frequent for adult males included financial debt (88%, 14) and poverty/financial insecurity (44%, 7).⁴⁹

1.2.3 VICTIMS BY GENDER & AGE IN CRIMINAL CASES BY TYPE

In 2021, 100% (157) of victims in new sex trafficking cases were female and 0% (0) were male.⁵⁰ In contrast, 8% (2) of victims in new forced labor cases were female, compared to 92% (23) who were male.⁵¹ While the proportion of female victims in sex trafficking cases has traditionally been high, the gender breakdown in forced labor cases has varied. For example, in 2021, the majority of new forced labor victims was male (92%, 23) whereas in 2020, the majority of new forced labor victims was female (86%, 31).⁵²

VICTIMS IN NEW 2021 CRIMINAL CASES BY GENDER



⁴⁷ Based on 36 identified minor females who were victims in new criminal cases, for whom at least one pre-existing vulnerability was known. Percentages in this section will not add up to 100 because victims can have multiple vulnerabilities.

⁴⁸ Based on 8 identified adult females who were victims in new criminal cases, for whom at least one pre-existing vulnerability was known.

⁴⁹ Based on 16 identified adult males who were victims in new criminal cases, for whom at least one pre-existing vulnerability was known.

⁵⁰ Based on 157 identified victims in new criminal sex trafficking cases whose gender was known.

⁵¹ Based on 25 identified victims in new criminal forced labor cases whose gender was known.

⁵² Based on 36 identified victims in new criminal forced labor cases whose gender was known.

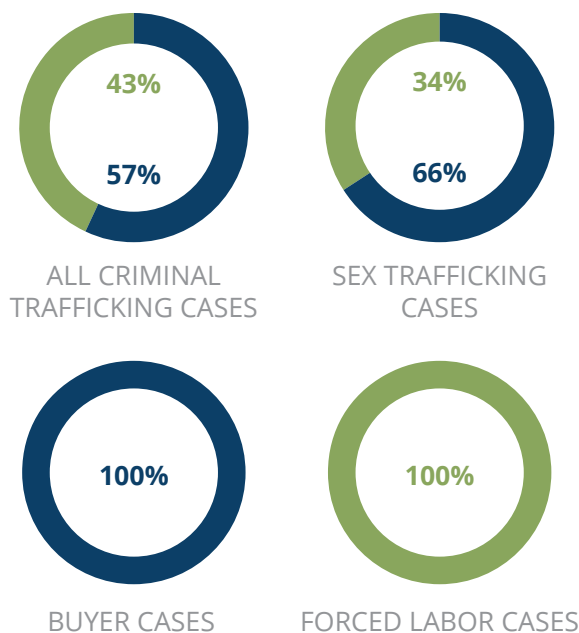


Overall, 57% (103) of victims in new human trafficking cases were minors and 43% (78) were adults.⁵³ Victims' ages varied, with the oldest being 39 years old and the youngest being 11 years old.⁵⁴ The average age of all victims in sex trafficking cases was 15 years old.⁵⁵ The average age of adult victims in sex trafficking cases was 21 years old.⁵⁶ The average age of minor victims in sex trafficking cases was 15 years old.⁵⁷ The average age of victims in forced labor cases was much higher, at 29 years old.⁵⁸ In some cases, traffickers exploit the same victim at various ages over the course of several years. For consistency, the Report uses the victim's age at the time the victim was recruited or first exploited by the trafficking conduct prosecuted in the case.

In the new sex trafficking cases filed in 2021, 66% (103) of victims were minors, and 34% (54) were adult victims.⁵⁹ In the subset of cases involving buyer defendants, 100% (20) of victims were minors.⁶⁰ However, in contrast to sex trafficking cases, 100% (24) of victims in forced labor cases were adults.⁶¹

VICTIMS IN NEW 2021 CRIMINAL CASES BY AGE

■ MINOR ■ ADULTS



⁵³ Based on 181 identified victims in new criminal cases whose age was known.

⁵⁴ Based on 70 identified victims in new criminal cases whose exact age at the time of recruitment or first exploitation was known.

⁵⁵ Based on 66 identified victims in new criminal sex trafficking cases whose exact age at the time of recruitment or first exploitation was known.

⁵⁶ Based on 2 identified adult victims in new criminal sex trafficking cases whose exact age was known.

⁵⁷ Based on 64 identified minor victims in new criminal sex trafficking cases whose exact age was known.

⁵⁸ Based on 4 identified victims in new criminal forced labor cases whose age was known.

⁵⁹ Based on 157 identified victims in new criminal sex trafficking cases whose age was known.

⁶⁰ Based on 20 identified victims in new criminal sex trafficking buyer cases whose age was known.

⁶¹ Based on 24 identified victims in new criminal forced labor cases whose age was known.

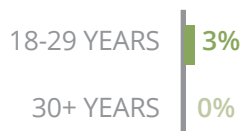


The TVPA provides different penalties for convicted sex traffickers depending on the age range of victims. Sex trafficking of adults carries a minimum term of imprisonment of 15 years, irrespective of the victim's particular age.⁶² The minimum term of imprisonment for trafficking of minors below 14

years old is also 15 years.⁶³ In 2021, 3% (2) of victims in new sex trafficking cases fell within this range.⁶⁴ The minimum term of imprisonment is reduced to 10 years for sex trafficking of a minor between 14 and 17 years of age,⁶⁵ which was the range for 94% (62) of victims in new sex trafficking cases in 2021.⁶⁶

AGE RANGES OF VICTIMS IN NEW 2021 CRIMINAL SEX TRAFFICKING CASES⁶⁷

PERCENTAGE OF ADULT VICTIMS BY AGE RANGE



PERCENTAGE OF MINOR VICTIMS BY AGE RANGE



Victims of human trafficking often have pre-existing vulnerabilities which may make them particularly at risk of recruitment and coercion by traffickers. For minor victims, running away from home was by far the most common vulnerability (76%, 28), followed by being in the foster care system (30%, 11), having been trafficked in the past (22%, 8), homelessness (8%, 3) undocumented immigration status (5%, 2), and self-identifying as LGBTQ (3%, 1).⁶⁸

The top vulnerabilities for adult victims of human trafficking included: financial debt (70%, 30); poverty or other financial insecurity (60%, 26); undocumented immigration status (49%, 21); limited English language skills (47%, 20); substance abuse (12%, 5); and homelessness (2%, 1).⁶⁹

⁶² 18 U.S.C. § 1591(b)(2).

⁶³ 18 U.S.C. § 1591(b)(1).

⁶⁴ 18 U.S.C. § 1591(b)(2).

⁶⁵ Based on 2 identified adult victims in new criminal sex trafficking cases whose exact age was known.

⁶⁶ Based on 66 identified victims in new criminal sex trafficking cases whose exact age was known.

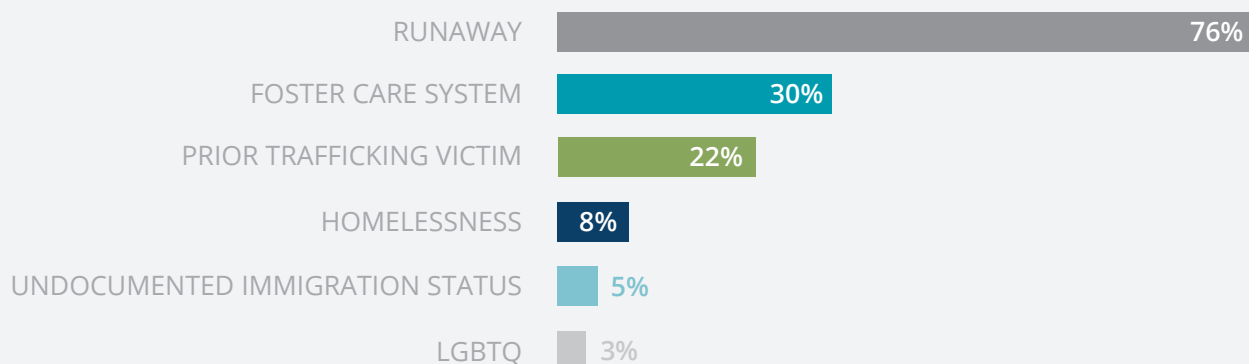
⁶⁷ Based on 66 identified victims in new 2021 criminal sex trafficking cases whose exact age was known.

⁶⁸ Based on 37 identified minor victims in new 2021 criminal cases for whom at least one vulnerability was known. The percentages in this section do not add up to 100% because victims can have more than one vulnerability.

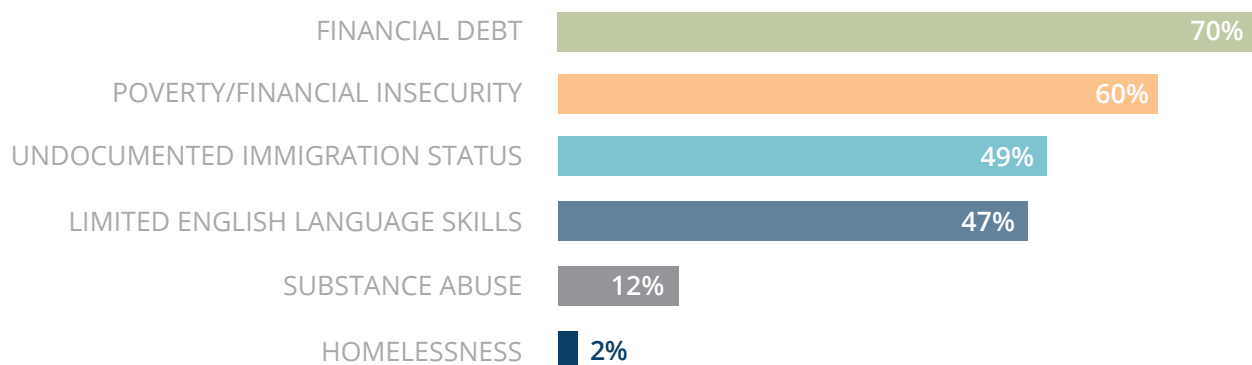
⁶⁹ Based on 43 identified adult victims in new 2021 criminal cases for whom at least one vulnerability was known. The percentages in this section do not add up to 100% because victims can have more than one vulnerability.



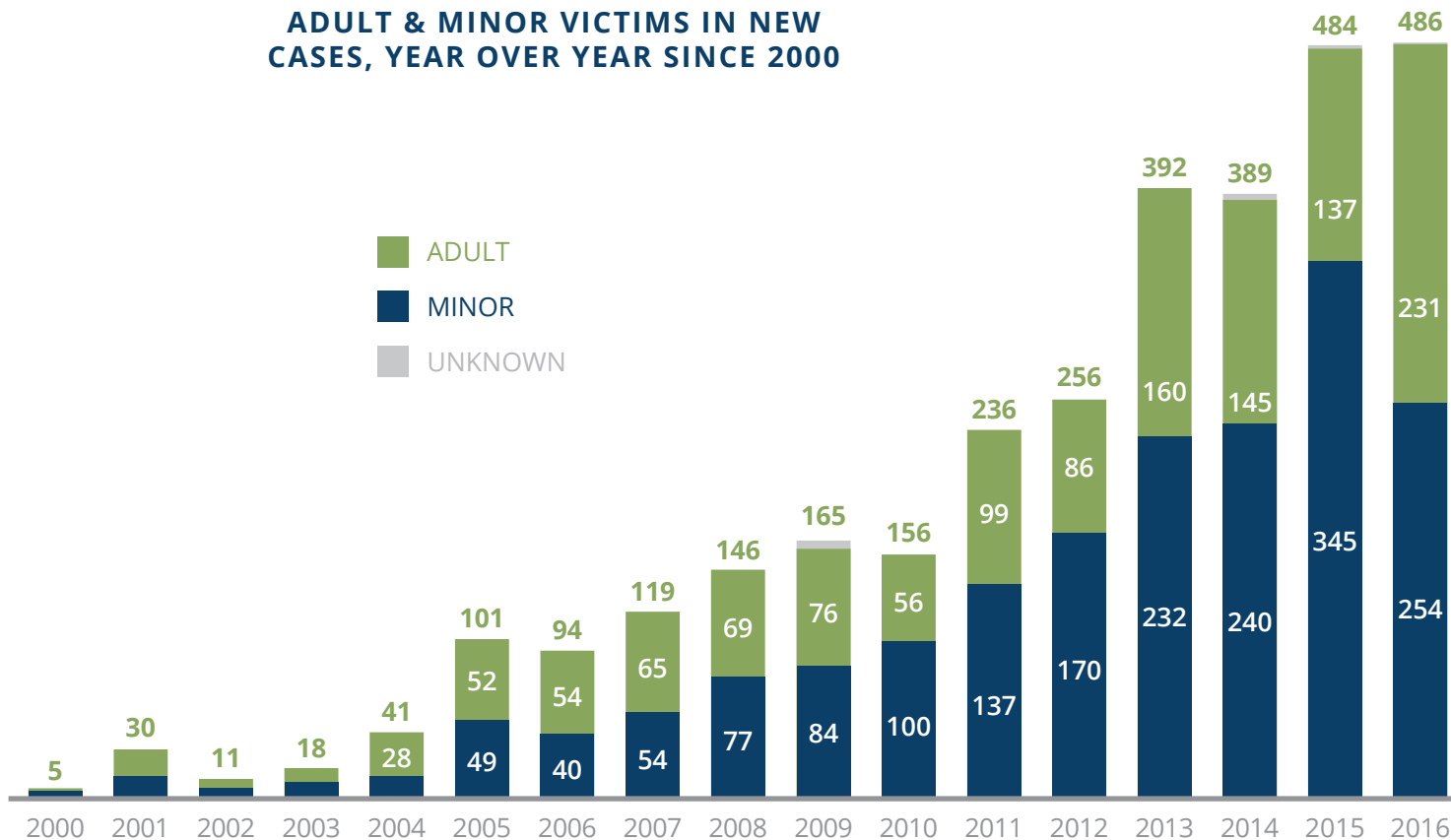
PRE-EXISTING VULNERABILITIES OF MINOR VICTIMS IN NEW 2021 CRIMINAL HUMAN TRAFFICKING CASES



PRE-EXISTING VULNERABILITIES OF ADULT VICTIMS IN NEW 2021 CRIMINAL HUMAN TRAFFICKING CASES



Historically, the ratio of adult to minor victims is close to equivalent, with the exception of 2020 when the number of minor victims, 64% (200), was significantly more than adult victims, 36% (112).⁷⁰ In 2021, the victim age breakdown followed this trend, with 57% (103) minors and 43% (78) adults.⁷¹ In line with this trend, the breakdown in 2019 showed 51% (173)⁷² of new victims were minors and in 2018 minors constituted 47% (162) of new victims.⁷³



"Historically, the ratio of adult to minor victims is close to equivalent, with the exception of 2020 when the number of minor victims was significantly more than adult victims."

⁷⁰ Based on 312 identified victims in new criminal human trafficking cases in 2020.

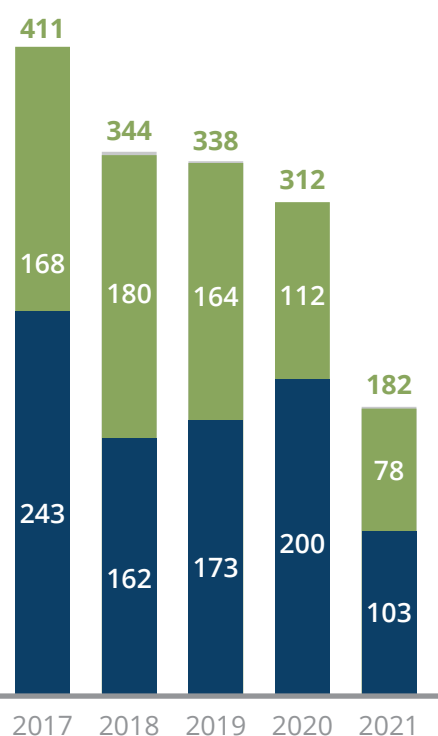
⁷¹ Based on 181 identified victims in new criminal human trafficking cases in 2021.

⁷² Based on 338 identified victims in new criminal human trafficking cases in 2019.

⁷³ Based on 344 identified victims in new criminal human trafficking cases in 2018.

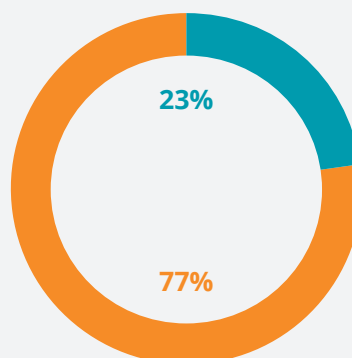
1.2.4 FOREIGN NATIONAL VICTIMS

In 2021, 77% (189) of victims were either U.S. citizens or their nationality was unknown, and 23% (55) of victims in new cases filed were foreign nationals.⁷⁴ The breakdown of victim nationality varied greatly by case type. Two percent (3) of victims in new sex trafficking were identified as foreign nationals,⁷⁵ while 93% (52) of victims in new forced labor cases were identified as foreign nationals.⁷⁶ Of the victims identified as foreign nationals in new cases, 4% (2) were minors, while 96% (49) were adults.⁷⁷

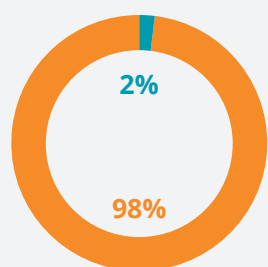


VICTIM NATIONALITY IN NEW 2021 CRIMINAL CASES

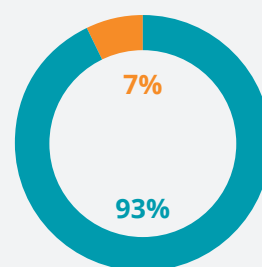
■ FOREIGN NATIONAL
■ U.S. CITIZENS OR NATIONALITY UNKNOWN



VICTIMS IN ALL HUMAN TRAFFICKING CASES⁷⁸



VICTIMS IN SEX TRAFFICKING CASES⁷⁹



VICTIMS IN FORCED LABOR CASES⁸⁰

⁷⁴ Based on 244 identified victims in new criminal cases.

⁷⁵ Based on 188 identified victims in new 2021 criminal sex trafficking cases for whom identifying information is known.

⁷⁶ Based on 56 identified victims in new 2021 criminal forced labor cases for whom identifying information is known.

⁷⁷ Based on 51 identified foreign national victims in new 2021 criminal cases where age is known.

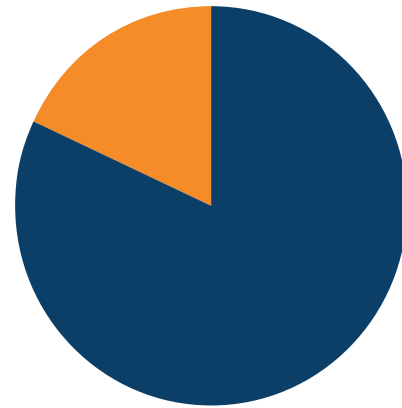
⁷⁸ Based on 244 identified victims in new criminal cases.

⁷⁹ Based on 188 identified victims in new 2021 criminal sex trafficking cases for whom identifying information is known.

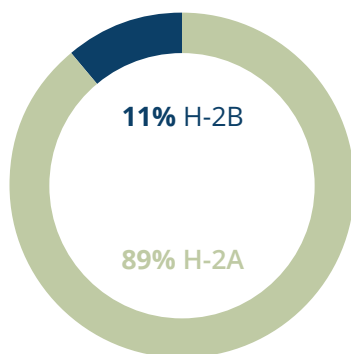
⁸⁰ Based on 56 identified victims in new 2021 criminal forced labor cases for whom identifying information is known.

TRAFFICKING TRENDS OF FOREIGN NATIONAL VICTIMS IN NEW 2021 CRIMINAL CASES

TRAFFICKED INTO THE UNITED STATES **82%** ■
TRAFFICKED AFTER ENTERING THE UNITED STATES **18%** ■
TRAFFICKED ABROAD **0%** ■



DOCUMENTED STATUS OF VICTIMS IN NEW 2021 CRIMINAL CASES



It is important to note that even if a victim of human trafficking is identified as a foreign national, it does not mean that the victim was trafficked across borders into the United States.⁸¹ However, 82% (45)⁸² of foreign national victims in 2021 new criminal cases were trafficked *into* the United States; 7% (3) in sex trafficking cases and 93% (42) in forced labor cases.⁸³ For 18% (10) of those victims, exploitation occurred only *after* entering the United States and 0% (0) were exploited *entirely* abroad. Ninety-five percent (39) of victims trafficked *into* the country were adults and 5% (2) were minors.⁸⁴

Sometimes, perpetrators bring victims into the United States by facilitating smuggling, visa fraud, or other abuse of the visa process. In other instances, traffickers exploit the temporary immigration status of visa-holders already in the United States. In 2021, 84% (46) of foreign national victims in new cases were visa holders.⁸⁵ Seventy-eight percent (36) of these victims were trafficked *into* the United States, and 22% (10) were exploited *after* entry.⁸⁶

The breakdown of all visa categories in new cases filed in 2021 was 89% (41) H-2A for temporary agricultural workers, and 11% (5) H-2B for temporary non-agricultural workers.⁸⁷ Notably, all of these victims were adults in new forced labor cases. There were no new sex trafficking cases with identified visa-holder victims in 2021.⁸⁸ There were also no minor visa-holder victims in new 2021 cases.

⁸¹ Illegal movement of a human across borders is considered smuggling. Human trafficking involves the recruitment, harboring, transportation, obtaining, or provision of a person for the purpose of forced labor or commercial sexual exploitation, which sometimes can include movement across borders.

⁸² Based on 55 identified foreign national victims in new criminal cases where location was known.

⁸³ Based on 45 identified foreign national victims in new criminal cases where location was known.

⁸⁴ Based on 41 identified victims in new criminal cases in 2021 as having been trafficked into the United States, whose age is known.

⁸⁵ Based on 55 identified foreign national victims for whom this information was known.

⁸⁶ Based on 46 identified visa holder victims for whom this information was known.

⁸⁷ Based on 46 foreign national victims identified as visa holders.

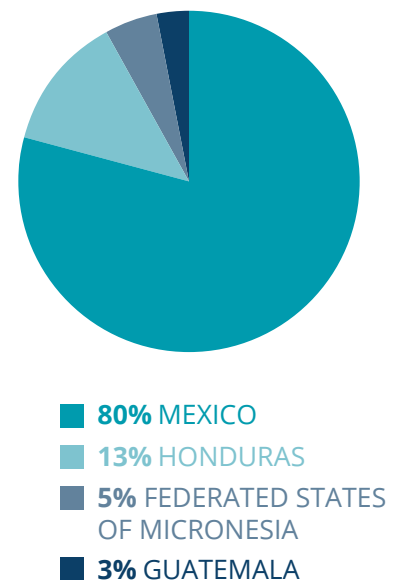
⁸⁸ Based on 46 foreign national victims identified as visa holders.

"Even when foreign nationals come to the United States of their own volition, whether on a visa or undocumented, they can be uniquely vulnerable to human trafficking."

Even when foreign nationals come to the United States of their own volition, whether on a visa or undocumented, they can be uniquely vulnerable to human trafficking. Fifty-six percent (20) of foreign national victims were undocumented prior to being trafficked, 56% (20) had limited English language skills, and 83% (30) were in financial debt, potentially due to smuggling or recruitment fees.⁸⁹ Traffickers often exploit these vulnerabilities once an individual has entered the country. As mentioned above, 22% (10) of foreign national victims were trafficked after entering the United States, all of which were in forced labor cases.⁹⁰ Of adult foreign national victims in new criminal human trafficking cases, 18% (10) were trafficked *after* entering the United States,⁹¹ compared to 0% (0) of foreign national victims who were minors.⁹²

Foreign national victims identified in 2021 new cases traveled to the United States from around the world, with 80% (32) from Mexico, 13% (5) from Honduras, 5% (2) from the Federated States of Micronesia, and 3% (1) from Guatemala.⁹³

FOREIGN NATIONAL VICTIMS IN NEW 2021 CRIMINAL CASES BY COUNTRY



⁸⁹ Based on 36 identified foreign national victims in 2021 new criminal cases for whom at least one vulnerability was known.

⁹⁰ Based on 55 identified foreign national victims in 2021 new criminal cases whose location was known.

⁹¹ Based on 49 identified adult foreign national victims in 2021 new criminal cases for whom this information was known.

⁹² Based on 2 identified minor foreign national victims in 2021 new criminal cases in 2021 for whom this information was known.

⁹³ Based on 40 identified foreign national victims in new 2021 criminal cases whose country of origin was known. These do not add up to 100 percent due to rounding.



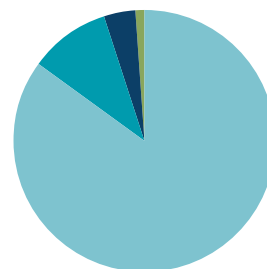
1.3 CRIMINAL SEX TRAFFICKING SCHEMES

In 2021, sex trafficking cases accounted for the majority (92%) of new federal human trafficking prosecutions.⁹⁴ The defendants in these cases used a variety of methods and tactics to facilitate their crimes, recruit and coerce victims, and to generate profit by soliciting buyers for commercial sex. In this section, the Report breaks down the mechanics of these human trafficking schemes.

1.3.1 TRAFFICKER-DIRECTED, GANG-DIRECTED, AND ORGANIZED CRIMINAL NETWORKS

Sex trafficking schemes can range from small-scale, individually run operations, to larger, more sophisticated crime rings. In reviewing cases filed in Federal Courts, the most commonly identified schemes were those that were operated at the direction of the trafficker, those that were operated at the direction of a criminal gang, and those that were operated by an organized criminal network. Of the 129 new cases of sex trafficking filed in 2021, 45% (58) were identified as involving trafficker-directed sex trafficking, meaning the trafficker coerced victims while also managing and collecting profits from their commercial sex acts. Within those 58 cases, there were 118 victims identified. Only 2% (3) involved gang-directed sex trafficking.⁹⁵ Fewer still, approximately 1% (1), involved organized criminal syndicates directing sex trafficking on a larger scale, through more formal arrangements.⁹⁶ In the remaining 52% (67) cases, traffickers employed other methods, or public sources contained insufficient information to determine the trafficker's scheme.⁹⁷

CRIMINAL SEX TRAFFICKING SCHEMES IN NEW 2021 CASES*



* Based on 85 new sex trafficking cases where at least one primary business model was known

⁹⁴ Based on 140 new 2021 criminal human trafficking cases.

⁹⁵ Based on 129 new 2021 criminal sex trafficking cases.

⁹⁶ Based on 129 new 2021 criminal sex trafficking cases.

⁹⁷ Based on 129 new 2021 criminal sex trafficking cases.

CASE HIGHLIGHT

ORGANIZED CRIME AND HUMAN TRAFFICKING IN AMERICA, *UNITED STATES V. LUZ ELVIRA CARDONA ET AL.*

On April 2, 2021, the Eastern District of New York charged 6 defendants, including a law enforcement officer, in a 14-count indictment including charges of human trafficking and racketeering. As set forth in court filings, the charges relate to the operation of two organized sex trafficking and prostitution networks: the Cid-Hernandez Sex Trafficking Organization and the Godinez Prostitution Business. Over a twenty-year period, the Queens-based Cid-Hernandez Sex Trafficking Organization allegedly trafficked young women and minor girls from Mexico using force, threats of force, fraud, and coercion.⁹⁸

The organization lured victims to the United States with false promises of employment and a better life, then forced the victims to engage in prostitution throughout the state of New York.⁹⁹ The crime rings remained undeterred for nearly two decades due to the bribed officer's complacency and his complicity to deter law enforcement from interrupting the operation.

The number of new cases involving a trafficker-directed scheme has steadily decreased over the past twenty years, decreasing by 9% since 2020,¹⁰⁰ and decreasing by 28% since the peak in 2010 during which 69% of new cases filed involved a trafficker-directed scheme.¹⁰¹ Since the enactment of the TVPA in 2000, 68% (1,435) of the 2,099 criminal sex trafficking cases filed involved a trafficker-directed scheme.

It is important to note that the Report is not an indication of prevalence, nor does it lead to conclusions about human trafficking methods outside of the cases filed in Federal Courts. It does, however, provide the opportunity to examine emerging trends in the cases filed year-over-year. The steady decline in cases identified as a trafficker-directed scheme provides insight not only into defendants' methods and tactics in trafficking, but also into how the U.S. government identifies, investigates, and prosecutes human trafficking cases.

"In 2021, sex trafficking cases accounted for the majority (92%) of new federal human trafficking prosecutions."

⁹⁸ U.S. Dept. of Justice, The United States Attorney's Office, Eastern District of New York, Six Individuals, Including a Village of Brewster Police Officer, Charged in Sex Trafficking and Bribery Scheme, December 14, 2021, <https://www.justice.gov/usao-edny/pr/six-individuals-including-village-brewster-police-officer-charged-sex-trafficking-and>.

⁹⁹ *Id.*

¹⁰⁰ Based on 41% of new 2021 criminal cases with trafficker-directed schemes, and 50% in 2020.

¹⁰¹ Based on 41% of new 2021 criminal cases with trafficker-directed schemes, and 69% in 2010.

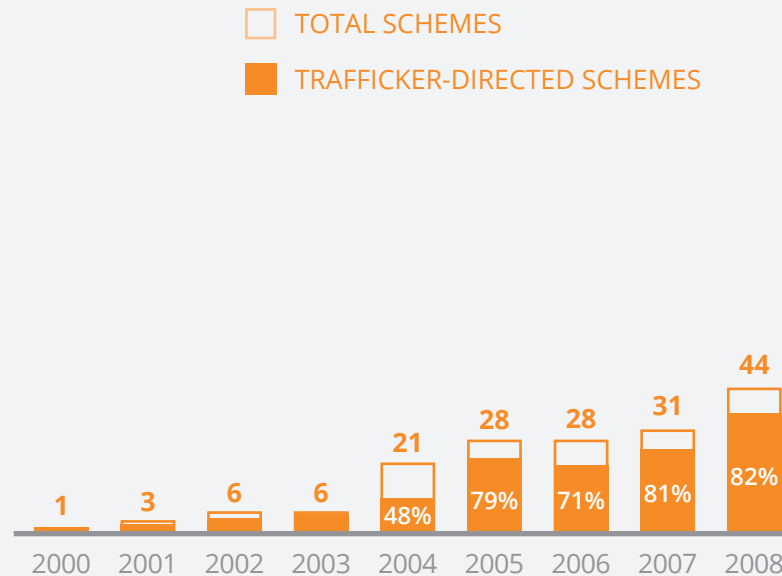
PIMPS VS. TRAFFICKERS

For the purpose of the Report, the term “trafficker-directed” indicates that the trafficker maintained control over the commercial sex act in ways such as arranging the act, recruiting or advertising for victims, or providing transportation and security, in ways traditionally identified as actions of a “pimp”.

But the term “pimp,” by definition and application, is not synonymous with the term “trafficker.” Webster’s Dictionary defines the term “pimp” as a “criminal who is associated with, exerts control over, and lives off the earnings of one or more prostitutes.” A trafficker’s actions go beyond control and profit alone. According to 22 U.S.C. § 7102(9), a “trafficker” is someone who recruits, harbors, transports, provides, or obtains 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.

Secondly, individuals exploited by a trafficker are not independent, consenting commercial sex workers. Rather, they are identified as victims of human trafficking. Recognizing the often subtle differences between pimping and trafficking can be difficult. The distinction lies in the act and means of how the trafficker compels the person into the commercial sex, as well as the age of the victim. Additionally, a minor under the age of 18 cannot consent to commercial sex, and therefore should not be associated with the term prostitution or pimp. Anyone who induces a minor to engage in commercial sex is by definition a trafficker.

TRAFFICKER-DIRECTED SCHEMES IN NEW CASES SINCE TVPA 2000

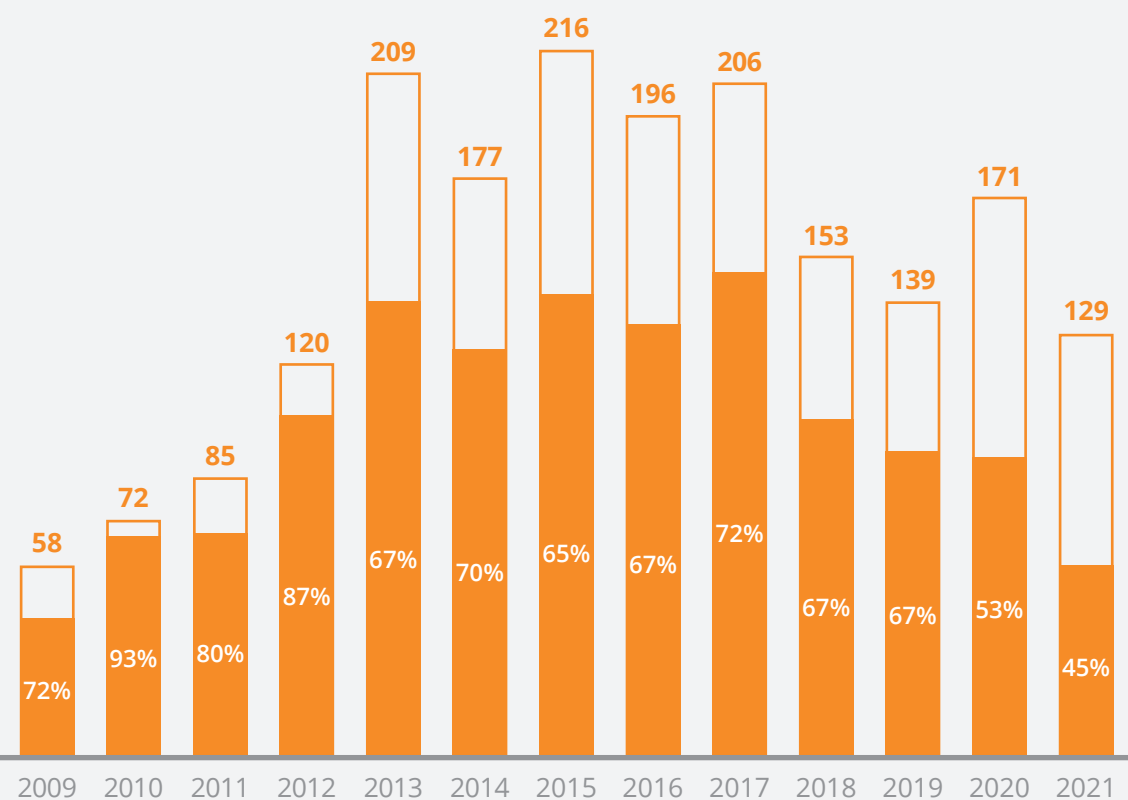


1.3.2 RECRUITMENT OF VICTIMS IN SEX TRAFFICKING CASES

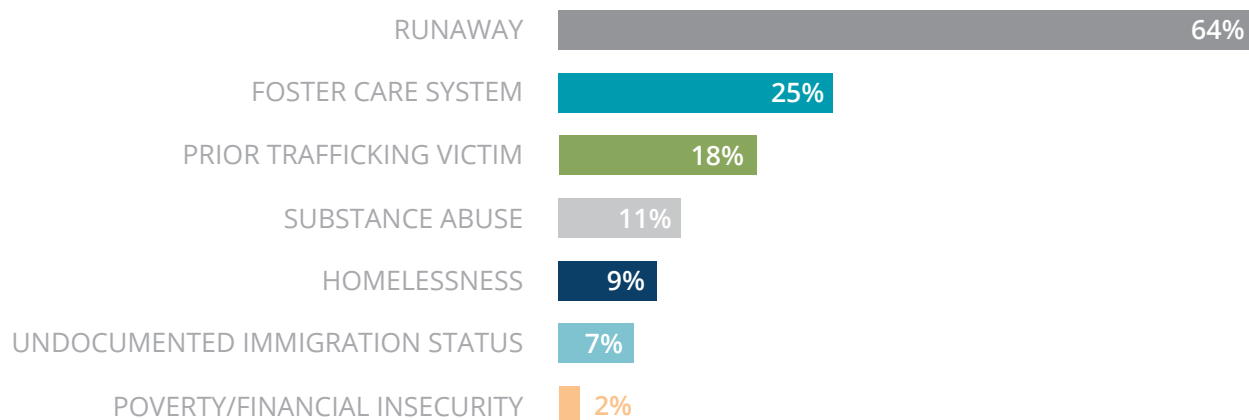
Traffickers recruit victims in a variety of ways, often uniquely tailoring their tactics to prey upon a victim’s vulnerabilities. Rarely do traffickers kidnap victims into their trafficking schemes. Instead, traffickers often use subtle forms of psychological or emotional manipulation to recruit victims.

In 2021, the top victim vulnerabilities in new cases were having run away from home (64%, 28), being in the foster care system (25%, 11), having been previously trafficked (18%, 8), substance use disorders (11%, 5), homelessness (9%, 4), poverty/financial insecurity (2%, 1), undocumented immigration status (7%, 3).¹⁰²

¹⁰² Based on 44 victims in new 2021 criminal sex trafficking cases for whom at least one method of recruitment could be identified. .



PRE-EXISTING VULNERABILITIES OF VICTIMS IN NEW 2021 CRIMINAL CASES





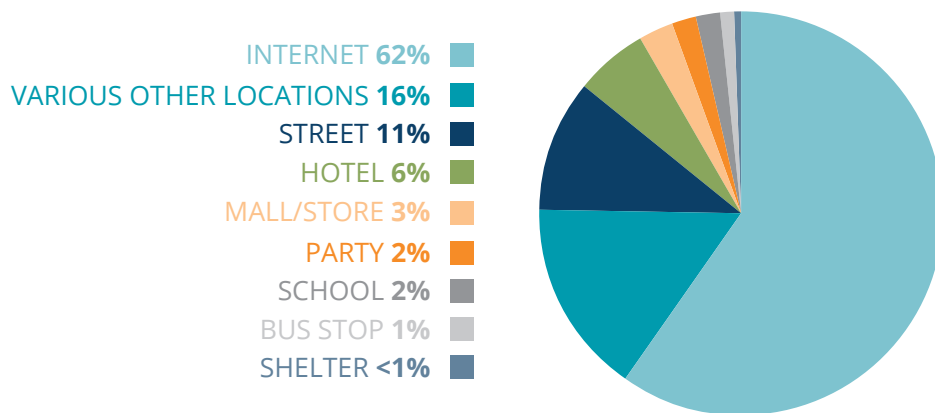
Traffickers may recruit victims themselves, or they may use other people to help recruit the victim, depending on the age or vulnerability of the victim. Similarly, traffickers may recruit victims in a variety of locations. Some sex traffickers pursue their victims openly in public places or venues, but most often, they execute their recruitment tactics from behind the safety of a computer screen.

LOCATION OF RECRUITMENT IN SEX TRAFFICKING CASES

In 2021, the Report began capturing data on the locations from which victims are recruited for sex trafficking. Within the new cases filed in 2021, there were 56 victims for whom at least one location of recruitment could be identified.¹⁰³ Of the 56 victims, 28 (50%) were recruited on the internet, 6 (11%) on the street, 6 (11%) at hotels, 4 (7%) at parties, 4 (7%) at malls or stores, 1 (2%) at a shelter, and the remaining at other locations.¹⁰⁴ Other locations include the victim's residence, a carnival, a group home, the defendant's residence, and at work.¹⁰⁵

While traffickers may recruit victims from a variety of locations, the internet remains the most common location for recruitment.¹⁰⁶ Since 2000, traffickers have recruited 55% (655) of sex trafficking victims online, usually through social media platforms, web-based messaging applications, online chat rooms, dating apps, classified advertisements, or job boards.¹⁰⁷

5 YEAR TREND – LOCATION OF VICTIM RECRUITMENT IN CRIMINAL SEX TRAFFICKING CASES



¹⁰³ Based on 56 of 188 identified victims in sex trafficking cases with at least one known location of recruitment.

¹⁰⁴ Based on 56 identified victims with at least one known location of recruitment.

¹⁰⁵ Based on 36 identified victims with "other" known locations of recruitment.

¹⁰⁶ Based on 655 of 1,183 victims with at least one known location of recruitment from 2000-2021.

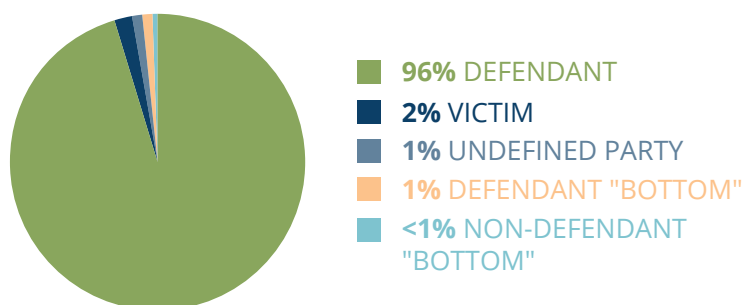
¹⁰⁷ Based on 1,183 victims with at least one known location of recruitment from 2000-2021.

¹⁰⁸ Based on 566 victims with at least one known location of recruitment from 2017-2021. Percentages do not add up to 100% due to some victims having multiple locations identified.

RECRUITERS IN SEX TRAFFICKING CASES

In 2021, the Report began capturing data on which individual recruited victims into sex trafficking. In new 2021 criminal sex trafficking cases, 97 (95%) victims were recruited by the defendant charged in the same case in which the victim is identified, 3 (3%) were recruited by a fellow victim, 1 (1%) was recruited by an undefined party, and 1 (1%) was recruited by a defendant "bottom".¹⁰⁹

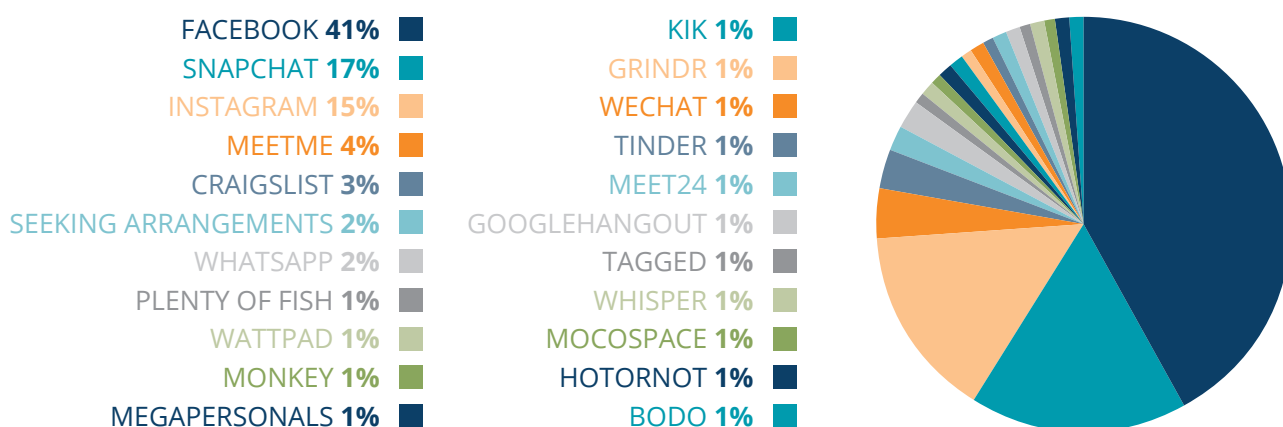
5 YEAR TREND – RECRUITER OF VICTIM IN NEW 2021 CRIMINAL SEX TRAFFICKING CASES¹¹⁰



PLATFORMS USED TO RECRUIT VICTIMS IN SEX TRAFFICKING CASES

Traffickers use a multitude of web-based platforms and applications to recruit victims of sex trafficking. While no one application or website is inherently more or less dangerous than others, the Report captured numerous platforms used in the recruitment of victims in new cases filed in 2021. Within the new cases filed where at least one website could be identified as being used to recruit victims, the most commonly identified platforms in 2021 were: Snapchat (11), Instagram (4), Facebook (3), Plenty of Fish (2), MeetMe (2), Wattpad (1), Monkey (1), and Megapersonals (1). This is the first time since 2019 that Facebook was not the most commonly identified platform for the recruitment of victims.

PLATFORMS USED IN RECRUITMENT OF SEX TRAFFICKING VICTIMS SINCE 2019¹¹¹



¹⁰⁹ Based on 102 identified victims in new criminal sex trafficking cases where recruiter was known in 2021.

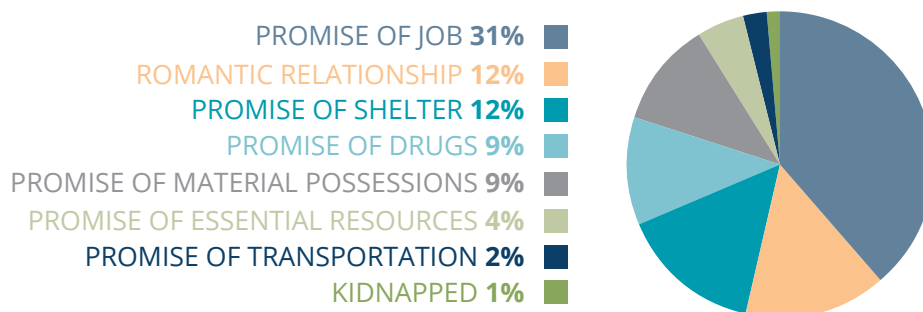
¹¹⁰ Based on 1,175 identified victims in criminal sex trafficking cases from 2017-2021 where recruiter was known.

¹¹¹ Based on 140 instances of an online platform used to recruit victims for criminal sex trafficking in new cases filed in 2019, 2020, and 2021.

METHODS OF RECRUITMENT IN SEX TRAFFICKING CASES

In 2021, there were 71 victims of criminal sex trafficking with at least one known method of recruitment.¹¹² Of these 71 victims, recruiters utilized the following methods of recruitment: promise of a job offer 27 (31%); 10 (12%) guise of a romantic relationship with the trafficker; 10 (12%) promise of shelter; 8 (9%) promise of material possessions; 8 (9%) promise of drugs; 3 (4%) promise of essential resources; and 2 (2%) promise of transportation.¹¹³ Contrary to the myth that victims of human trafficking are taken by force, only one (1) victim in one case filed in 2021 was kidnapped.¹¹⁴

METHODS OF RECRUITMENT IN NEW 2021 CRIMINAL SEX TRAFFICKING CASES



CASE HIGHLIGHT

UNITED STATES V. THOMAS, ET AL

One common misconception about human trafficking is that victims are kidnapped or abducted by strangers and then forced into the commercial sex industry. Contrary to this misconception, victims often know their trafficker before they are recruited and exploited. In 2021, HTI identified only one case charged in the District of South Carolina with an allegation of kidnapping as the means of recruitment into sex trafficking. While the pleadings included allegations of threats of force and verbal abuse, they did not indicate whether the victims knew the trafficker before they were recruited into the trafficking scheme.

In *U.S. v. Thomas*, media sources stated that a young man passed a note to a store clerk saying he had been kidnapped.¹¹⁵ Law enforcement was contacted, which led to Mr. Thomas's arrest for trafficking two minor victims in the Myrtle Beach area. Public sources did not explain the relationship of the unknown male who left the note with the clerk. Pleadings filed in the case indicated that Mr. Thomas allegedly used force, threats of force, and verbal abuse among other means to coerce the victims. While kidnapping was alleged, Mr. Thomas was not charged with kidnapping the two minor victims, nor was it clear if Mr. Thomas was previously known to the victims.

¹¹² Based on 287 victims in new criminal sex trafficking cases.

¹¹³ Based on 87 instances of recruitment methods used in new 2021 criminal sex trafficking cases.

¹¹⁴ Based on 87 instances of recruitment methods used in new 2021 criminal sex trafficking cases.

¹¹⁵ WMBF News Staff, Note Left at NC Walmart led to Man's Arrest on Human Trafficking Charges in Myrtle Beach, March 29, 2019, 3:45pm, <https://www.wistv.com/2019/03/31/note-left-nc-walmart-led-mans-arrest/>.

In 2021, HTI reviewed all cases filed from 2017-2021, collecting additional information to identify and categorize what types of material possessions traffickers promised to recruit victims.¹¹⁶ Some of the most common material possessions promised to recruit victims of sex trafficking were travel (14), cars (8), clothing (8), and hair and nail services (3).¹¹⁷

Victims often know their trafficker, or know the person recruiting them on behalf of the trafficker. Of the new 2021 criminal sex trafficking cases, 12% (22) were recruited through a pre-existing relationship with the recruiter, in which the recruiter took advantage of their relationship with the victim or the victim's relationship with someone else to recruit them.¹¹⁸ In new criminal sex trafficking cases filed in 2021, pre-existing relationships included friend/classmate (7), mutual friend (5), intimate partner (3), drug dealer (2), other relationships (2), parent (1), extended family member (1), and employer (1).¹¹⁹ Since 2000, in cases where at least one means of recruitment could be identified, 50% (715) of victims were recruited through a pre-existing relationship with their recruiter.¹²⁰

1.3.3 COERCION IN SEX TRAFFICKING CASES

The element of coercion makes prosecution of sex trafficking cases unique from other crimes. Sometimes coercion is easily identified and understood. When a trafficker uses physical abuse or sexual violence to coerce a victim, it is easy to understand why a reasonable person in such circumstances would feel compelled to act at the direction of the trafficker. But often, traffickers use more subtle forms of coercion, like physical isolation or exploitation of substance abuse, to coerce the victim to engage in commercial sex. These non-violent forms of coercion are more difficult to identify. Determining whether a reasonable person placed in the victim's position would fear serious harm if they failed to perform the required commercial sex act is incredibly difficult, especially as it relates to serious harm such as drug withdrawal or isolation. This becomes even more complex in situations where victims have developed a trauma bond with the trafficker, and may not recognize they are a victim of human trafficking.¹²¹



¹¹⁶ For more information on HTI's exhaustive case review process, see the Methodology section.

¹¹⁷ Based on 51 new criminal sex trafficking cases filed between 2017-2021 where at least one promised material possession for recruitment could be identified.

¹¹⁸ Based on 22 of 188 identified victims in new 2021 sex trafficking cases where a pre-existing relationship could be identified.

¹¹⁹ Based on 22 of 188 identified victims in new 2021 sex trafficking cases who were recruited via a pre-existing relationship.

¹²⁰ Based on 1,439 sex trafficking victims in cases filed between 2000-2021 for whom at least one method of recruitment is known.

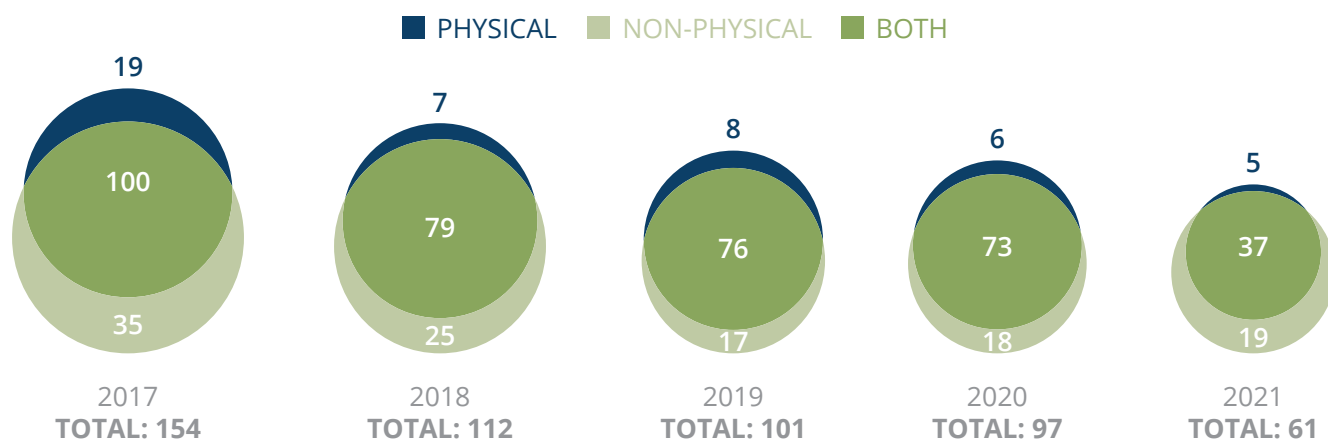
¹²¹ For more information on trauma-bonding, see generally, Kaitlin Casassa, Logan Knight, and Cecilia Mengo, *Trauma Bonding Perspectives From Service Providers and Survivors of Sex Trafficking: A Scoping Review*, Trauma Violence Abuse, January 2021, doi:10.1177/1524838020985542.



In 2021 new criminal sex trafficking cases where at least one means of physical or non-physical coercion could be identified, 31% of victims were coerced through non-physical means.¹²² In 61% of cases where coercion could be identified, victims experienced

both physical and non-physical forms of coercion.¹²³ One (1) case in 2021 included *only* violent coercion. The use of both physical and non-physical forms of coercion has been consistently present in cases over the past five years.¹²⁴

PHYSICAL & NON-PHYSICAL COERCION IN NEW CRIMINAL SEX TRAFFICKING CASES



The means through which traffickers coerce victims can sometimes be violent, but often, the coercion of victims is more subtle. In 2021, in new criminal sex trafficking cases where at least one method of coercion could be identified among adult victims, the top five categories of coercion were withholding pay (90%, 9), threats of physical abuse (70%, 7), physical abuse (60%, 6), physical isolation (50%, 5), and brandishing weapons (50%, 5).¹²⁵ The next most common coercive means were inducing/exploiting substance addiction (40%, 4), and rape or sexual abuse (30%, 3).¹²⁶ Contrary to common perceptions that victims of sex trafficking are often physically bound or locked in rooms, only two (20%, 2) cases involved defendants using cages, locked rooms, or barred cells to control their victims.¹²⁷

¹²² Based on 19 of 61 cases where at least one means of physical or non-physical coercion could be identified.

¹²³ Based on 61 cases where at least one means of physical or non-physical coercion could be identified.

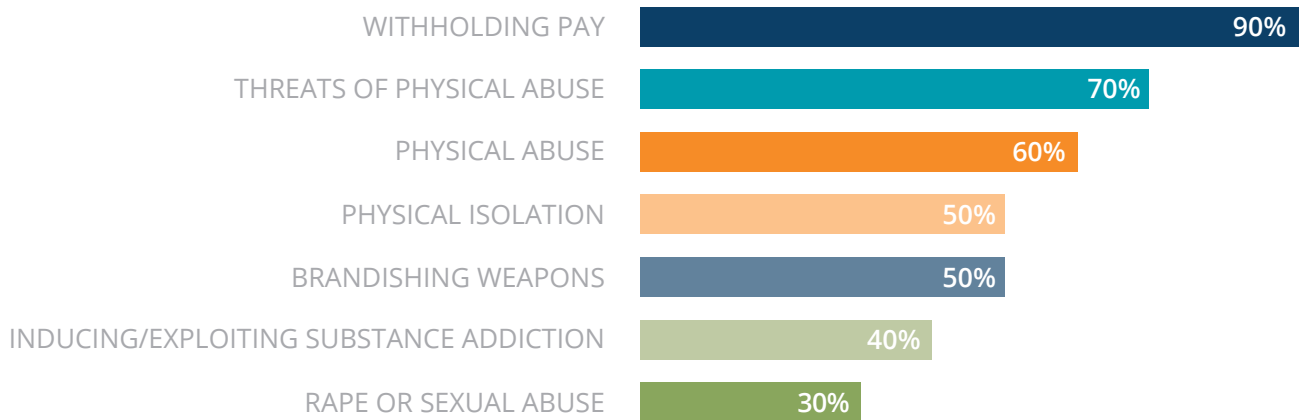
¹²⁴ Based on 61 cases in 2021, 97 cases in 2020, 101 cases in 2019, 112 cases in 2018, and 154 cases in 2017 where at least one means of physical or non-physical coercion could be identified.

¹²⁵ Based on 10 new adult-only cases where at least one method of coercion was known. Percentages in this section will not equal 100 because cases can have multiple methods of coercion.

¹²⁶ Based on 10 new adult-only cases where at least one method of coercion was known.

¹²⁷ Based on 10 new adult only cases filed in 2021 where at least one method of coercion was known.

METHODS OF COERCION IN NEW 2021 CRIMINAL SEX TRAFFICKING CASES INVOLVING ADULTS¹²⁸



CASE HIGHLIGHT

UNITED STATES V. MERSIER ET AL¹²⁹

Traffickers do not always use physical coercion to induce victims to participate in commercial sex acts. Often, traffickers find ways to exploit a victim's vulnerabilities to make the victim feel that either they must comply because they are indebted to their trafficker, or because they are scared, powerless, and in an unfamiliar place.

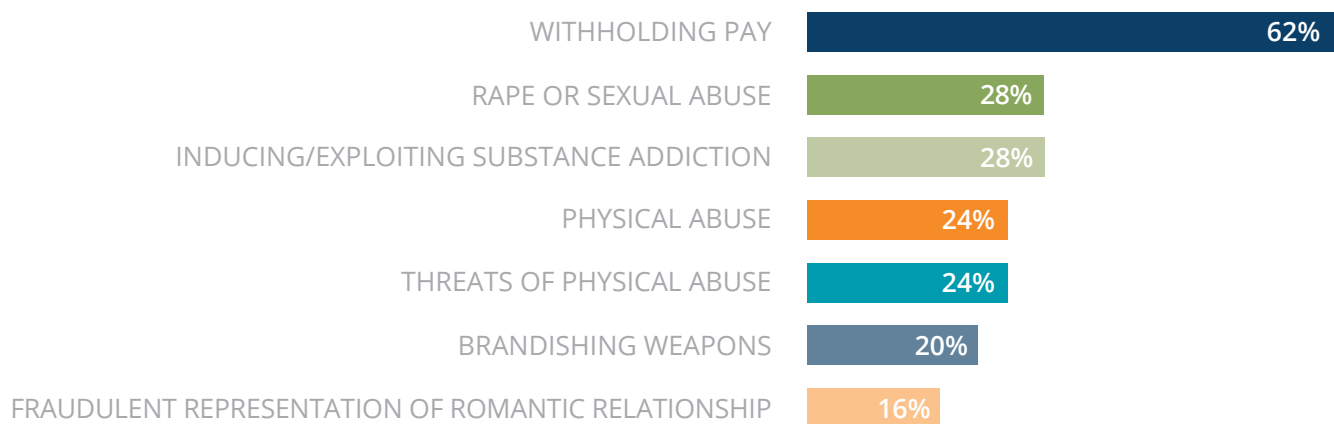
In *United States v. Mersier et al.*, filed in the Southern District of Florida, the minor victim ran away from a group home and had nowhere to stay. During this time, she met Mersier, who offered for her to stay on his couch at his house. The victim stated that when Mersier later expressed interest in having sex with her, she felt compelled to comply because she was staying in his home. Filings for the case state that Mersier's female friend and co-conspirator allegedly told the victim how much she could make by engaging in commercial sex, and both defendants continually encouraged her to engage in commercial sex acts. The defendants are accused of photographing, advertising, and transporting the victim to engage in commercial sex acts. During this time, the defendants reportedly kept the victim in proximity or under their watch, and took all the proceeds from her commercial sex acts. Once she was alone and had the opportunity, the victim called a relative for help and was recovered by law enforcement. Traffickers recognize and use vulnerabilities such as being a runaway to coerce and exploit their victims.

¹²⁸ Based on 10 new adult only cases filed in 2021 where at least one method of coercion was known. Percentages will not equal 100 because cases can have multiple methods of coercion.

¹²⁹ U.S. Dept. of Justice, The United States Attorney's Office, Southern District of Florida, *Two South Florida Residents Indicted on Federal Sex Trafficking Charges*, March 22, 2021, <https://www.justice.gov/usao-sdfl/pr/two-south-florida-residents-indicted-federal-sex-trafficking-charges>.

While prosecutors need not prove the element of coercion in criminal sex trafficking cases involving a minor, traffickers often utilize various methods of coercion to coerce minors into the trafficking scheme.¹³⁰ In 2021, coercive methods were identified in 50 new criminal sex trafficking cases filed where only a minor victim was involved, in which 83 minor victims identified.¹³¹ The most commonly identified coercive means in criminal sex trafficking cases involving only minor victims were withholding pay (62%, 31), rape or sexual violence (28%, 14), inducing or exploiting substance abuse (28%, 14), physical abuse (24%, 12), threats of physical abuse (24%, 12), brandishing weapons (20%, 10), and fraudulent representation of a romantic relationship (16%, 8).¹³²

METHODS OF COERCION IN NEW 2021 CRIMINAL SEX TRAFFICKING CASES INVOLVING MINOR VICTIMS ONLY



1.3.4 SOLICITATION OF BUYERS IN SEX TRAFFICKING CASES

Traditionally, one might think of the solicitation of commercial sex as taking place in side streets or back alleys. While streets or tracks that are known for offering commercial sex still exist in cities across the country,¹³³ data extracted from human trafficking cases filed in Federal Courts show that the majority of solicitation of commercial sex takes place behind the safety and anonymity of a computer screen.¹³⁴ In 2021, defendants used the internet as their primary method of soliciting buyers in 85% (70) of the new cases filed.¹³⁵ Less frequently, defendants solicited buyers through a pre-existing relationship (10%, 8), on the street or track (4%, 3), or at a bar or cantina (1%, 1).¹³⁶

¹³⁰ According to 18 U.S.C. § 1591, a person commits sex trafficking of a minor if they knowingly recruit, entice, harbor, transport, provide, obtain, advertise, maintain, patronize, or solicit by any means a person under the age of 18 years and the minor will be caused to engage in a commercial sex act. § 1591 does not require force or coercion. Minors cannot consent to commercial sex, thus commercial sex acts with a minor meet the threshold for federal sex trafficking of a minor. 18 U.S.C. § 1591 (2018).

¹³¹ Based on 50 new minor-only cases where at least one method of coercion was known. An additional 12 new cases filed in 2021 involved both adult and minor victims for whom at least one method of coercion was known.

¹³² Based on 50 new minor-only cases filed in 2021 where at least one method of coercion was known. Percentages will not equal 100 because cases can have multiple methods of coercion.

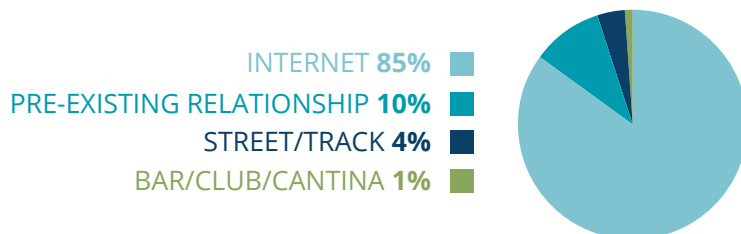
¹³³ Larry Celona et al., NYC Sex Workers Rampant In Open-Air Prostitution Market Amid Law Enforcement, NEW YORK POST, July 15, 2021, <https://nypost.com/2021/07/15/prostitution-runs-rampant-in-brooklyn-amid-declining-enforcement/>.

¹³⁴ Based on 82 new criminal sex trafficking cases where at least one means of solicitation was known.

¹³⁵ Based on 82 new criminal sex trafficking cases where at least one means of solicitation was known.

¹³⁶ Based on 82 new criminal sex trafficking cases where at least one means of solicitation was known.

METHODS OF SOLICITATION IN NEW 2021 CRIMINAL SEX TRAFFICKING CASES



The percentage of cases utilizing the internet to solicit buyers increased in 2021, from 81% (110) in 2020 to 85% (70) in 2021.¹³⁷ The internet continues to be defendants' primary method of soliciting buyers in over 80% of new criminal sex trafficking cases for at least the past five years.¹³⁸

CRIMINAL DEFENDANTS UTILIZING THE INTERNET TO SOLICIT BUYERS SINCE 2017



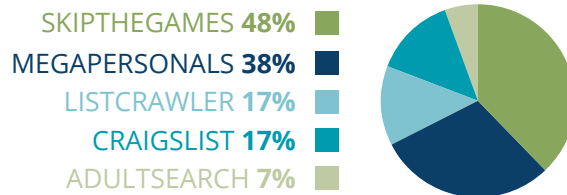
"...The internet continues to be defendants' primary method of soliciting buyers..."

¹³⁷ Based on the increase (110 of 135 in 2020, to 70 of 82 in 2021) in new criminal sex trafficking cases where at least one means of solicitation was known.

¹³⁸ Based on 163 of 182 cases in 2017; 120 of 132 cases in 2018; 96 of 115 cases in 2019; 110 of 135 in 2020; and 70 of 82 in 2021.

Traffickers utilized a variety of online applications and platforms to solicit buyers of commercial sex. Of the new cases filed in 2021, 37 cases had at least one online platform identified as being used to solicit buyers.¹³⁹ The most commonly identified sites used were: SkipTheGames (14, 38%); MegaPersonals (11, 30%); Craigslist (5, 17%); ListCrawler (5, 17%); Adultsearch (2, 7%); SipSap (1, 3%); and EscortAlligator (1, 3%).¹⁴⁰

ONLINE PLATFORMS USED FOR SOLICITATION OF COMMERCIAL SEX IN NEW 2021 CASES¹⁴¹



CASE HIGHLIGHT

DOE #1 ET AL. V. MG FREESITES LTD ET AL.

While there was only one criminal filing against an entity in 2021,¹⁴² victims initiated numerous civil suits under the TVPA, seeking corporate accountability for the role entities played in the trafficking of victims.¹⁴³ In *Doe #1 et al. v. MG Freesites LTD et al.*, filed in the Northern District of Alabama, victims sued a corporation who operated a series of internet platforms that hosted paid subscriptions to review pornography, some of which included videos of the exploitation of sex trafficking victims.¹⁴⁴

In February 2022, the court denied the Defendant's Motion for Summary Judgment, allowing the civil cause of action to proceed against the websites who Plaintiffs alleged profited by partnering with sex traffickers to feature videos of trafficked minors and videos of commercial sex transactions.¹⁴⁵ In the Memorandum of Opinion and Order denying the Motion for Summary Judgment, the Court provided a detailed review of victim's access to civil recovery through the TVPA, possible claims of immunity under Section 230 of the Communications Decency Act, a brief analysis of exceptions under the Fight Online Sex Trafficking Act (FOSTA), and discussion on proper jurisdiction and venue in this type of action.¹⁴⁶ In an era of the increasing use of the internet to recruit and exploit victims, it is important to understand the avenues provided for victims under the TVPA.

¹³⁹ Based on 37 new criminal sex trafficking cases filed in 2021 where at least one online platform was identified for soliciting buyers of commercial sex.

¹⁴⁰ Based on 37 new criminal sex trafficking cases filed in 2021 where at least one online platform was identified for soliciting buyers of commercial sex.

¹⁴¹ Based on 37 new criminal sex trafficking cases filed in 2021 where at least one online platform was identified for soliciting buyers of commercial sex. Percentages will not add up to 100 because more than one platform can be used in a single case.

¹⁴² Based on 260 new criminal defendants in 2021.

¹⁴³ Based on 83 new civil suits filed in Federal Courts in 2021, some of which were filed against entity-defendants.

¹⁴⁴ *Doe #1 et al. v. MG Freesites LTD et al.*, No.7:21-cv-00220-LSC, 2022 WL 407147 (N.D.A.L., February 9, 2022).

¹⁴⁵ *Id.*

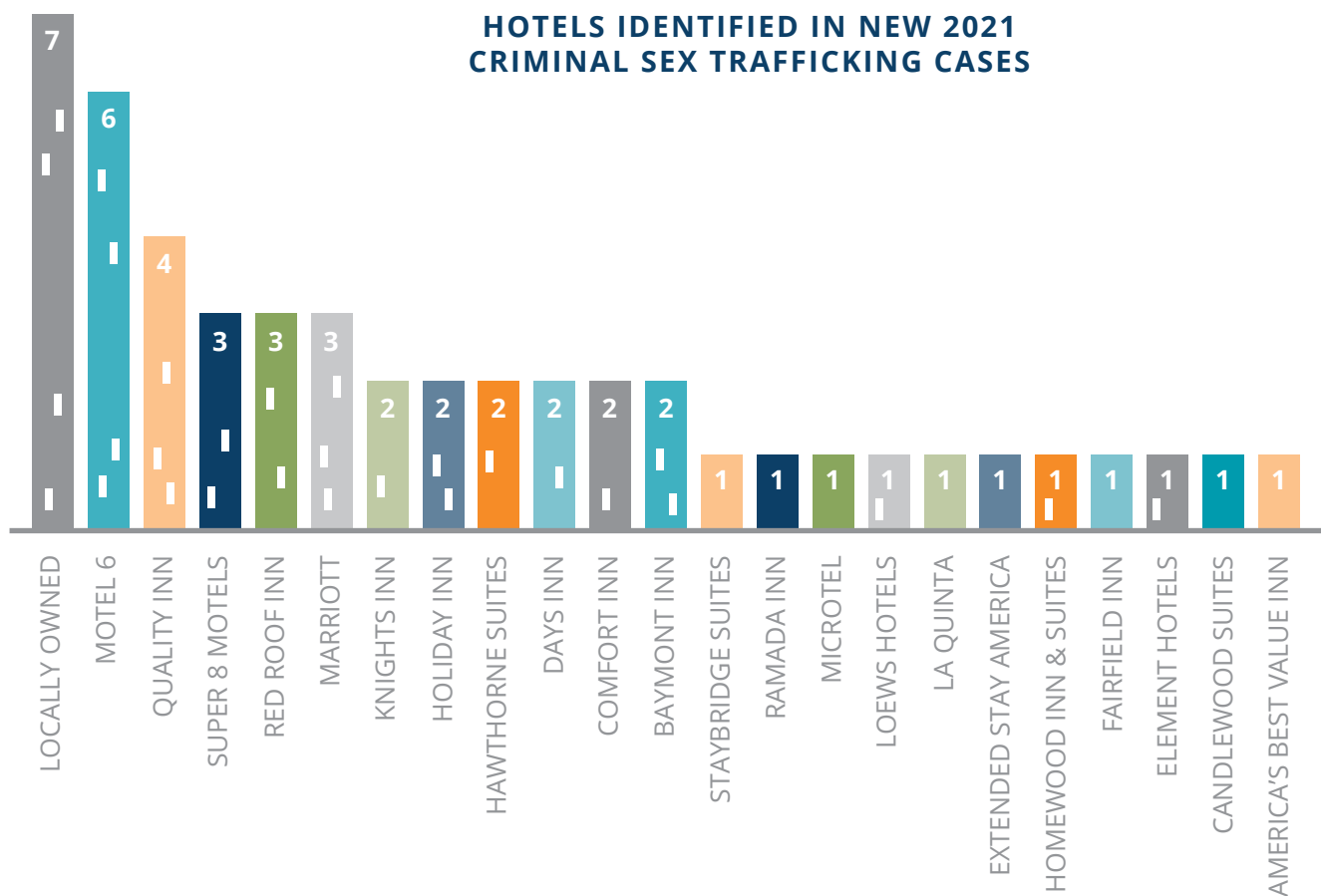
¹⁴⁶ *Id.*



1.3.5 LOCATION OF COMMERCIAL SEX ACTS

While the majority of solicitation in federal human trafficking cases occurs online, the location of where the solicited commercial sex act takes place varies case-by-case. When looking at the specific venues of where sex trafficking took place, 80% (43) of new cases involving a completed sex act occurred at a hotel.¹⁴⁷ Other common venues where sex trafficking took place in new cases were in private residences (41%, 22), vehicles (13%, 7), streets or alleys (4%, 2), Airbnbs or short term rentals (2%, 1) and bars or cantinas (2%, 1).¹⁴⁸

While 80% of commercial sex acts took place in hotels, numerous hotel brands as well as locally owned hotels were utilized in sex trafficking in new cases filed in 2021.¹⁴⁹ In 2021, there were 43 cases that involved sex acts at hotels.¹⁵⁰ Oftentimes, cases involved multiple hotels in one trafficking scheme.



¹⁴⁷ Based on 54 new criminal cases filed in 2021 where location of the sex act is known.

¹⁴⁸ Based on 54 new criminal cases filed in 2021 where location of the sex act is known.

¹⁴⁹ Based on 54 new criminal cases filed in 2021 where location of the sex act is known.

¹⁵⁰ Based on 54 new criminal cases filed in 2021 where location of the sex act is known.



1.3.6 MODES OF TRANSPORTATION

While movement is not a required element of human trafficking, traffickers utilize a variety of different means of transportation to transport victims in sex trafficking cases. In the new criminal sex trafficking cases filed in 2021, private vehicles (74%, 54) were the most common form of transportation used among cases where at least one means of transportation could be determined.¹⁵¹ Defendants also utilized rideshares (8%, 6), airplanes (4%, 3), buses (5%, 4), rental cars (5%, 4), commercial vehicles (1%, 1), and taxis (1%, 1).¹⁵²

CASE HIGHLIGHT

UNITED STATES V. ASHTON JORDAN

Understanding the role transportation plays in sex trafficking operations is important. Traffickers may use rideshares or public transit to conceal their identity by separating themselves from victims when sending victims to complete commercial sex acts. Traffickers also use transportation to move victims from one location to another to avoid detection, or to work from larger metropolitan cities in an attempt to make more money. Multiple means of transporting victims may be used in a single case.

In *United States v. Jordan*, filed in the Southern District of California, members of the San Diego Human Trafficking Task Force arrested Ashton Jordan for trafficking an adult victim across multiple states. Jordan allegedly recruited the victim while in Las Vegas and then drove her to Phoenix, Arizona, where he advertised her online and used physical force and threats of additional violence to compel her into commercial sex acts. The Defendant allegedly flew and drove her to San Diego, continuing to force her into commercial sex acts.

Buyers in sex trafficking schemes also use many means of transportation to purchase commercial sex, utilizing rideshares or commercial transit to protect their anonymity and sometimes flying across the country to exploit victims, particularly minors.¹⁵³ Awareness on how victims are transported and how buyers travel to purchase commercial sex is important in understanding how we detect, investigate and prosecute human trafficking cases.

¹⁵¹ Based on 73 recorded modes of transportation identified in new criminal sex trafficking cases filed in 2021.

¹⁵² Based on 73 recorded modes of transportation identified in new criminal sex trafficking cases filed in 2021.

¹⁵³ For more information on Buyers in sex trafficking schemes, see Section 2.4.

1.4 CRIMINAL FORCED LABOR SCHEMES

In 2021, 8% (11) of new cases filed in human trafficking prosecutions were criminal forced labor cases.¹⁵⁴ Forced labor cases can be more difficult to investigate and prosecute than commercial sex trafficking for numerous reasons. First, much like victims of commercial sex trafficking, victims of forced labor do not always report that they are a victim of human trafficking.¹⁵⁵ In 2021, 75% of the new forced labor cases filed involved victim referral to law enforcement.¹⁵⁶ Between 2017 and 2021, only 45% of victims self-reported being a victim of forced labor to law enforcement officers.¹⁵⁷ As a result, victims of forced labor can go largely unidentified until someone else recognizes the nuanced signs of forced labor and reports the trafficking. Furthermore, forced labor schemes can be incredibly difficult to identify when the criminal activity takes place primarily behind closed doors, especially if the forced labor occurs in an otherwise legal business.

It should be noted that the low number of new cases of criminal forced labor filed in the U.S. Federal Courts each year is not an indication that forced labor does not exist in the United States, but rather, it highlights the difficulty in identifying and prosecuting forced labor cases. This section of the Report will explore data derived from the criminal forced labor cases filed in Federal Courts to provide information and insight on investigating and prosecuting forced labor cases.



"...victims of forced labor can go largely unidentified until someone else recognizes the nuanced signs of forced labor and reports the trafficking."

¹⁵⁴ Based on 140 new criminal filed in 2021.

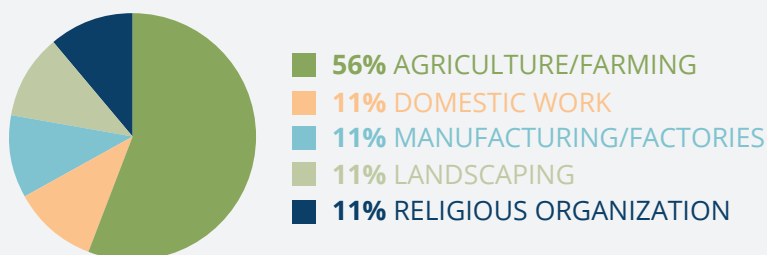
¹⁵⁵ Based on 20 criminal forced labor cases filed between 2017 and 2021 with at least one known referral to law enforcement officers, 9 victims (45%) self-reported being a victim of forced labor. See section 1.4.2 of the Federal Human Trafficking Report for more on Victim Vulnerabilities, and Section 2.1.1 Investigation Case Referrals for more information on how cases are reported to law enforcement.

¹⁵⁶ Based on 3 of 4 cases where at least one method of referral was known.

¹⁵⁷ Based on 9 of 20 criminal forced labor cases filed between 2017 and 2021 with at least one known referral to law enforcement, where a victim self-reported.



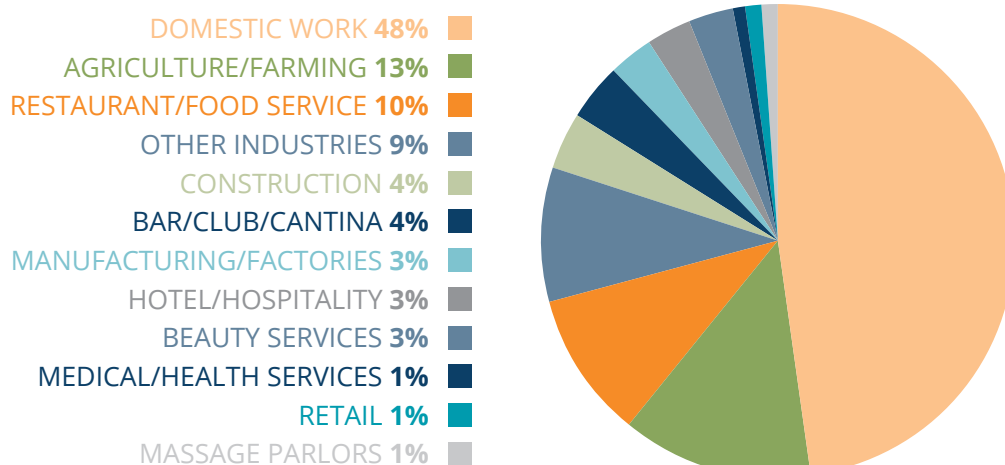
INDUSTRIES IN NEW 2021 CRIMINAL FORCED LABOR CASES



1.4.1 INDUSTRIES IN FORCED LABOR CASES

Forced labor can occur in both heavily-regulated and lesser-regulated areas of industry. These industries are often essential to Americans' daily lives. Of the 11 new forced labor cases filed in 2021, 9 had known business models in a specified industry. Of those 9 new cases, 5 (56%) were in agriculture and farming, 1 (11%) took place in the domestic work industry, 1 (11%) in manufacturing and factories, 1 (11%) in landscaping, and 1 (11%) in a religious organization.¹⁵⁸ Since the enactment of the TVPA in 2000, there have been 151 criminal forced labor cases filed. Within those cases, 136 had at least one known business model in a specified industry. The industries identified in these cases were domestic work (48%, 65), agriculture/farming (13%, 18), restaurant/food service (10%, 14), construction (4%, 5), bar/club/cantina (4%, 5), manufacturer/factory (3%, 4), hotel/hospitality (3%, 4), beauty services (3%, 4), medical/health services (1%, 2), retail (1%, 2), massage parlors (1%, 1), and other industries (9%, 12).¹⁵⁹

INDUSTRIES IN CRIMINAL FORCED LABOR CASES SINCE 2000



*percentages do not equal 100% due to rounding

¹⁵⁸ Based on 9 new criminal forced labor cases filed in 2021 with at least one known business model.

¹⁵⁹ Based on 136 criminal forced labor cases filed between 2000 and 2021 where at least one business model is known.

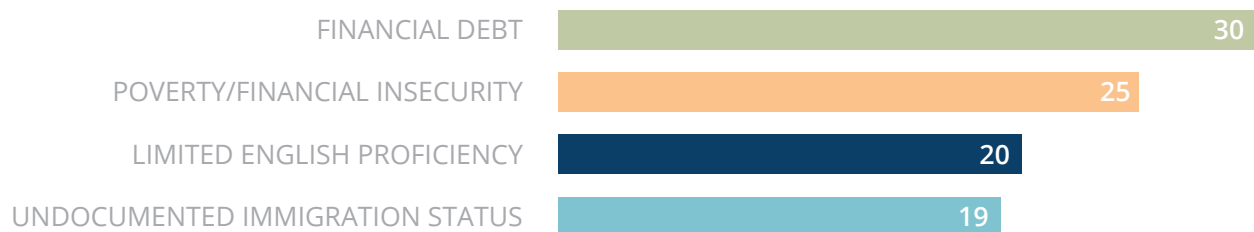
FORCED LABOR AND SUPPLY CHAIN TRANSPARENCY

Many of the goods purchased and used in the United States, such as clothing, food, or technology devices, begin with raw materials. These raw materials then go through multiple steps of production before they are sold to consumers. When consumers purchase items, they often overlook the multiple steps of production the item goes through, from agriculture to manufacturing to retail, when examining whether the item was sustainably and fairly sourced. To determine whether a product is the result of forced labor, consumers must examine each step in the supply chain, from the agricultural farm, to the manufacturing facility, to the retailer. This can be incredibly difficult to do in an era where products are cultivated, manufactured, and assembled in a global market. The onus cannot lie solely with the consumer. Corporations must actively pursue transparency in their supply chains to ensure the fairness and sustainability of their goods.¹⁶⁰

1.4.2 RECRUITMENT OF VICTIMS IN FORCED LABOR CASES

Victims of forced labor often present unique and complex pre-existing vulnerabilities that may make them particularly susceptible to recruitment by traffickers. In new criminal forced labor cases filed in 2021 where at least one pre-existing vulnerability could be identified, 30 (83%) victims had a pre-existing financial debt, 25 (69%) were experiencing poverty or financial insecurity, 20 (56%) had undocumented immigration status, and 19 (53%) had limited English proficiency.¹⁶¹ Traffickers used these vulnerabilities to their advantage to more easily recruit the victim and coerce them into forced labor.

PRE-EXISTING VULNERABILITIES OF VICTIMS IN NEW 2021 CRIMINAL FORCED LABOR CASES

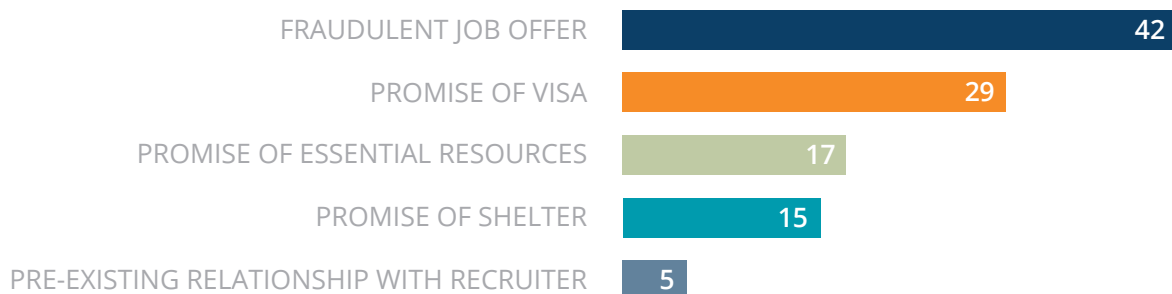


¹⁶⁰ For more information on how apparel corporations can address supply chain transparency, see Ernesto Archila, *The Benefits of Transparency: A Business Case for the Apparel and Footwear Supply Chain Transparency Pledge*, International Corporate Accountability Roundtable, May 2019, <https://icar.ngo/wp-content/uploads/2020/01/ICAR-BusinessCaseforTransparency-single-pages.pdf>.

¹⁶¹ Based on 36 victims in new 2021 criminal forced labor cases for whom at least one pre-existing vulnerability was known. Percentages will not add up to 100 because victims can have multiple vulnerabilities.

Of the new forced labor cases filed in 2021, the most prominent method of recruitment was by way of a fraudulent job offer, with 100% (42) of victims being recruited with this method.¹⁶² Victims are often recruited through multiple means. The remaining methods of recruitment for forced labor victims are, 69% (29) through promise of a visa, 40% (17) through promise of essential resources, 36% (15) through promise of shelter, and 12% (5) of victims through pre-existing relationship with their recruiter.¹⁶³ All 5 of these victims were recruited via a mutual friendship with their recruiter. In past years, defendants recruited most forced labor victims through fraudulent job offers and pre-existing relationships.¹⁶⁴

METHODS OF RECRUITMENT IN NEW 2021 CRIMINAL FORCED LABOR CASES



PRE-EXISTING VULNERABILITIES & RELATIONSHIPS

Forced labor cases present obstacles unique from commercial sex trafficking cases. Under 18 U.S.C. § 1589, a prosecutor must first determine whether a victim experienced a serious harm or a threat of serious harm to feel compelled to comply with the forced labor. Often, cases of forced labor do not include serious physical harm, but rather, they involve some other form of mental, psychological, or emotional harm.

When making this determination, a prosecutor must consider whether a reasonable person with the victim's same background and circumstances would have felt compelled to comply with the forced labor. Recognizing and understanding common and frequent pre-existing vulnerabilities can assist prosecutors in satisfying this subjective standard.

¹⁶² Based on 42 victims in new 2021 criminal forced labor cases where at least one method of recruitment was known. Percentages in this section will not add up to 100 because victims can have multiple methods of recruitment.

¹⁶³ Based on 42 victims in new 2021 criminal forced labor cases where at least one method of recruitment was known.

¹⁶⁴ Based on 733 victims in forced labor cases filed between 2000 and 2021 with at least one known method of recruitment, 494 were recruited via a fraudulent job offer or pre-existing relationship..

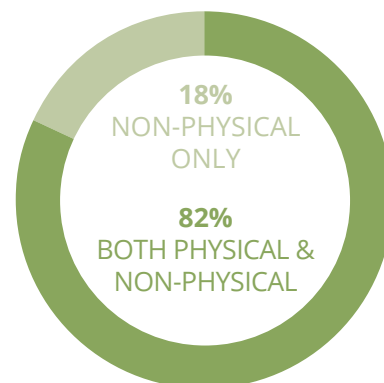


1.4.3 METHODS OF COERCION IN FORCED LABOR CASES

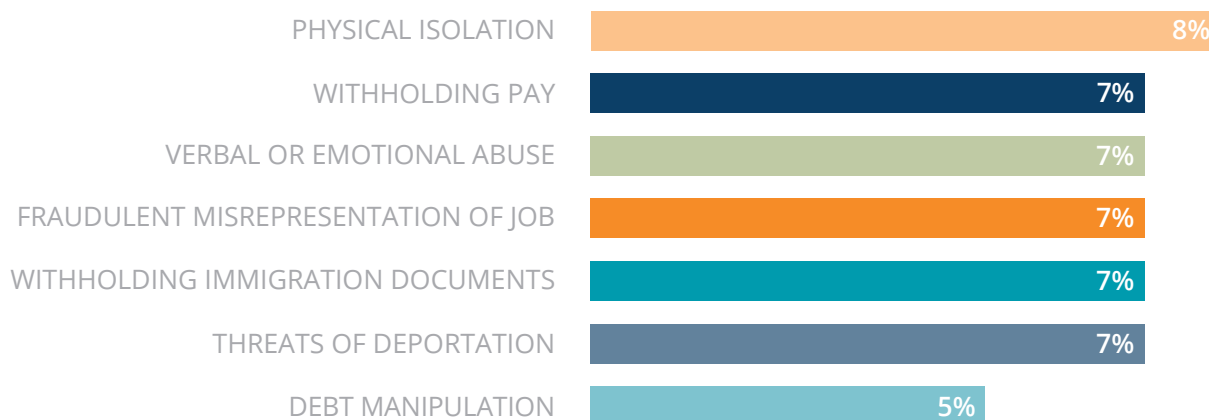
In an era of heavily regulated wage and labor laws, the concept of forced labor can seem unimaginable. Yet, the coercive methods used in forced labor cases occur behind closed doors, and often outside the walls of labor regulation. The distinction between labor law violations and forced labor lies in the serious harm or threat of serious harm used to compel victims to work. Depending on the type and manner of coercion, victims of forced labor may be indistinguishable from non-coerced employees.

Coercion can be categorized as either physical or non-physical. In 2021, 82% (9) of the 11 total new forced labor cases involved both physical and non-physical methods of coercion.¹⁶⁵ Only 18% (2) of the new forced labor cases involved non-physical coercion exclusively.¹⁶⁶ Non-physical coercion can be particularly difficult to identify in cases of forced labor.

PHYSICAL & NON-PHYSICAL COERCION IN NEW 2021 CRIMINAL FORCED LABOR CASES



METHODS OF COERCION IN NEW 2021 CRIMINAL FORCED LABOR CASES



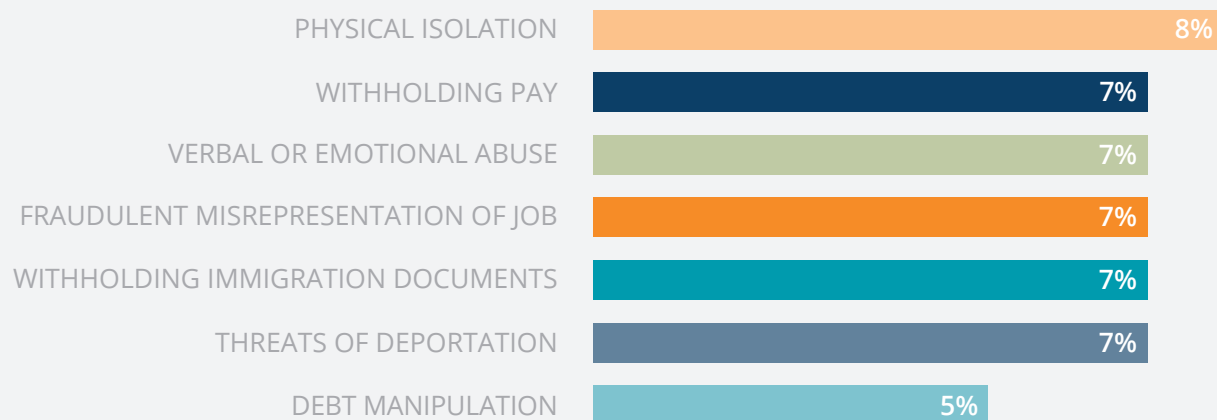
¹⁶⁵ Based on 9 of 11 new 2021 criminal forced labor cases with at least one known method of coercion.

¹⁶⁶ Based on 2 of 11 new 2021 criminal forced labor cases with at least one known method of coercion.

Within the 11 new forced labor cases filed in 2021, 26 different types of coercive methods were reported.¹⁶⁷ In those 11 cases, defendants most often used physical isolation (73%, 8), threats of physical abuse (73%, 8), withholding of pay (64%, 7), verbal or emotional abuse (64%, 7), fraudulent misrepresentation of a job (64%, 7), and debt manipulation (45%, 5).¹⁶⁸ In comparison, withholding pay, threats of physical abuse, and physical abuse were top categories of coercive means used in new criminal sex trafficking cases in 2021.¹⁶⁹

As discussed in Section 1.3.2, traffickers may use coercive means that specifically target pre-existing vulnerabilities in victims. Furthermore, foreign national victims possess unique vulnerabilities traffickers often target. In 2021 and in past years, defendants used these coercive means at a much higher rate in forced labor cases than in sex trafficking cases. Ninety-three-percent (93%) of the victims in forced labor cases filed in 2021 were foreign nationals.¹⁷⁰ Of the new forced labor cases in 2021, traffickers used threats of deportation 64% (7), withholding immigration documents 64% (7), and exploitation of language barriers 27% (3) of the time.¹⁷¹

METHODS OF COERCION IN NEW 2021 CRIMINAL FORCED LABOR CASES



COERCIVE MEANS TARGETED TOWARD FOREIGN NATIONALS IN NEW 2021 CRIMINAL FORCED LABOR CASES



¹⁶⁷ Based on 11 new criminal forced labor cases where at least one known method of coercion was known.

¹⁶⁸ Based on 11 new criminal forced labor cases where at least one method of coercion was known. These 26 methods were identified in 97 total instances within the 11 cases. Percentages in this section will equal 100, as multiple methods of coercion can be identified in a single case.

¹⁶⁹ Based on 106 of 278 (38%) methods of coercion used in new 2021 criminal sex trafficking cases.

¹⁷⁰ Based on 52 of 56 identified victims in new criminal forced labor cases filed in 2021 for which identifying information is known.

¹⁷¹ Based on 26 methods of coercion used in the 11 new 2021 criminal forced labor cases..



CASE HIGHLIGHT

“OPERATION BLOOMING ONION”

UNITED STATES V. MARIA LATECIA PATRICIO ET AL.

UNITED STATES V. JAVIER MENDOZA

UNITED STATES V. AURELIO MEDINA

UNITED STATES V. YORDAN VELAZQUEZ VICTORIA

In 2021, the Southern District of Georgia made a tremendous effort to combat forced labor through one of the largest criminal forced labor cases charged in the U.S. in recent years. *Operation Blooming Onion*, which took place over several years and spanned multiple states, tracked a wide-ranging conspiracy to bring farmworkers from Central America into the U.S. under the H-2A visa program. Defendants used fraudulent pretenses to profit from the workers' labor by underpaying and keeping them in substandard conditions.¹⁷² Over 25 defendants have been charged since the investigation began prior to 2020, some of whom entered guilty pleas in early 2022. Defendant Javier Sanchez Mendoza Jr., 24, of Jesup, GA., was sentenced to 360 months in federal prison after pleading guilty to Conspiracy to Engage in Forced Labor; Aurelio Medina, 42, of Brunswick, GA., was sentenced to 64 months in prison after pleading guilty to Forced Labor; and Yordon Velazquez Victoria, also of Brunswick, GA., received 15 months after pleading guilty to Conspiracy.¹⁷³

Based on information in the guilty pleas, Mendoza and his co-defendants recruited and unlawfully charged more than 500 Central Americans to obtain H-2A visas, then withheld the workers' identification papers and threatened them and their families in their home countries to force the workers into laboring for little or no pay, in deplorable conditions.¹⁷⁴ Mendoza also committed horrific acts of sexual and physical abuse of at least one female victim.¹⁷⁵ The successful investigation, prosecution, and convictions in this case, were the result of cooperation between local, state, and federal agencies, multiple prosecutors, and victims' service providers through each stage of the process. This collaborative model is essential to successfully combating forced labor.

¹⁷² U.S. Department of Justice, The United States Attorney's Office, Southern District of Georgia, Three Men Sentenced to Federal Prison on Charges Related to Human Trafficking, March 31, 2022, <https://www.justice.gov/usao-sdga/pr/three-men-sentenced-federal-prison-charges-related-human-trafficking>.

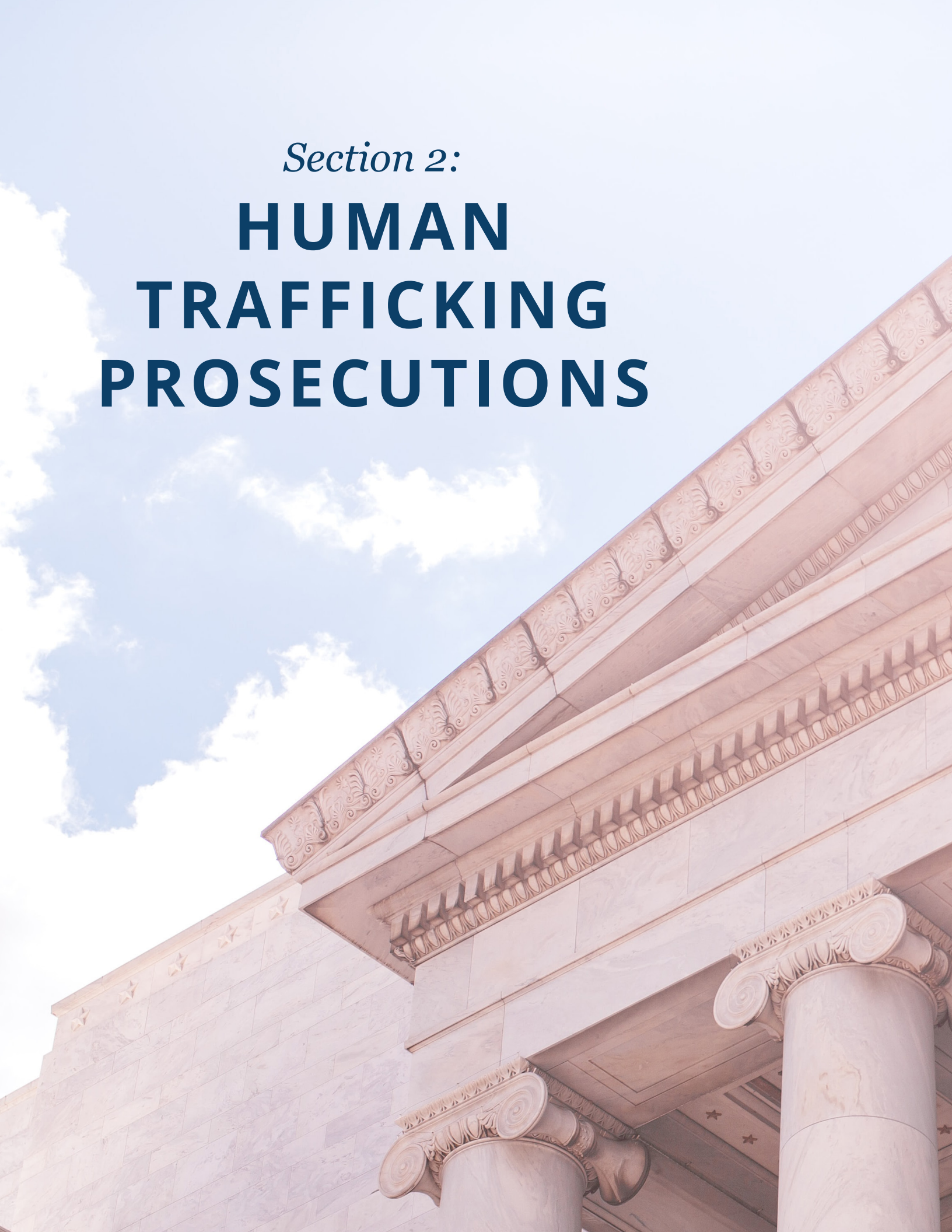
¹⁷³ *Id.*

¹⁷⁴ *Id.*

¹⁷⁵ *Id.*

Section 2:

HUMAN TRAFFICKING PROSECUTIONS





Section 2:

HUMAN TRAFFICKING PROSECUTIONS

The first section of the Federal Human Trafficking Report focused on the examination of profiles of human trafficking cases filed in the federal courts in 2021. Reviewing a break-down of how traffickers recruit and coerce victims in forced labor and commercial sex trafficking cases is important for recognizing emerging trends in how traffickers operate their trafficking schemes. Section 2 of the Report, entitled *Human Trafficking Prosecutions*, shifts focus from how traffickers operate to how the United States investigates and prosecutes defendants in human trafficking cases. This section of the Report provides data related to the prosecutions of federal human trafficking cases, from case referrals, investigations, and charges to convictions, sentences, and appeals. In addition, this Section details federal human trafficking case dispositions, including, restitution and the length of time it takes before a case is disposed.

2.1 INVESTIGATIONS

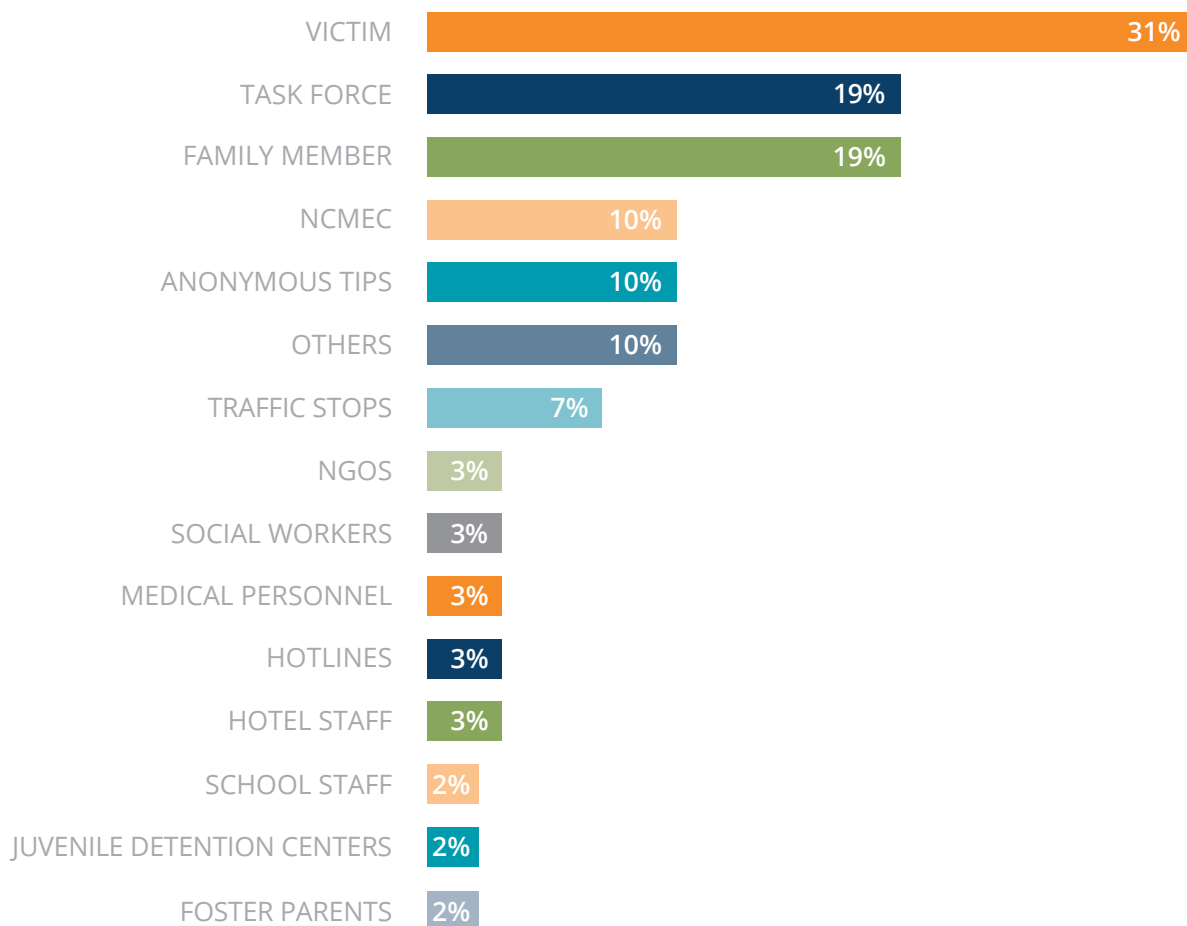
Successful human trafficking prosecutions are often the result of lengthy and complex investigations, and commonly involve extensive collaboration between federal, state, and local law enforcement agencies. The Report tracks data only on human trafficking investigations that result in federal prosecution; thus, the investigation sections in the Report do not represent the total number of human trafficking investigations occurring across the United States each year. While some federal human trafficking investigations begin as a result of a tip from the public, other human trafficking cases result from proactive victim recovery operations intended to identify trafficking victims and target those facilitating or benefiting from human trafficking.



2.1.1 REACTIVE INVESTIGATIONS: CASE REFERRALS

Some human trafficking prosecutions result from *reactive* law enforcement investigations—investigations that begin following a report made to law enforcement about suspected human trafficking, a missing person or runaway minor, or other criminal conduct. Of the 140 new human trafficking cases filed in 2021, 59 cases had known methods of referral. Of those cases, 31% (18) resulted from the victim self reporting that they were a victim of trafficking.¹⁷⁶ The second most common referral methods were through a task force 19% (11), and family members 19% (11). The National Center for Missing and Exploited Children referred 10% (6) of new cases filed in 2021. Human trafficking cases were also reported to law enforcement by: anonymous tips (10%, 6); others (10%, 6); NGOs (3%, 2); traffic stops (7%, 4); social workers (3%, 2); medical personnel (3%, 2); hotlines (3%, 2); hotel staff (3%, 2); school staff (2%, 1); juvenile detention centers (2%, 1); and foster parents (2%, 1).¹⁷⁷ Referrals within the category “other” included an amber alert, Uber driver, unrelated police encounters, and confidential informants, among others.¹⁷⁸

REFERRALS TO LAW ENFORCEMENT IN NEW 2021 CASES



¹⁷⁶ Based on 59 new criminal cases where at least one method of referral was known.

¹⁷⁷ Percentages do not equal 100 due to rounding.

¹⁷⁸ Based on 59 new 2021 criminal cases where at least one method of referral was known.

REFERRALS TO LAW ENFORCEMENT IN NEW CASES SINCE 2017

	VICTIM	FAMILY MEMBER	TASK FORCE	NGO	NCMEC	MEDICAL PERSONNEL	SCHOOL STAFF	TRAFFIC STOP	TOTAL RECORD COUNT
2017	41	18	6	1	5	3	2	3	121
2018	34	14	20	2	1	3	0	4	102
2019	25	21	8	1	5	2	2	4	101
2020	19	17	12	0	5	3	2	6	98
2021	18	11	11	2	6	2	1	4	75
Total Count	137	81	57	6	22	13	7	21	497
Percentage	28%	16%	11%	1%	4%	3%	1%	4%	

Since 2017, there were 497 identified referrals in human trafficking cases filed in the Federal Court System. Victims made the most referrals since 2017, reporting instances of human trafficking to law enforcement 28% (137) of the time.¹⁷⁹ Family members were the second most common means of referral, with 16% (81) of instances identified.¹⁸⁰ Task forces were responsible for 11% (57) of case referrals to law enforcement.¹⁸¹

REFERRALS IN SEX TRAFFICKING CASES

As noted, the Report identified and recorded 497 instances of referrals to law enforcement in 411 Federal Court cases, of which 471 instances were in sex trafficking cases. Of those 471 identified referrals in sex trafficking cases, only 27% (128) were instances where a victim referred the case to law enforcement.¹⁸² Similarly, just under one-quarter (22%, 15) of the 69 identified instances of referrals in new 2021 sex trafficking cases were made by victims.¹⁸³ Broken down further to new 2021 cases involving only minor victims, of the 51 instances of referrals identified, only 18% (9) of the referrals to law enforcement were by victims.¹⁸⁴

¹⁷⁹ Based on 497 referrals in cases filed since 2017 where at least one method of referral was identified.

¹⁸⁰ Based on 497 referrals in cases filed since 2017 where at least one method of referral was identified.

¹⁸¹ Based on 497 referrals in cases filed since 2017 where at least one method of referral was identified.

¹⁸² Based on 471 referrals in sex trafficking cases filed from 2017-2021 where at least one method of referral was identified.

¹⁸³ Based on 15 of 69 referrals in new 2021 sex trafficking cases where at least one method of referral was identified.

¹⁸⁴ Based on 51 referrals made in new 2021 cases involving sex trafficking of a minor only where at least one method of referral was identified.



HUMAN TRAFFICKING AWARENESS FOR MINORS

Data shows that in the cases filed in Federal Courts, minors are often recruited and coerced into human trafficking by someone they know and trust.¹⁸⁵ Educating children on the boundaries of healthy relationships can be a powerful tool in protecting them from becoming victims of human trafficking, particularly among minors in vulnerable populations.¹⁸⁶ The U.S. Department of Education states that, “of all social institutions, schools are perhaps the best positioned to identify and report suspected trafficking and connect affected students to critical services.”¹⁸⁷ In 2017, California became the first state to require human trafficking education for students and teachers. Tennessee, Florida, and Virginia also now require school staff to receive formal training intended to stop human trafficking.¹⁸⁸ In light of the fact that minor victims are less likely to self report being a victim of human trafficking, educational programs such as these are essential to creating awareness and protection against the human trafficking and exploitation of minor children.¹⁸⁹

Task forces were the next most common method of referral, accounting for 16% (11) of referrals in new sex trafficking cases where at least one referral method was identified.¹⁹⁰ Family members made referrals to law enforcement in 14% (10) of instances and in 7% (5) of instances, law enforcement initiated an investigation into the case based on an anonymous tip.¹⁹¹

¹⁸⁵ In 2021, there were 65 instances where a method of recruitment could be identified in new sex trafficking of a minor cases. Of those 65 instances, minors were recruited through a pre-existing relationship 31% (20) of the time.

¹⁸⁶ For more information on vulnerabilities of minor victims, see Section 1.2.2.

¹⁸⁷ Human Trafficking, The Department of Education, <https://www.ed.gov/human-trafficking>.

¹⁸⁸ Lumina Albert, *Schools Join the Fight Against Human Trafficking*, The Conversation, January 24, 2022, <https://theconversation.com/schools-join-the-fight-against-human-trafficking-172749>.

¹⁸⁹ Based on 51 instances of referrals identified in sex trafficking of minor-only cases, with 18% (9) instances of a victim referral to law enforcement.

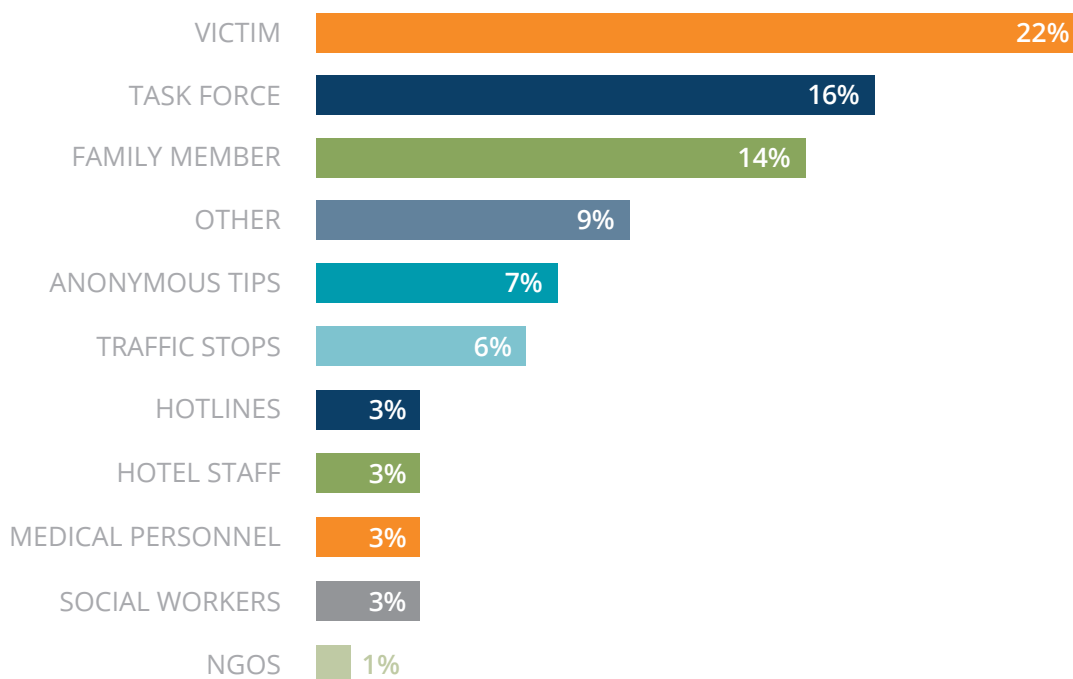
¹⁹⁰ Based on 69 instances of referrals made in new 2021 sex trafficking cases.

¹⁹¹ Based on 69 instances of referrals made in new 2021 sex trafficking cases.



Sex trafficking cases were also reported to law enforcement via traffic stops (6%, 4), by human trafficking hotlines (3%, 2), hotel employees (3%, 2), medical personnel (3%, 2), social workers (3%, 2), and NGOs (1%, 1).¹⁹² Furthermore, 9% (6) of case referrals to law enforcement fell into the category “other”, which captured various individuals and entities reporting cases of human trafficking to law enforcement.¹⁹³

REFERRALS TO LAW ENFORCEMENT IN NEW 2021 SEX TRAFFICKING CASES



¹⁹² Based on 69 instances of referrals made in new 2021 sex trafficking cases.

¹⁹³ Based on 69 instances of referrals made in new 2021 sex trafficking cases.

CASE HIGHLIGHT

UNITED STATES VS. CHRISTOPHER GRAY

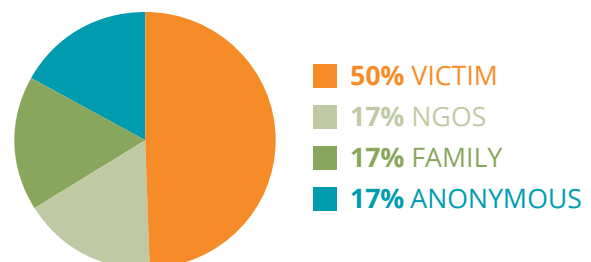
A call to law enforcement from a doctor at St. John's Hospital in Detroit, Michigan on April 8, 2021, led to the identification and recovery of a 14-year-old victim of sex trafficking in *United States v. Gray*, filed in the Eastern District of Michigan.¹⁹⁴ The doctor notified law enforcement after treating a victim who disclosed they may be a victim of sex trafficking.¹⁹⁵ After receiving the tip from medical professionals, the FBI began investigating the defendant, Christopher Gray, subsequently charging him with violations of 18 U.S.C. § 1591 Sex Trafficking of a Minor and violation of the sex offender laws. The defendant admitted to posting commercial sex advertisements of the minor victim on the website MegaPersonals, arranging dates with buyers, and driving the victim to various hotels for the purpose of engaging in commercial sex.¹⁹⁶ Investigators located advertisements of the minor victim posted by the defendant online. They also found incriminating conversations from the Defendant on Instagram, and recovered bedding from the defendant's home that matched the bedding seen in photos taken of the victim by the defendant.

Frontline personnel like medical professionals can encounter victims of human trafficking in their day-to-day experiences. It is important that they are trained to identify the signs of human trafficking, and know the proper protocol within their organization for making referrals to law enforcement.

REFERRALS IN FORCED LABOR CASES

In new forced labor cases filed in 2021, fifty-percent (50%, 3) of the instances where a referral could be identified were reports made to law enforcement by victims.¹⁹⁷ This mirrors self-reporting in 2020, when forced labor victims self-reported to law enforcement in only 50% (2) of instances.¹⁹⁸ Occurrences of referrals in forced labor cases also included NGOs (17%, 1), family members (17%, 1) and anonymous tips (17%, 1).¹⁹⁹

REFERRALS TO LAW ENFORCEMENT IN NEW 2021 FORCED LABOR CASES



¹⁹⁴ Tresa Baldas, *Feds: Instagram Helps Bust child Sex Trafficker-He Had Done it Before*, Detroit Free Press, August 11, 2021. <https://www.freep.com/story/news/local/michigan/detroit/2021/08/11/feds-instagram-helps-busts-child-sex-trafficker/8097122002/>.

¹⁹⁵ *Id.*

¹⁹⁶ *Id.*

¹⁹⁷ Based on 6 instances of referral to law enforcement in new forced labor cases. Percentages in this section will not equal 100 due to rounding.

¹⁹⁸ Based on 4 instances of referral to law enforcement in new 2020 forced labor cases.

¹⁹⁹ Based on 6 instances of referral to law enforcement in new 2021 forced labor cases.

2.1.2 PROACTIVE INVESTIGATIONS

STING CASES

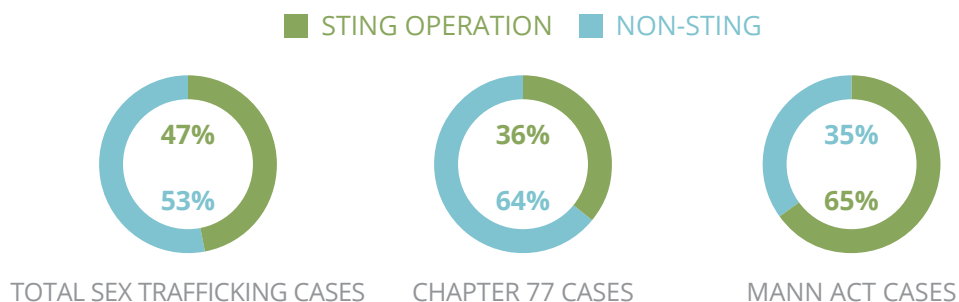
In addition to conducting investigations following referrals for human trafficking (“reactive investigations”), law enforcement agencies also conduct proactive victim recovery operations to identify both victims and perpetrators of trafficking. These problem-oriented response operations are commonly referred to as undercover “sting” operations.²⁰⁰ There were no forced labor cases involving sting operations in 2021, thus the following section will cover sting cases in 2021 sex trafficking cases only. Additionally, this section includes cases charged under both Chapter 77 and the Mann Act.

While there are a number of proactive investigative techniques law enforcement may use to uncover human trafficking, the Report gathers data from sting operations in sex trafficking cases where law enforcement poses as a minor, a potential buyer, or a pimp, to target individuals facilitating or purchasing commercial sex with a victim of trafficking. In 2021, the Report identified 214 total sex trafficking cases, 60% (129) of which were charged under Chapter 77 and 40% (85) of which were charged under the Mann Act. Of the 214 new sex trafficking cases in 2021, 47% (101) involved a sting operation; further broken down by charge type, 36% (46) of Chapter 77 cases and 65% (55) of Mann Act cases involved a sting operation.

Twenty-two percent (22) of the 101 total sting operations in 2021 involved a law enforcement officer posing as a potential buyer seeking to purchase commercial sex; 46% (21) of Chapter 77 cases and 2% (1) of Mann Act cases involved this tactic.²⁰¹ By posing as a buyer, law enforcement sought to target individuals who were facilitating commercial sex with minors or using force, fraud, or coercion to cause an adult or a minor to engage in commercial sex.

The second most common type of sting operation involved law enforcement officers posing as juveniles to target individuals facilitating or purchasing (or attempting to facilitate or purchase) commercial sex with minors. Of the new criminal cases filed in 2021 that resulted from a sting operation, 41% (41) involved a law enforcement officer posing as a juvenile. Separately, 28% (13) of Chapter 77 cases and 51% (28) of Mann Act cases involved law enforcement officers who posed as a juvenile. Although these operations resulted in the prosecution of individuals attempting to facilitate or purchase commercial sex with a minor, thus, theoretically protecting minors from being trafficked in the future, it is important to note that many of these sting law enforcement operations did not result in real minor victims being recovered. In fact, 73% (74) of the 101 sting cases referenced involved *only* fictitious victims of trafficking; furthermore, 50% (23) of Chapter 77 and 93% (51) of Mann Act sting cases involved no real victims.

NUMBER OF CASES INVOLVING A STING OPERATION



²⁰⁰ Graeme R. Newman, Sting Operations, United States Department of Justice, at 3, <https://www.freep.com/story/news/local/michigan/detroit/2021/08/11/feds-instagram-helps-busts-child-sex-trafficker/8097122002/>.

²⁰¹ Based on the 101 new 2021 criminal sex trafficking cases involving sting operations.

²⁰² Based on the 101 new 2021 criminal cases that identified the type of sting operation.

²⁰³ Based on the 101 new 2021 criminal cases that identified the type of sting operation.

²⁰⁴ Based on the 101 new 2021 criminal cases that identified the type of sting operation.

Finally, 32% (32) of the total 101 sting cases involved a law enforcement officer posing as an individual offering to arrange a commercial sex transaction to target potential buyers; 26% (12) Chapter 77 cases and 36% (20) of Mann Act cases. As in sting operations where law enforcement posed as juveniles, the majority of these sting operations referenced only fictitious victims.

2.1.3 INVESTIGATIVE AGENCIES

TASK FORCES

In 2004, to encourage collaboration through the creation of human trafficking task forces, the Bureau of Justice Affairs and the Office for Victims of Crime funded local law enforcement agencies and service providers.²⁰⁵ These task forces, which may consist of law enforcement, investigative and regulatory agencies, service providers, and prosecutors, focus on identifying human trafficking, serving victims and investigating and building cases.²⁰⁶ This collaborative model of a multidisciplinary task force is encouraged by the U.S. Department of Justice, and is considered worldwide as a “best practice” in the response to human trafficking.²⁰⁷ The United States has funded task forces across the country since 2004 in efforts to combat human trafficking through a collaborative approach.²⁰⁸

CASE HIGHLIGHT

UNITED STATES V. TORIANO DAVIS

Most undercover sting operations in the United States involve law enforcement officers posing as fictional children or potential buyers in order to target individuals facilitating or purchasing commercial sex. But sting operations can also be a very useful tool for the identification and recovery of victims. In the Eastern District of Michigan, officers from the Southeast Michigan Trafficking and Exploitation Crimes (SEMTEC) Task Force responded to a referral from family and child protective services of a missing minor with suspicion that the minor may be a victim of sex trafficking. Officers used contact information from an online advertisement they found featuring the missing minors’ photos, and staged an undercover sting. Posing as potential buyers, they made arrangements to meet at a local hotel. When the undercover officers arrived, they were able to locate the reported missing minor victim, along with two other minor victims who were being trafficked by the defendant. While sting operations can be useful in targeting purchasers of commercial sex, operations such as this can be useful to identify and recover trafficked persons.

²⁰⁵ Human Trafficking Task Force E-Guide, <https://www.ovcttac.gov/TaskForceGuide/eguide/>.

²⁰⁶ *Id.*

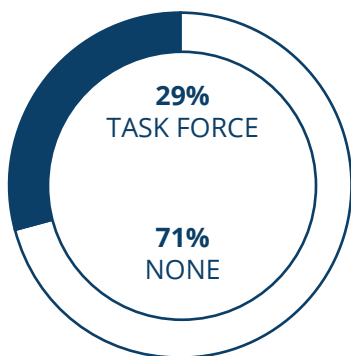
²⁰⁷ *Id.*

²⁰⁸ William Adams, et al., *Evaluation of the Enhanced Collaborative Model to Combat Human Trafficking*, Off. of Justice Programs’ Nat’l Crim. Justice Reference Serv. 2 (2021) <https://www.ojp.gov/pdffiles1/nij/grants/300863.pdf>.



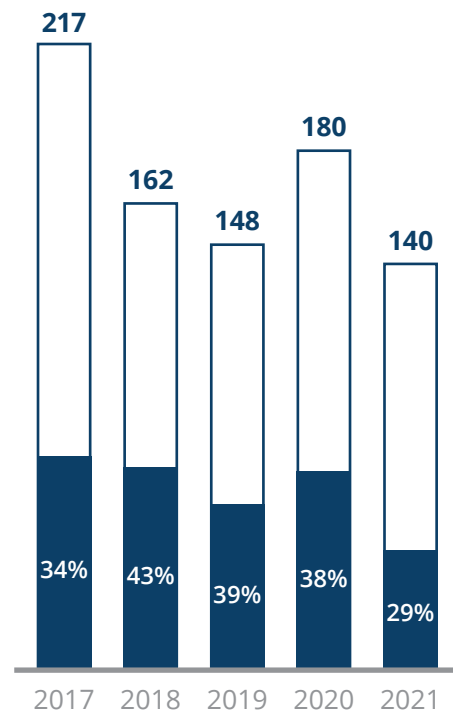
To better understand the impact of task forces in human trafficking investigations and prosecutions in the United States, the Report began collecting data related to prosecutions filed in the Federal Court System resulting from the efforts of human trafficking task forces. In 2021, of the 140 total new criminal cases, 29% (41) identified a task force, 39 were sex trafficking cases, and 2 cases were for forced labor.²⁰⁹ Of the 41 cases where a task force was identified, 39 cases involved sex trafficking cases, and 2 cases were for forced labor. Since 2017, task forces have been identified in 37% (310) of the new cases filed.²¹⁰

NUMBER OF NEW 2021 CASES INVOLVING A TASK FORCE



NUMBER OF NEW CASES INVOLVING A TASK FORCE SINCE 2017

□ TOTAL CASES
■ CASES INVOLVING A TASK FORCE



²⁰⁹ Based on 41 of 140 new 2021 cases where task force involvement was identified.

²¹⁰ Based on 847 new criminal cases filed since 2017.

CASE HIGHLIGHT

UNITED STATES VS. CHAMBERS, ET AL.

The collaborative model, which began in the United States in the early 2000s, continues to encourage communication and cooperation between law enforcement, prosecutors, and service providers in efforts to combat human trafficking. In the Southern District of Texas, the Harris County District Attorney's Office and law enforcement agencies in Houston worked together as members of the Human Trafficking Rescue Alliance (HTRA) to uncover a gang related sex trafficking ring responsible for the trafficking of over a dozen minor victims.²¹¹ The defendants allegedly recruited minor victims and then forced them to perform sexual acts with buyers in exchange for money, often threatening or physically assaulting them if they failed to comply or to meet a specified daily quota.²¹² The defendants kept the victims on a street commonly known as "The Blade" in the Bissonet area of Houston, which is well known for commercial sex. The nine defendants charged in the investigation were members of a local gang, the Forum Park Crips, and worked together to recruit and exploit the minors. Established in 2004, the HTRA was one of the first trafficking task forces established in the United States, and it is recognized nationally and internationally for effectively exercising a collaborative model in complex trafficking rings such as the one in Chambers.²¹³

In new cases filed in 2021, there were multiple task forces identified. The most commonly identified task forces were: Southeast Michigan Trafficking and Exploitation Crimes Task Force (4); the North Texas Trafficking Task Force (3); and the Child Exploitation and Human Trafficking Task Force (3).²¹⁴ Many of the task forces identified involved the investigation of child exploitation or internet crimes.²¹⁵

INVESTIGATIVE AGENCIES IN NEW CASES

Numerous federal law enforcement agencies participate in investigations to uncover, dismantle, and disrupt human trafficking. However, there are two federal law enforcement agencies public court documents most commonly identify as the primary investigative agency in investigations resulting in federal human trafficking prosecutions: the Federal Bureau of Investigation (FBI) and Homeland Security Investigations (HSI).

²¹¹ *Gang Members Charged with Trafficking Young Girls for Sex*, Dept. of Justice, June 29, 2021, <https://www.justice.gov/usao-sdtx/pr/gang-members-charged-trafficking-young-girls-sex>

²¹² *Id.*

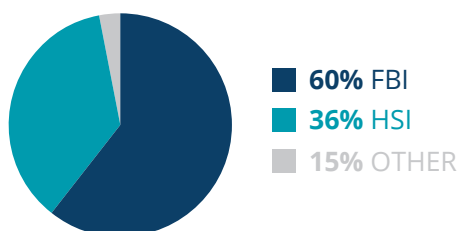
²¹³ *Id.*

²¹⁴ Based on 41 cases where a task force could be identified out of the 140 new cases filed in 2021.

²¹⁵ Other task forces identified in 2021 included: Organized Crime and Drug Enforcement Task Force; Palm Beach County Human Trafficking Task Force; Capital Region Child Exploitation and Human Trafficking Task Force; San Diego Human Trafficking Task Force; FBI Internet Crimes Against Children Task Force; FBI New York Child Exploitation and Human Trafficking Task Force; HSI Puerto Rico Crimes Against Children Task Force; Madison Heights Police Department's Special Investigations Unit; Mahoning Valley Human Trafficking Task Force; Cuyahoga Regional Human Trafficking Task Force; Maryland Human Trafficking Task Force; North Dakota Internet Crimes Against Children Task Force; Northeast Michigan Trafficking and Exploitation Crimes Task Force; South Dakota Internet Crimes Against Children Task Force; Tampa Bay Human Trafficking Task Force; The New Hampshire Human Trafficking Collaborative Task Force; West Virginia Human Trafficking and Child Exploitation Task Force; and the West Virginia Internet Crimes Against Children Task Force.



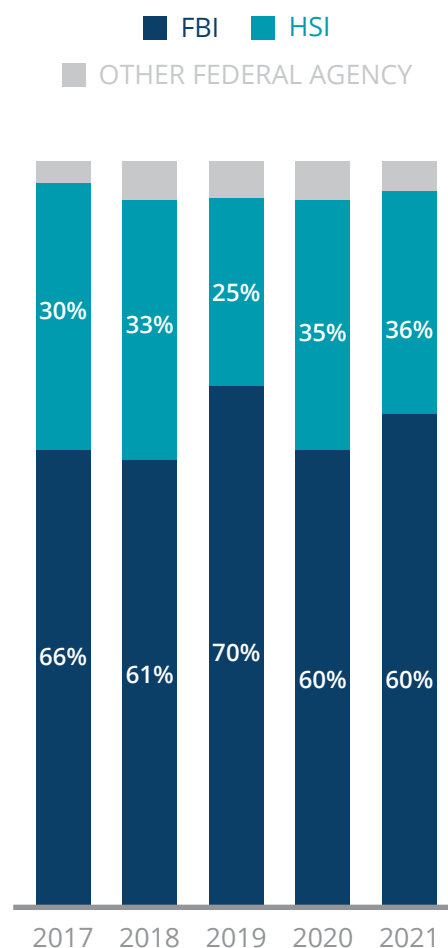
PRIMARY INVESTIGATIVE AGENCIES IN NEW 2021 CRIMINAL CASES



Since 2004, the FBI served as the primary investigative agency in the majority of new human trafficking cases charged each year. The same was true in 2021, when the FBI held the lead investigative role in 60% (55) of new human trafficking prosecutions filed in Federal Courts.²¹⁶ HSI was next in line with the second-highest number of human trafficking investigations in 2021, serving as the primary investigative agency in 36% (33) of new criminal cases filed.²¹⁷ The remaining 3% (3) of new cases filed in 2021 were investigated primarily by other federal law enforcement agencies, including: the U.S. Alcohol Tobacco & Firearms Agency (ATF), and the Department of Labor (DOL).²¹⁸

Over the past five years, the primary investigative agencies initiating human trafficking cases stayed consistent, with the FBI serving as the primary investigative agency since 2017, followed by HSI.

PRIMARY INVESTIGATIVE AGENCIES IN NEW CRIMINAL CASES FILED SINCE 2017



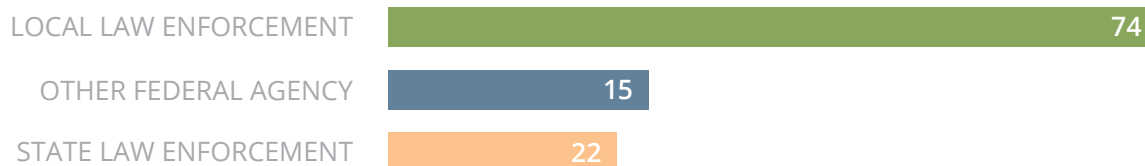
²¹⁶ Based on 91 new criminal cases with a known primary investigative agency.

²¹⁷ Based on 91 new criminal cases with a known primary investigative agency.

²¹⁸ Based on 91 new criminal cases with a known primary investigative agency.

Successful human trafficking investigations are typically the result of a collaborative, multi-agency approach between federal, state, and local law enforcement agencies. Most commonly in 2021, local law enforcement worked alongside federal law enforcement agencies in the case investigations. Local law enforcement were identified as an investigative partner in 74 of the new cases filed in 2021. State law enforcement agencies also actively participated in the investigation of federal human trafficking cases in 2021, partnering with federal agencies in 22 of the new cases filed. At least 25 of the new human trafficking cases filed in 2021 involved investigative partnerships between more than one federal law enforcement agency.

INTER-AGENCY COLLABORATION IN NEW 2021 CASES



2.2 NEW CRIMINAL CASES CHARGED BY DISTRICT

Federal prosecutors may file a federal human trafficking case in any jurisdiction where any element of the federal crime took place. As a result, many federal human trafficking cases can be charged in more than one Federal District because the crime may have occurred in multiple locations. For example, if a trafficker recruits an individual in one state and then arranges a commercial sex act for the individual in another state, the trafficker could be charged in Federal Court in either of those states. Generally speaking, a prosecutor will charge the case in the jurisdiction where the majority of the crime took place, taking into consideration the location of the victims, availability of evidence, and investigative resources.

The federal government filed 140 new criminal human trafficking cases in 2021. Of these cases, 92% (129) were sex trafficking cases and 8% (11) were forced labor cases.

In 2021, 55% (52) of the 94 Federal Districts filed at least one new human trafficking case. Conversely, 45% (42) of districts did not file a new human trafficking case in 2021.²¹⁹ The number of districts charging a new human trafficking case in 2021 decreased from 65% (61) in 2020.

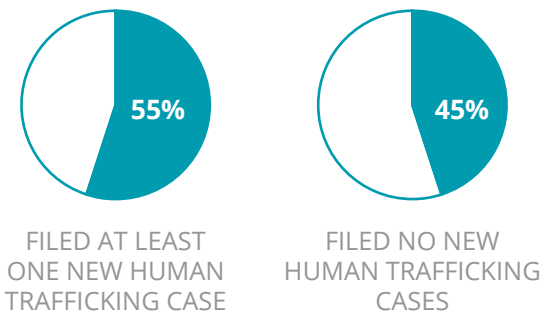


²¹⁹ Based on 94 Federal Districts.

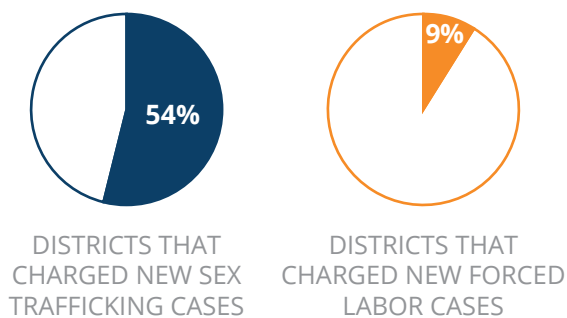


When broken down by case type, 54% (51) of districts charged new sex trafficking cases, whereas 9% (8) charged new forced labor cases.²²⁰

NEW 2021 CASES BY DISTRICT



NEW 2021 CASES BY DISTRICT AND CASE TYPE



TOP 5 DISTRICTS WITH NEW CASES

- | | | |
|---|----------|--|
| 1 | 8 CASES: | Michigan Eastern
Florida Middle |
| 2 | 7 CASES: | Texas Northern
Nebraska
Illinois Southern
Florida Southern |
| 3 | 6 CASES: | Wisconsin Eastern
Texas Southern |
| 4 | 5 CASES: | South Carolina
California Southern |
| 5 | 4 CASES: | New York Eastern
Iowa Southern
Illinois Northern
Georgia Southern |

2.2.1 SEX TRAFFICKING CASES BY DISTRICT

More than one-half (54%, 51) of Federal Districts charged at least one new sex trafficking case in 2021.²²¹ This is a decrease from 2020 when 64% (60) of Federal Districts charged at least one new sex trafficking case.²²²

²²⁰ Based on 94 Federal Districts.

²²¹ Based on 94 Federal Districts.

²²² Based on 94 Federal Districts.



SEX TRAFFICKING CASES BY DISTRICT MINOR-ONLY

Forty-Eight (51%) districts charged at least one new minor-only sex trafficking case in 2021.²²³

TOP 5 DISTRICTS WITH NEW MINOR ONLY CASES

1	7 CASES:	Illinois Southern
2	5 CASES:	Michigan Eastern Florida Southern
3	4 CASES:	Texas Northern Illinois Northern Florida Middle
4	3 CASES:	West Virginia Southern Virginia Eastern Texas Southern South Dakota South Carolina Nebraska Iowa Southern Arkansas Eastern
5	2 CASES:	Wisconsin Eastern Washington Eastern Pennsylvania Eastern Ohio Northern New York Eastern Michigan Western Illinois Central California Southern Arizona

SEX TRAFFICKING CASES BY DISTRICT WITH AT LEAST ONE ADULT

Fifty-one (54%) districts charged at least one new adults only sex trafficking case in 2021.²²⁴

TOP 3 DISTRICTS WITH NEW CASES WITH AT LEAST ONE ADULT

1	3 CASES:	Michigan Eastern California Southern
2	2 CASES:	Wisconsin Eastern Texas Southern Texas Northern New York Eastern Nebraska Florida Middle
3	1 CASES:	Texas Western South Carolina Pennsylvania Western Pennsylvania Eastern New York Western New York Southern Maryland Louisiana Western Florida Southern Arizona Alabama Middle

²²³ Based on 94 Federal Districts.

²²⁴ Based on 94 Federal Districts.



2.2.2 NEW FORCED LABOR CASES BY DISTRICT

In 2021, 8 (9%) Federal Districts filed new forced labor cases. This is the same number of districts that charged new forced labor cases in both 2020 and 2019.²²⁵ Since the enactment of the TVPA, no more than 11 districts have charged new forced labor cases in a single year.²²⁶ Notably, 44 districts (47%) of districts have never charged a forced labor case.

TOP 3 DISTRICTS WITH FORCED LABOR CASES

1	3 CASES:	Georgia Southern
2	2 CASES:	Wisconsin Eastern
3	1 CASES:	Texas Southern South Carolina Kansas Iowa Southern Florida Southern Florida Middle

VICTIM-CENTERED PROSECUTION

Not all human trafficking crimes are prosecuted strictly under Chapter 77. A prosecutor has prosecutorial discretion to charge a human trafficking case outside Chapter 77, even when there is an identified victim of trafficking in the case. A federal prosecutor may elect to proceed with charges outside of Chapter 77 for strategic reasons, including to protect the interests of the victim. Often, to prove specific elements of human trafficking under Chapter 77, prosecutors must rely heavily on the testimony of the victim of the case. This can be incredibly difficult for the victim. In some instances, victims are unwilling or unable to testify against their trafficker at trial.²²⁷ Victims may be reluctant because of fear, or for more personal reasons. Minor victims may have an exceptionally difficult time testifying at trial. Requiring a victim to testify against their trafficker can cause retraumatization for the victim, and is not considered a best practice in a victim-centered approach to prosecution.²²⁸ While there are multiple avenues available for a prosecutor to proceed in a trafficking case without the victim's testimony,²²⁹ sometimes a prosecutor may elect to charge a defendant with crimes completely outside Chapter 77. Proving the elements of child pornography or enticement of a minor may provide much less of an evidentiary hurdle for the prosecutor, while simultaneously protecting victims from retraumatization through testimony at trial.

²²⁵ Based on 8 districts filing new forced labor cases in 2021, 2020, and 2019.

²²⁶ Based on 11 districts filing new forced labor cases in 2007.

²²⁷ Jennifer Gentile Long & Teresa Garvey, *No Victim? Don't Give Up*, 7 STRATEGIES (Æquitas, Washington, DC), Nov. 2012, at 1, https://aequitasresource.org/wp-content/uploads/2018/09/S_Issue_7_No_VictimDont_Give_Up.pdf.

²²⁸ Rodolph, Alicen & Dunman, Tyler, *Charging Ahead: Prosecuting Human Trafficking Cases Without Victim Cooperation*, April 2022, at 8, 58 No. 2 Crim. Law Bulletin ART 2, <http://dx.doi.org/10.2139/ssrn.4077286>.

²²⁹ *Id.*

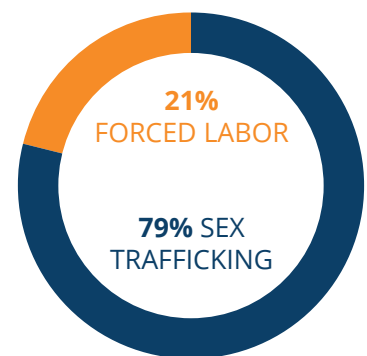
"...examining the number of defendants charged each year gives us a better picture of how many traffickers are being identified and stopped from exploiting victims."

2.3 NEW DEFENDANTS CHARGED BY DISTRICT

When examining human trafficking prosecutions filed in Federal Courts, it is important to look at not only the number of cases filed year-over-year, but also the number of defendants charged each year. Determining the number of cases filed in each district year-over-year provides us with an idea how many federal investigations and prosecutions are being conducted across the country. But examining the number of defendants charged each year gives us a better picture of how many traffickers are being identified and stopped from exploiting victims. Furthermore, examining both the number of defendants charged and how each defendant is charged provides for more understanding of how traffickers operate their trafficking schemes.

In 2021, the Federal Courts filed charges against 260 defendants. Of these defendants, 21% (55) were charged with forced labor and 79% (205) were charged with sex trafficking. This is the highest percentage of defendants charged with forced labor since 2009.²³⁰

NEW DEFENDANTS IN 2021 BY PRIMARY CASE TYPE

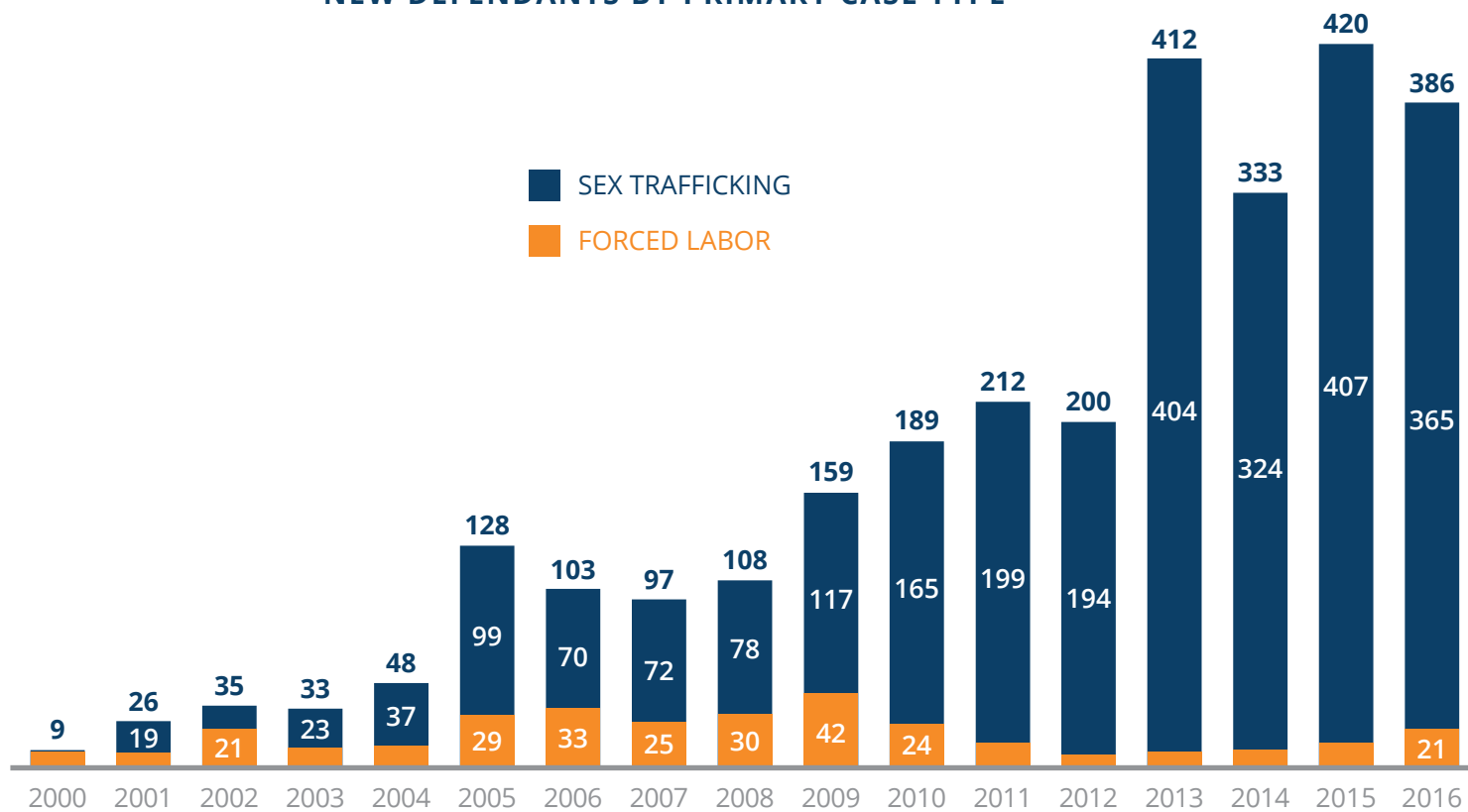


²³⁰ Based on the 42 of 159 (26%) new defendants charged in criminal forced labor cases filed in 2009.



Since the enactment of the TVPA, the federal government has prosecuted a total of 4,413 human trafficking defendants. Though slight fluctuations exist in the number of new human trafficking defendants charged each year, from 2000 to 2017, the number of defendants charged annually for trafficking-related conduct showed an overall upward trend. Since 2017, however, there has been a consecutive decline each year in the number of new defendants charged. In fact, the number of new defendants in 2021 represents the lowest number of defendants charged with human trafficking violations since 2012.²³¹

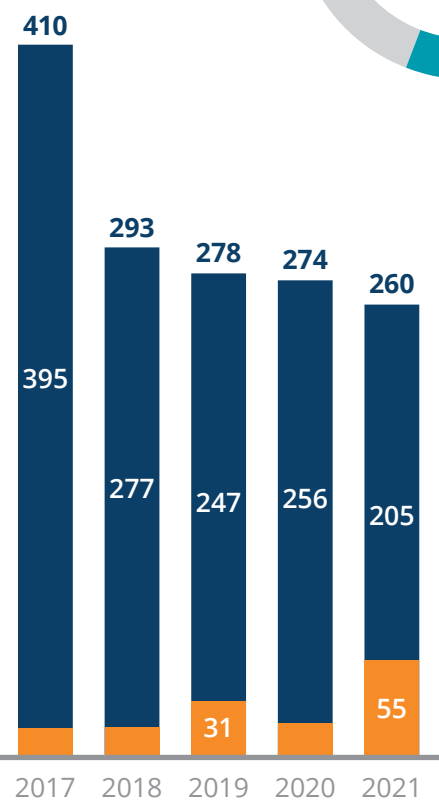
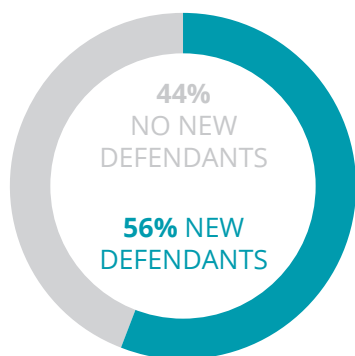
NEW DEFENDANTS BY PRIMARY CASE TYPE



²³¹ Based on 200 new defendants charged in new criminal sex trafficking cases filed in 2012.



FEDERAL DISTRICTS WITH NEW 2021 DEFENDANTS



OVERALL NEW DEFENDANTS CHARGED BY DISTRICT

In 2021, 56% (53) of the 94 Federal Districts charged at least one new human trafficking defendant under Chapter 77. Within those 53 districts, 96% (51) charged at least one sex trafficking defendant and 17% (9) charged at least one forced labor defendant. Only 13% (7) of districts charged defendants in both sex trafficking and forced labor cases. Out of the 94 total Federal Court Districts in the United States, 44% (41) failed to charge any new human trafficking defendants in 2021.

It is important to note that the failure to charge new defendants in a district does not mean that human trafficking defendants are not being investigated or prosecuted in that district. As previously mentioned, human trafficking cases are complex and often take more than one year to reach disposition. Districts may have defendants pending from prior years in their district, but no new defendants charged.²³²

²³² See Section 1.1 for more information on active cases pending in 2021.



The number of Federal Districts to charge at least one human trafficking defendant each year steadily increased from 2000 to 2017.²³³ For the first decade following the TVPA's enactment, less than half of Federal Districts charged a new defendant with human trafficking each year.²³⁴ This changed in 2012, when for the first time more than half (51%, 48) of Federal Districts prosecuted at least one new human trafficking defendant. Since then, at least 50% (47) of Federal Districts have prosecuted new human trafficking defendants each year. The percentage of districts to charge new defendants reached its peak in 2017, when 79% (74) of Federal Districts charged at least one new human trafficking defendant. Since then, the number of districts to charge a new defendant has declined slightly, from 66% (62) of Federal Districts in 2018 to 62% (58) in 2019, 65% (61) in 2020, and 56% (53) in 2021. Notably, there has never been more than 11 Federal Districts to charge a new forced labor defendant in a single year.²³⁵

The 94 Federal Districts are spread across the 50 continental United States and 5 U.S. Territories.²³⁶ Some states have only one Federal Court District, while other larger or more heavily populated districts have multiple districts within one state. Of the 94 Federal Court Districts, the Southern District of Georgia charged the highest number of new defendants in one district, in 2021 with 27 defendants in 4 cases. Of the defendants charged in the Southern District of Georgia, 26 defendants were charged with forced labor, and 1 was charged with sex trafficking.

The Southern District of Texas was the district with the second-highest number of defendants charged, with 23 defendants in 7 new cases. Of the defendants charged, 21 defendants were charged with sex trafficking, and 2 were charged with forced labor.

When looking at which states had the most defendants charged within the districts in their state in 2021 the top three were, Texas with 39 new defendants, Georgia with 31 defendants, and Florida with 28 defendants.

Of the 44% (41) of districts that did not charge any *new* defendants in 2021, 14% (13) neither charged a new defendant, nor prosecuted an active defendant in a human trafficking case in 2021. These districts include Alabama Southern, Delaware, Guam, Hawaii, Idaho, Louisiana Middle, North Carolina Middle, Oklahoma Eastern, Rhode Island, Tennessee Eastern, Tennessee Western, West Virginia Northern, and Wyoming.

TOP 10 DISTRICTS FOR NEW 2021 DEFENDANTS

1	27 DEFENDANTS:	Georgia Southern
2	23 DEFENDANTS:	Texas Southern
3	16 DEFENDANTS:	South Carolina
4	14 DEFENDANTS:	Florida Middle
5	13 DEFENDANTS:	Florida Southern
6	11 DEFENDANTS:	Arkansas Eastern
7	10 DEFENDANTS:	Nebraska New York Eastern Texas Northern
10	8 DEFENDANTS:	Michigan Eastern Kansas

²³³ Based on an increase from 4 Federal Districts in 2000 to 74 Federal Districts in 2017.

²³⁴ Based on no more than 36 Federal Districts charging new defendants from 2000 to 2010.

²³⁵ 11 Federal Districts charged at least one forced labor defendant in 2007 and 2016.

²³⁶ The 94 Federal District Courts are located in all 50 states, the District of Columbia, Puerto Rico, the US Virgin Islands, Guam, and the Northern Mariana Islands.

CASES WITH MULTIPLE & SINGLE DEFENDANTS CHARGED

Of the 140 new cases filed in 2021, 74% (103) charged only one defendant.²³⁷ The remaining 26% (37) charged multiple defendants, ranging from 2 to 24 defendants.²³⁸ This represents a 24% decline in the charging of single-defendants and an 18% decline in charging multi-defendants in 2021.²³⁹

As in years past, most forced labor cases involved charging multiple defendants, whereas sex trafficking cases most often involved charging a single defendant.²⁴⁰ Of the new forced labor cases filed in 2021, 55% (6) charged multiple defendants and 45% (5) charged a single defendant.²⁴¹ In comparison, of the new sex trafficking cases filed in 2021, 76% (98) charged single-defendant cases and only 24% (31) charged multiple defendants.²⁴² Prosecutors charged fewer multi-defendant sex trafficking cases in 2021 than in 2020, when 23% (39) of new sex trafficking cases charged more than one defendant.²⁴³ The Southern District of Texas charged the largest sex trafficking case in 2021, a gang-directed case involving the charging of 9 defendants.²⁴⁴

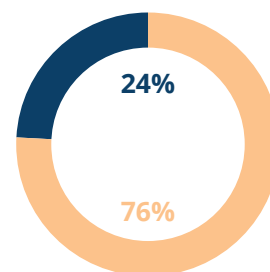
2.3.1 DEFENDANTS CHARGED WITH SEX TRAFFICKING OF A MINOR ONLY

The report distinguishes between defendants charged with sex trafficking of a minor (minor-only), sex trafficking of an adult (adult-only), and sex trafficking of both minors and adults. Distinguishing between the three categories of victims allows for better examination of the classes of victims who are being represented in the prosecution of defendants in Federal Courts. It also allows for better understanding of the types of investigations conducted which lead to defendants being charged.

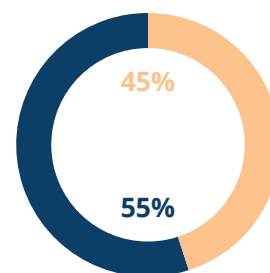
In 2021, just over half (51%, 48) of the Federal Districts charged at least one new defendant with sex trafficking of a minor. This is a decrease from 2020, when 59% (55) of districts charged at least one defendant with sex trafficking of a minor-only.

NEW 2021 SINGLE & MULTI-DEFENDANT CRIMINAL CASES

■ SINGLE DEFENDANT
■ MULTI-DEFENDANT



SEX TRAFFICKING CASES



FORCED LABOR CASES

²³⁷ Based on 103 of 140 new criminal human trafficking cases filed in 2021 being single-defendant cases.

²³⁸ Based on 37 of 140 new criminal human trafficking cases filed in 2021 being multi-defendant cases.

²³⁹ Based on the decrease from 135 single defendant criminal human trafficking cases in 2020 to 103 single defendant cases in 2021. Based on the decrease from 45 multi-defendant criminal human trafficking cases in 2020 to 37 multi-defendant cases in 2021.

²⁴⁰ Based on 5% of new criminal sex trafficking cases being single-defendant and 6% of new criminal forced labor cases being multi-defendant.

²⁴¹ Based on 11 new criminal forced labor cases filed in 2021.

²⁴² Based on 129 new criminal sex trafficking cases filed in 2021.

²⁴³ Based on 171 new criminal sex trafficking cases filed in 2020.

²⁴⁴ *United States v. Chambers*, 4:21-cr-00350.



TOP DISTRICTS FOR NEW 2021 DEFENDANTS WITH MINOR ONLY SEX TRAFFICKING CHARGES

1	14 DEFENDANTS:	Texas Southern
2	12 DEFENDANTS:	South Carolina
3	11 DEFENDANTS:	Florida Southern
4	7 DEFENDANTS:	New York Eastern Illinois Southern
6	6 DEFENDANTS:	Florida Middle Arkansas Eastern
8	5 DEFENDANTS:	Texas Eastern Nebraska Michigan Eastern Illinois Northern

Often, defendants are arrested and charged with sex trafficking of a minor after an undercover or “sting” operation. During sting operations, law enforcement creates or poses as fictitious victims and the defendant is subsequently arrested and charged after soliciting or attempting to engage in commercial sex with the fictitious victim. Commonly, law enforcement structures the operation to target perpetrators who solicit commercial sex from minors, hoping the identification and arrest of these individuals protects real individuals from being exploited. In 2021, 35 buyer defendants were charged as the result of sting operations, 21 of whom were charged in cases where law enforcement posed as fictitious victims.

Law enforcement agencies also conduct investigations leading to the recovery of actual victims. Within the 94 Federal Districts, the Southern District of Texas charged the largest number of new defendants with minor-only sex trafficking charges (14). All 14 defendants were in cases that recovered actual minor victims, not sting cases with exclusively fictitious minor victims.

After the Southern District of Texas, the following districts charged the highest number of new defendants with minor-only sex trafficking charges: South Carolina, the Southern District of Florida, the Eastern District of New York, the Southern District of Illinois, the Middle District of Florida, the Eastern District of Arkansas, the Eastern District of Texas, the District of Nebraska, the Eastern District of Michigan, and the Northern District of Illinois.²⁴⁵

"In 2021, 35 defendants were charged as the result of sting operations where law enforcement posed as fictitious victims."

²⁴⁵ South Carolina, 12; the Southern District of Florida, 11; the Eastern District of New York, 7; the Southern District of Illinois 7; the Middle District of Florida and the Eastern District of Arkansas and, 6; and the Eastern District of Texas, the District of Nebraska, the Eastern District of Michigan, the Northern District of Illinois, each had 5.

2.3.2 DEFENDANTS CHARGED WITH SEX TRAFFICKING OF AN ADULT ONLY

Many sting operations and investigations focus on identification and recovery of minor victims of sex trafficking, but some investigations involve only adults or a combination of both. Sex trafficking cases involving adult-only victims can be highly complex and difficult to prosecute. This is because in adult-only cases, prosecutors must prove force, fraud, or coercion, whereas prosecutions with minor-only sex trafficking charges do not require proof of those elements.

In 2021, 14 (15%) districts charged a new defendant with adult-only sex trafficking charges.²⁴⁶ For better context, 48 Federal Districts charged at least one new defendant with minor-only sex trafficking charges. Conversely, 85% (80) of Federal Districts did not charge any new defendants with adult-only sex trafficking charges in 2021.²⁴⁷

2.3.3 NEW DEFENDANTS IN FORCED LABOR

Ten percent (9) of Federal Districts charged a new forced labor defendant in 2021. The majority, 91% (86), failed to charge any new defendants with forced labor in 2021.²⁴⁸ The Southern District of Georgia charged the highest number of new forced labor defendants in 2021; a total of 26 defendants. After the Southern District of Georgia, the following districts charged the highest number of new forced labor defendants in 2021: the District of Kansas; the Central District of California; the Middle District of Florida; the District of South Carolina; the Eastern District of Wisconsin; the Southern District of Florida; the Southern District of Iowa; and the Southern District of Texas.

Although 10% (9) of districts charged a new forced labor defendant in 2021, over one-quarter (26%, 24) handled at least one active forced labor defendant.

TOP DISTRICTS FOR NEW 2021 DEFENDANTS IN ADULT SEX TRAFFICKING CASES

1	7 DEFENDANTS:	Texas Southern
2	5 DEFENDANTS:	Arkansas Eastern Texas Northern
3	4 DEFENDANTS:	California Southern
4	3 DEFENDANTS:	Alabama Middle Michigan Eastern Nebraska New York Eastern
5	2 DEFENDANTS:	Arizona Florida Middle Maryland New York Southern Wisconsin Eastern

TOP DISTRICTS FOR NEW 2021 FORCED LABOR DEFENDANTS

1	26 DEFENDANTS:	Georgia Southern
2	8 DEFENDANTS:	Kansas
3	6 DEFENDANTS:	California Central
4	5 DEFENDANTS:	Florida Middle
5	3 DEFENDANTS:	South Carolina

²⁴⁶ Based on 19 of 94 Federal Districts with new criminal sex trafficking defendants charged in 2021.

²⁴⁷ Based on 94 Federal Districts.

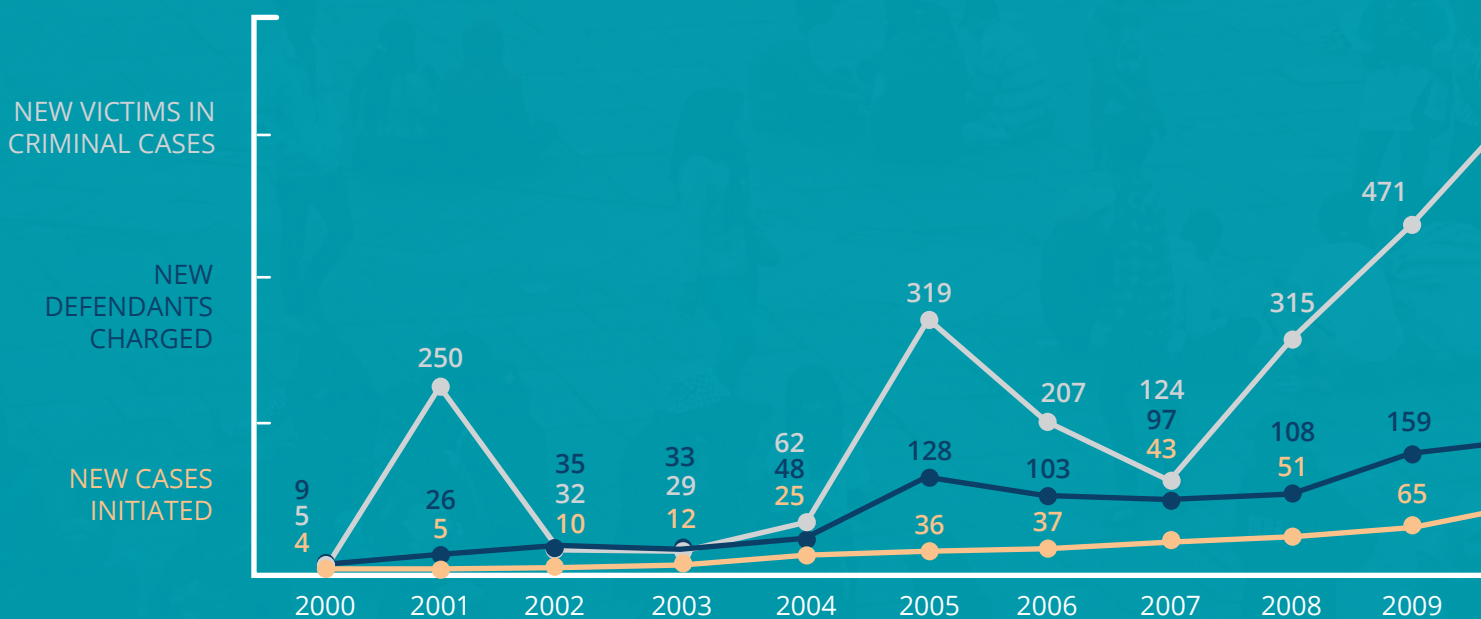
²⁴⁸ Based on 94 Federal Districts.

Each human trafficking case filed in the Federal Court System is unique. As discussed throughout the Report, traffickers use a variety of different methods to recruit and coerce victims and carry out their trafficking scheme. Because of the uniqueness of the facts in each case, studying an individual defendant, victim, or trafficking scheme provides very limited insight on what human trafficking cases prosecuted in Federal Courts look like overall.

However, breaking down very specific data points from each case filed and organizing those data points into specific categories creates a much larger picture of cases filed over time. This provides the opportunity to perform a comparative analysis of certain data points year-over-year. Three interesting data points to examine for correlation are the number of cases filed, the number of defendants charged, and the number of victims identified since the TVPA was enacted in 2000.

While the number of cases charged increased steadily during the first thirteen years of the TVPA, there appears to be a plateau in new cases filed since the peak in 2017. There is no way to predict whether this trend will continue, or if the number of new cases will in fact continue in a slight downward departure over the next several years.

NEW CASES INITIATED, NEW DEFENDANTS CHARGED, AND NEW VICTIMS IN FORCED LABOR AND SEX TRAFFICKING CASES SINCE 2000

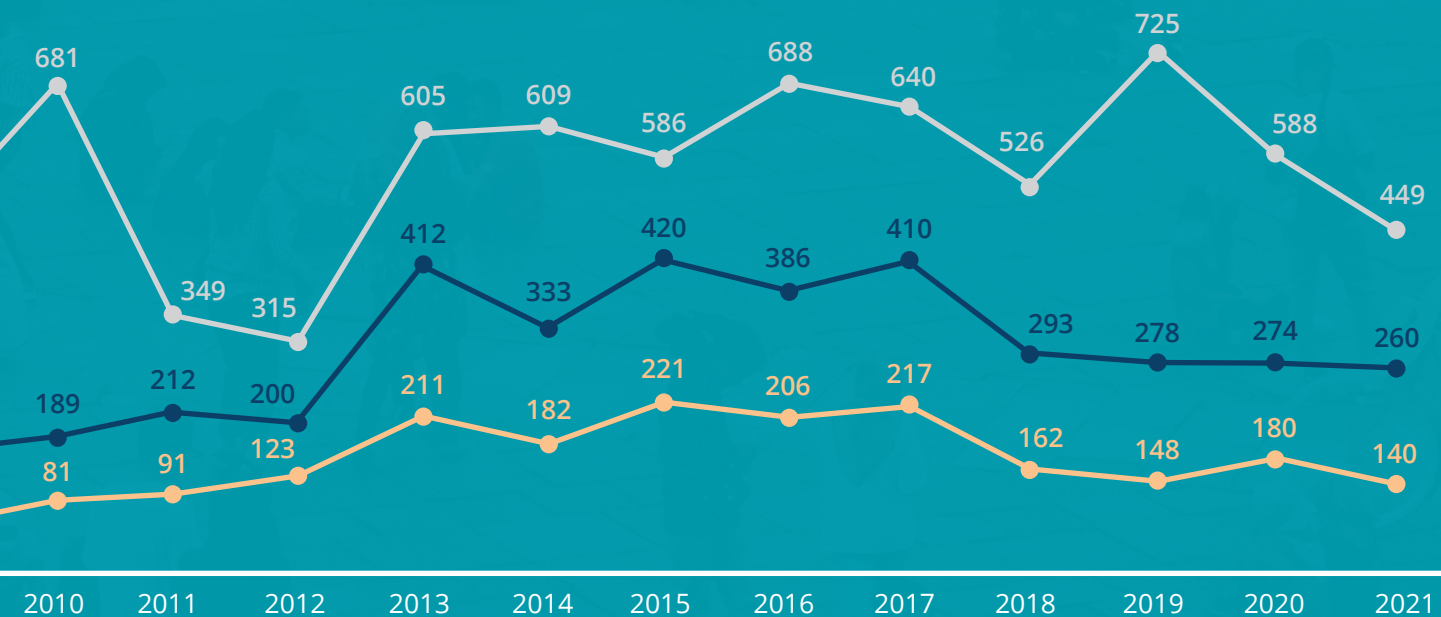




Similarly, the number of new defendants charged peaked in 2015 with a short plateau into 2017. Since then, the number of traffickers being prosecuted in the Federal Courts has continued to steadily decrease. 2021 saw the lowest number of defendants charged since 2012.

The total number of victims since the TVPA in 2000 has varied year-over-year, rising significantly at multiple points, including 2001, 2005, 2010, and 2019. Interestingly, the total number of victims each year appears to correlate the least with the number of cases filed and number of defendants charged. While the number of new cases filed and new defendants charged follows a relatively similar correlation, the number of victims changes at various points since 2000.

Since 2000, the average number of defendants in cases filed is just under 2 defendants per case. The average number of victims per case is just under 4, and the average number of victims per defendant is just under 2.²⁴⁹



²⁴⁹ Based on 2,250 cases filed, 4,413 defendants charged, and 8,958 total victims in new cases since 2000.



SEX TRAFFICKING CHARGES AGAINST NEW 2021 DEFENDANTS IN CRIMINAL CASES



2.4 TYPES OF CHARGES

Human traffickers often engage in a wide range of criminal conduct, from trafficking-related crimes to illegal conduct involving immigration, narcotics, firearms, child sexual abuse materials, sexual exploitation of minors, witness tampering, and financial crimes. Accordingly, prosecutors hold the discretion to charge defendants in human trafficking cases under numerous federal laws. For these reasons, the Report exams the conduct alleged in addition to the statute under which the offense was charged to determine if the case is human trafficking.

The Report categorizes any case charged under Chapter 77 of the U.S. Code as a “human trafficking crime.” This includes offenses within the Trafficking Victim’s Protection Act (TVPA), 18 U.S.C. §§ 1589-1597, as well as historical slavery statutes under 18 U.S.C. §§ 1581-1588. The Report also classifies the following federal statutes as human trafficking crimes when the underlying offense in the charge is a Chapter 77 crime: 18 U.S.C. § 2 (Attempt), 18 U.S.C. § 371 (Conspiracy), 18 U.S.C. § 1952 (ITAR), and 18 U.S.C. § 1962 (RICO).

Furthermore, the Report categorizes some offenses filed outside Chapter 77 as human trafficking if a case contains substantial evidence of coercion, commercial sex with a minor, or an identified victim of trafficking. These cases are commonly charged under the Mann Act, but can also include charges filed under a variety of other federal statutes. The Report identified 85 such cases filed in 2021. Prosecutors have wide discretion in determining how to indict a defendant for criminal human trafficking activity. This section discusses some of the most common charges in human trafficking cases identified by the Report.

2.4.1 NEW CHARGES FOR SEX TRAFFICKING

In 2021, prosecutors charged 97% (252) of the 260 new defendants with at least one human trafficking crime. The remaining 3% (8) of new defendants in human trafficking cases were charged exclusively with non-human trafficking offenses, including Importation or Transportation of Obscene Materials under 18 U.S.C. § 1462, Prohibited Transportation under 18 U.S.C. § 2421, Racketeering under 18 U.S.C. § 1952, and Conspiracy under 18 U.S.C. § 371.

"The Report categorizes any case charged under Chapter 77 of the U.S. Code as a 'human trafficking crime.'"

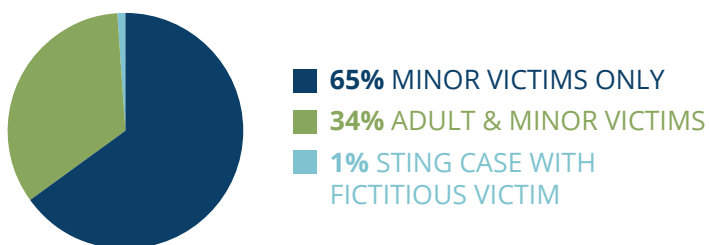
CHAPTER 77 SEX TRAFFICKING

In 2021, the government charged 205 new sex trafficking defendants with a total of 390 counts of sex trafficking offenses. Of the 205 defendants charged, 197 were charged under Chapter 77, and 8 were charged with offenses outside the Chapter 77 human trafficking statutes. Within those 390 counts of sex trafficking, there were 242 counts charged under the most commonly utilized sex trafficking statute, 18 U.S.C. § 1591. There were 93 counts charged for Conspiracy to Commit Sex Trafficking under 18 U.S.C. § 1594(c), and 38 counts charged for Attempted Sex Trafficking under 18 U.S.C. § 1594(a). There were 9 counts charged under 18 U.S.C. § 1591(d) for Obstructing Enforcement of Sex Trafficking.

As set forth above, Chapter 77 includes 18 U.S.C. § 1591, which is the principal federal law that criminalizes sex trafficking. It establishes two distinct criminal offenses: (1) sex trafficking of an adult, which requires proof of force, fraud, or coercion, and (2) sex trafficking of a minor, which does not require proof of force, fraud, or coercion, but instead, knowledge (or reckless disregard) of the victim's age. Of the 242 counts charged under 18 U.S.C. § 1591, 65% (158) were charged involving exclusively minor victims, 34% (83) were charged involving adult victims or both adult and minor victims, and 1% (1) of the counts charged were for sting cases with no victims.²⁵⁰

Under § 1591, it is a federal crime to knowingly recruit, entice, harbor, transport, provide, obtain, advertise, maintain, patronize, or solicit a person to engage in a commercial sex act.²⁵¹ The government can prosecute a defendant based on their engagement, or "Act" in the prohibited trafficking activities, benefiting financially, or both. Of the 242 criminal counts of § 1591, 62% (151) alleged the defendant committed the prohibited trafficking activities, and 38% (91) alleged that the defendant both engaged in prohibited trafficking activities and benefited financially from the trafficking crime. The government did not charge any defendants under § 1591 exclusively for financially benefiting from trafficking in 2021.

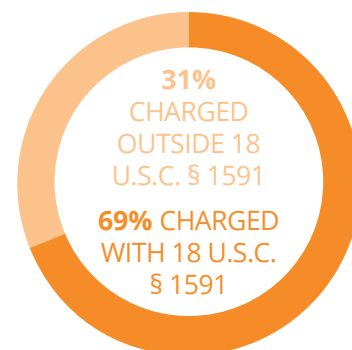
COUNTS FOR SEX TRAFFICKING CHARGED UNDER 18 U.S.C. § 1591



²⁵⁰ Based on 142 defendants charged with sex trafficking under 18 U.S.C. § 1591.

²⁵¹ 18 U.S.C. § 1591(a)(1).

NEW 2021 SEX TRAFFICKING DEFENDANTS IN CRIMINAL CASES

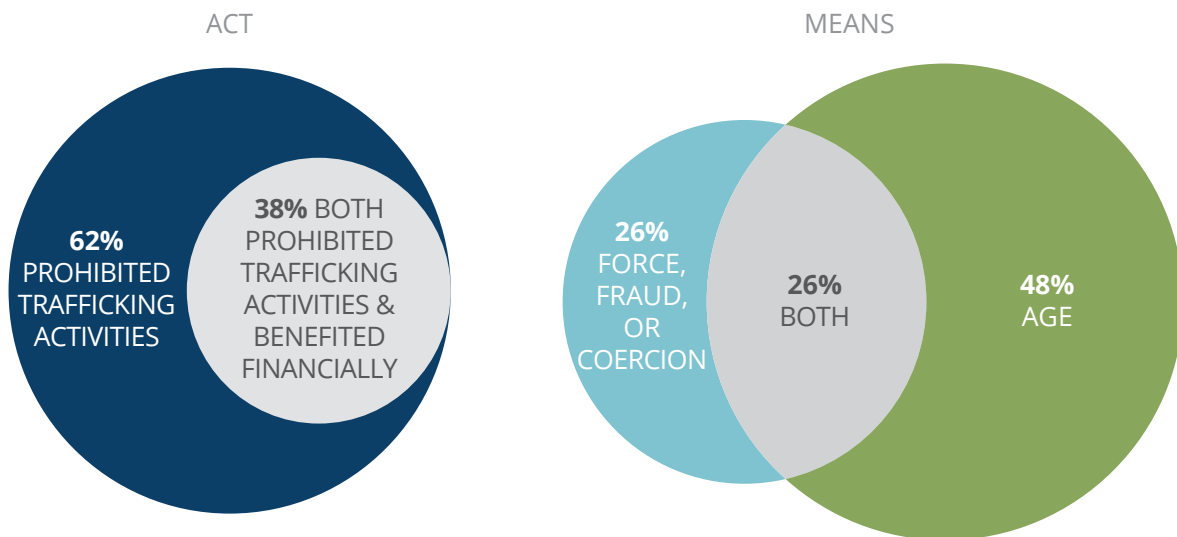


TOTAL NEW SEX TRAFFICKING DEFENDANTS: 205





CRIMINAL ELEMENT BREAKDOWN OF NEW 2021 SEX TRAFFICKING CHARGES



Of the 242 criminal counts of § 1591 charged in 2021, 26% (64) alleged the defendant's use of force, fraud, or coercion, 48% (116) alleged the defendant's knowledge or reckless disregard of the victim's age, and 26% (62) alleged both. Of the 158 charges of sex trafficking involving exclusively minor victims, prosecutors filed the majority (67%, 106) of the § 1591 charges based on the defendant's knowledge or reckless disregard of the victim's age, and 1% (1) of the new § 1591 charges alleged that the defendant used force, fraud, or coercion to compel a minor victim to engage in commercial sex.

As previously noted, 18 U.S.C. § 1591 requires the government to prove the defendant used force, fraud, or coercion in cases with adult sex trafficking charges, but not for charges relating to the sex trafficking of a minor. Instead, the prosecutor must prove that a defendant had knowledge, recklessly disregarded, or had the opportunity to observe that the victim was under the age of 18 in charges involving only a minor victim.²⁵²

NON-CHAPTER 77 SEX TRAFFICKING OFFENSES

As discussed in the beginning of section 2.4, a defendant may be prosecuted for human trafficking under 18 U.S.C. § 1591, as set forth within Chapter 77, or they may be charged with other offenses outside Chapter 77. In 2021, the Report identified 3 counts charged under 18 U.S.C. § 1962 Racketeer Influenced or Organized Crime (RICO), and 2 counts under 18 U.S.C. § 1952 International Traffic in Arms Regulations (ITAR).

²⁵² In minor sex trafficking cases, a prosecutor may elect to charge sex trafficking by means of force, fraud, or coercion, where there is sufficient evidence to show the defendant's use of coercive tactics, either in addition to, or in lieu of, knowledge of age.



CASE HIGHLIGHT

UNITED STATES VS. MAURICE JOHNSON, ET AL.

Traffickers often engage in a wide range of criminal conduct in addition to the exploitation of victims in their trafficking scheme. In many situations, prosecutors utilize charges outside the human trafficking statutes to hold traffickers accountable for their criminal activity. In 2021, the Southern District of California charged multiple defendants with numerous criminal charges relating to a large, gang related sex trafficking ring. The defendants were charged with 18 U.S.C. § 1962 RICO, Attempted Tax Evasion, and Interference of Commerce under 18 U.S.C. § 1951, in addition to sex trafficking violations. The defendants engaged in threatening and violent gang activity, committed multiple robberies, and brandished firearms, all while forcing multiple victims to engage in commercial sex, from which they kept the proceeds.

Charging defendants under a variety of criminal statutes, such as racketeering, drug trafficking, or financial crimes, can help provide the judge and jury with a better understanding of how complex and financially motivating human trafficking schemes can be. Furthermore, providing evidence of the defendant's role in other related crimes can also help a jury understand why a victim would feel compelled to comply with the defendant's demands (coercion).

Finally, by charging defendants for multiple types of criminal activity, prosecutors can potentially avoid 404(b) challenges to the introduction of evidence of the defendant's prior bad acts, which can sometimes be relevant to proving coercion. Instead, when charged and joined properly, the defendant's behavior is admissible as relevant evidence for the crimes for which they are charged.

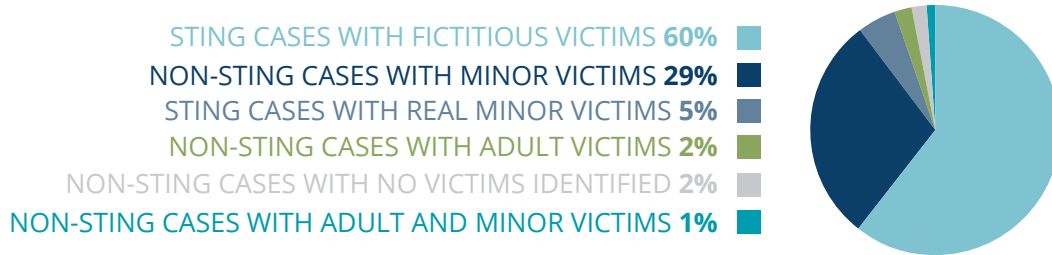
Defendants are also often charged for criminal human trafficking activity under the historic Mann Act, as codified in 18 U.S.C. §§ 2421-2423. The Mann Act prohibits the transportation of a person across state lines, the coercion or enticement of a person for the

purposes of engaging in illegal sexual activity, or the transportation of minors for illegal purposes.²⁵³ In 2021, the Report identified 2 sex trafficking cases that were charged exclusively under 18 U.S.C. § 2421 of the Mann Act.²⁵⁴

²⁵³ See, 18 U.S.C. § 2421 Transportation Generally; 18 U.S.C. § 2422 Coercion and Enticement; 18 U.S.C. § 2423 Transportation of Minors; and 18 U.S.C. § 2424 Filing Factual Statement About Alien Individual.

²⁵⁴ Based on 7 of 205 defendants charged with criminal sex trafficking offenses under the Mann Act only.

NEW 2021 CRIMINAL SEX TRAFFICKING CASES CHARGED OUTSIDE OF CHAPTER 77



Prosecutors may charge defendants with both Chapter 77 human trafficking charges and non-human trafficking charges outside chapter 77. In 2021, there were 198 sex trafficking defendants charged with at least one count of human trafficking under Chapter 77, for a total of 391 counts. Those 198 defendants were also charged with 245 counts for crimes completely outside Chapter 77.

Fifty-one (60%) of the new sex trafficking cases charged *outside* of Chapter 77 were sting law enforcement cases with only *fictitious victims*, while 4 (5%) were sting

operations involving *real, minor victims*. The remaining non-Chapter 77 cases included 25 (29%) non-sting cases involving minor victims; 2 (2%) non-sting cases involving adults only; 1 (1%) non-sting case involving both minor and adult victims; and 2 (2%) non-sting cases where no victims were identified.²⁵⁵

Of the 94 Federal Districts, at least 48% (45) charged a human trafficking case *outside* of Chapter 77 in 2021. In fact, 15 of these districts charged *exclusively* human trafficking cases outside of Chapter 77 in 2021.

CASE HIGHLIGHT

UNITED STATES VS. TYLER TOWNSEND

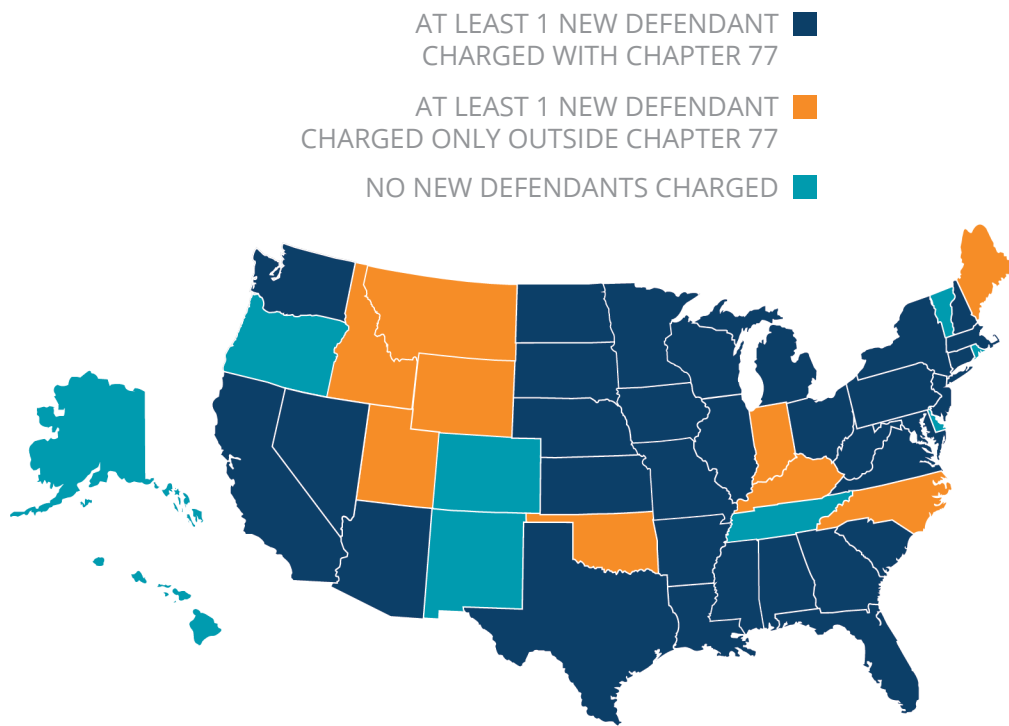
In an era of ever-increasing technology, the lines between sex trafficking and child sexual exploitation intersect more frequently. In 2021, the District of New Hampshire filed charges of both sex trafficking of a minor under 18 U.S.C. § 1591 and sexual exploitation of a minor under 18 U.S.C. § 2251 against defendant Townsend. The charges were filed after an investigation by Homeland Security and the New Hampshire Collaborative Task Force revealed that the defendant produced pornographic images of the minor victim, and used them to cause a minor victim to engage in commercial sex acts.²⁵⁶ Prosecutorial strategies such as combining counts of human trafficking and non-Chapter 77 offenses can strengthen prosecutions by providing an avenue for conviction based on different elements. This approach is also an excellent example of how prosecutors can protect victims from the re-traumatization of testifying against a trafficker when the elements may be satisfied outside the victim's testimony through the entrance of digital forensic evidence and subject-matter expert testimony.

²⁵⁵ Based on 85 criminal sex trafficking cases charged outside Chapter 77 in 2021.

²⁵⁶ U.S. Dept. of Justice, The United States Attorney's Office, District of New Hampshire, *Dover Man Indicted for Sex Trafficking and Production of Child Pornography*, August 17, 2021, <https://www.justice.gov/usao-nh/pr/dover-man-indicted-sex-trafficking-and-production-child-pornography>.



STATES THAT CHARGED AT LEAST ONE NEW DEFENDANT IN 2021



U.S. TERRITORIES





2.4.2 NEW CHARGES FOR FORCED LABOR

In 2021, prosecutors in 9% of Federal Districts filed a new forced labor case. In those cases, prosecutors filed 262 criminal charges against 55 defendants. Of the 262 charges, 67% (175) were human trafficking charges.

The principal federal law criminalizing forced labor is set forth in 18 U.S.C. § 1589, which makes it a federal crime to knowingly provide or obtain a person's labor or services by prohibited means of coercion, as well as to benefit financially from forced labor. Federal prosecutors filed 37% (98) of the 262 new charges in forced labor cases under § 1589. Of the 98 criminal counts of § 1589, prosecutors charged 13% (13) based on the defendant exclusively providing or obtaining labor or services, 0% (0) based on the defendant exclusively financially benefiting from forced labor, and 87% (85) based on both.

Although both sex trafficking and forced labor statutes allow the government to prosecute defendants who benefit financially from human trafficking, historically, it is rare for the government to do so. In fact, in 2021, the government did not charge any defendants for *exclusively* benefiting financially from sex trafficking or forced labor. In comparison, in 2020, 20%, (5) of the new forced labor charges were based solely on benefiting liability.

In addition to charging defendants in forced labor cases under § 1589, prosecutors charged 37 new defendants with Conspiracy to Commit Forced Labor under 18 U.S.C. § 1594(b), 6 defendants with Unlawful Conduct with Respect to Documents in Furtherance of Trafficking under 18 U.S.C. § 1592, 1 defendant with trafficking for Peonage, Slavery, Involuntary Servitude, or Forced Labor under 18 U.S.C. § 1590, and 1 defendant with Attempt to Commit Forced Labor under 18 U.S.C. § 1594(a).

CRIMINAL ELEMENT BREAKDOWN OF NEW 2021 FORCED LABOR CHARGES

13%
PROHIBITED
TRAFFICKING
ACTIVITIES

85% BOTH
PROHIBITED TRAFFICKING
ACTIVITIES & BENEFITED
FINANCIALLY



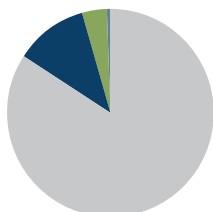
2.5 DISPOSITION OF CHARGES

Federal District Courts disposed of charges against 249 defendants in criminal human trafficking cases at the trial court level in 2021. Of the 249 defendants who reached disposition, 96% (238) were convicted of at least one crime; 88% (210) entered a guilty plea and 12% (28) were found guilty at trial. Charges were dismissed—either by the court or by the prosecutor—against 4% (10) of defendants, and 1 defendant was acquitted at trial. The percentage of conviction in 2021 (96%) increased from 2020 (89%).²⁵⁷

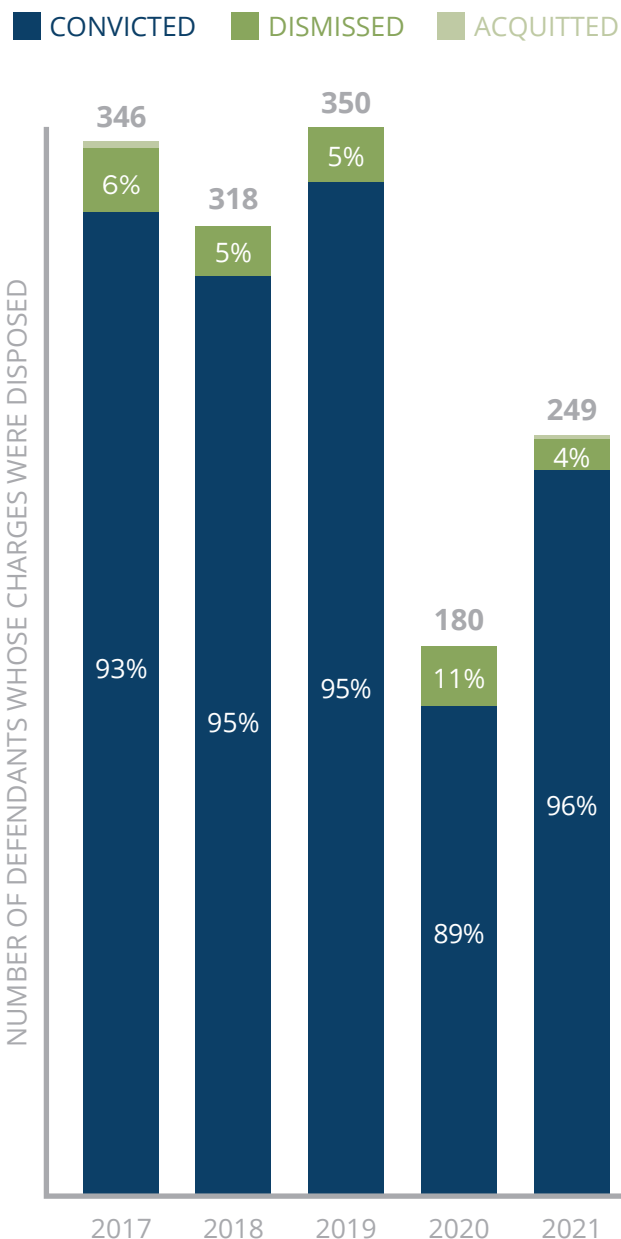
The TVPA allows the federal government to prosecute entity defendants for their facilitation of or financially benefiting from human trafficking. Since the TVPA was enacted in 2000, there have been 10 entity defendants charged for their facilitation of or financial benefiting from human trafficking. Of those 10 entity defendants, 1 remains active, 7 were dismissed, and 2 were found guilty at trial.²⁵⁸ In 2021, Federal Courts charged one (1) entity defendant, but did not convict any entity defendants.

DISPOSITIONS

PLEA OF GUILTY **88%**
 CONVICTED AT TRIAL **12%**
 DISMISSED **4%**
 ACQUITTED **<1%**



5-YEAR CONVICTION RATE



²⁵⁷ Based on 160 defendants convicted of at least one charge out of 180 defendants whose charges were resolved in 2020.

²⁵⁸ Based on 1 entity defendant in 2021, which remains active; 3 in 2010, 1 in 2012, 2 in 2017, and 1 in 2020, all of which were subsequently dismissed; and two entity defendants were charged in 2017 and found guilty in 2020.

CASE HIGHLIGHT

UNITED STATES VS. BHIMANI

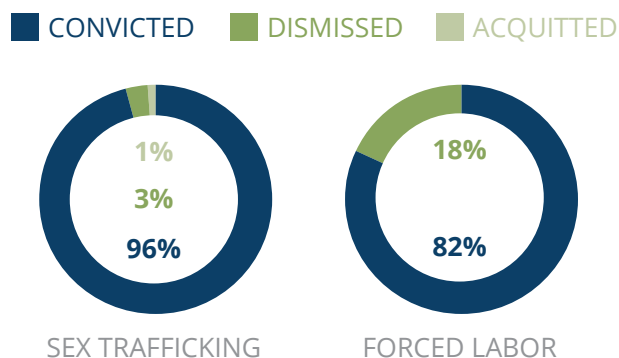
In 2017, the Middle District of Pennsylvania charged an owner and general manager of a group of hotels, where prosecutors alleged the defendants facilitated or benefited from human trafficking. Investigated over several years, the case resulted in the conviction of forty defendants charged in various human trafficking and drug related crimes.²⁵⁹ At trial, 35 witnesses testified to the defendants' knowledge, facilitation, and aid of sex trafficking, which occurred at the hotel the defendants owned and managed.²⁶⁰ Specifically, defendants made rooms available for sex traffickers and drug dealers, and at times took payment for the hotel directly from the proceeds of criminal activity.²⁶¹ One of the defendants traded discounted and free rooms for sex, which traffickers directed their victims to provide.²⁶²

The trial concluded in October 2020, and the jury found one entity defendant guilty of one count of Sex Trafficking (18 U.S.C. § 1591), one count of Conspiracy to Commit Sex Trafficking (18 U.S.C. § 1594(c)), and both defendants guilty of Conduct Related to the Management of a Drug Premise (21 U.S.C. § 856(a)(2)). This is the first instance in Pennsylvania where a human trafficking statute was used to charge and convict an entity for its role in a human trafficking scheme. The defendants were still pending sentencing at the conclusion of 2021. The Report will capture these convictions in 2022, when the final judgments against the defendants are entered.

2.5.1 CONVICTION RATES OF DEFENDANTS

The conviction rate for defendants in human trafficking cases varies based on the type of exploitation charged in the case. Historically, defendants in sex trafficking cases have faced a higher conviction rate than defendants in forced labor cases. The same was true in 2021, when Federal Courts convicted 96% (229)²⁶³ of sex trafficking defendants and 82% (9)²⁶⁴ of forced labor defendants.

CONVICTION RATES IN 2021



²⁵⁹ *Id.*

²⁶⁰ U.S. Dept. of Justice, The United States Attorney's Office, Middle District of Pennsylvania, *Owner and General Manager of Pocono Area Hotels Convicted of Sex and Drug Trafficking in Precedent Setting Case*, Oct. 28, 2020, <https://www.justice.gov/usao-mdpa/pr/owner-and-general-manager-pocono-area-hotels-convicted-sex-and-drug-trafficking>.

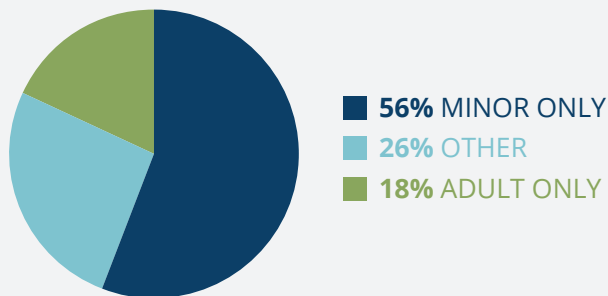
²⁶¹ *Id.*

²⁶² *Id.*

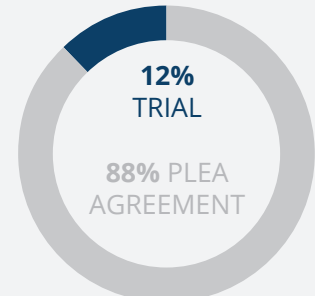
²⁶³ Based on 229 criminal sex trafficking defendants convicted of at least one charge out of 238 whose charges were disposed of in 2021.

²⁶⁴ Based on 9 criminal forced labor defendants convicted of at least one charge out of 11 defendants whose charges were disposed of in 2021.

VICTIMS IN SEX TRAFFICKING CASES WITH CONVICTIONS IN 2021



SEX TRAFFICKING CONVICTIONS IN 2021



SEX TRAFFICKING CONVICTIONS

In 2021, Federal Courts convicted 229 (96%)²⁶⁵ defendants in sex trafficking cases; 88% (202) were convicted by plea agreement and 12% (27) were convicted at trial. The percentage of sex trafficking defendants convicted in 2021 increased from 2020, when Federal Courts convicted 89% of defendants in sex trafficking cases that reached disposition.²⁶⁶ Of the sex trafficking defendants convicted in 2021, 56% (129) were in minor-only sex trafficking cases, 18% (41) were in adult-only sex trafficking cases, and the remaining 26% (59) were in cases with adults and minors, fictitious victims, and cases where no victim was identified in the pleadings.²⁶⁷

As discussed in section 2.1.2 *Proactive Investigations*, law enforcement conduct undercover stings to target “buyers” of commercial sex. Buyers are individuals who facilitate commercial sex with minors, or use force, fraud, or coercion to cause an adult or a minor to engage in commercial sex. In 2021, buyer defendants faced the highest conviction rate of all defendants in sex trafficking cases that reached disposition: 98% (47).²⁶⁸ This is a slightly higher conviction rate than in 2020, when 97% (30) of buyer defendants that reached disposition were convicted.²⁶⁹ Of the buyer defendants convicted in 2021, 30% (14) were convicted for attempting to purchase commercial sex in a sting case where law enforcement officers posed as a fictitious victim.²⁷⁰ The remaining 70% (33) of buyer defendants were convicted for attempting to purchase—or in fact purchasing—commercial sex with an actual victim.²⁷¹

BUYER-DEFENDANTS CONVICTED SINCE 2017



²⁶⁵ Based on 238 criminal sex trafficking defendants whose charges were disposed of in 2021.

²⁶⁶ Based on 151 criminal sex trafficking defendants convicted of at least one charge out of 169 defendants whose charges were disposed of in 2020.

²⁶⁷ Based on 229 defendants convicted of at least one criminal sex trafficking charge in 2021.

²⁶⁸ Based on 47 of 48 buyer defendants convicted in 2021.

²⁶⁹ Based on 30 of 31 buyer defendants convicted in 2020.

²⁷⁰ Based on 47 buyer defendants convicted in 2021.

²⁷¹ Based on 47 buyer defendants convicted in 2021.

FORCED LABOR CONVICTIONS

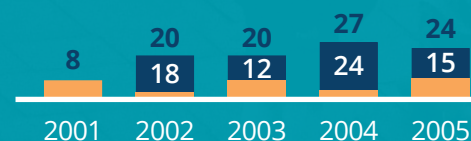
In 2021, Federal Courts disposed of 11 forced labor cases. In those cases, 82% (9) of the defendants charged were convicted and 18% (2) were dismissed; 89% (8) of the defendants were convicted by plea agreement and 11% (1) were convicted at trial. This is consistent with the conviction rate in 2020, which was also (82%) in forced labor cases disposed of in 2020.²⁷²

Historically, the number of forced labor defendants charged is significantly lower than sex trafficking defendants due to the disparity in the number of forced labor cases charged compared to sex trafficking. Consequently, the number of forced labor defendants convicted each year is also significantly lower than the number of sex trafficking defendants who are convicted. In the years since the enactment of the TVPA, forced labor convictions have ranged from two defendants (in 2002) to 34 defendants (in both 2008 and 2010), with an average of 13 defendants convicted in forced labor cases each year.

HUMAN TRAFFICKING CONVICTIONS SINCE THE ENACTMENT OF THE TVPA IN 2000

Since the TVPA's enactment in 2000, a total of 3,399 defendants in human trafficking cases have been convicted in Federal Courts. For the first few years following the TVPA's enactment, there were less than 50 defendants in human trafficking cases convicted each year. Over time, however, the number of human trafficking convictions each year has steadily increased. And, since 2010, at least 100 defendants have been convicted of human trafficking crimes or other criminal conduct in human trafficking cases in the Federal Courts each year. The highest number of defendants convicted in a single year was in 2016, when 375 defendants were convicted in Federal Courts.

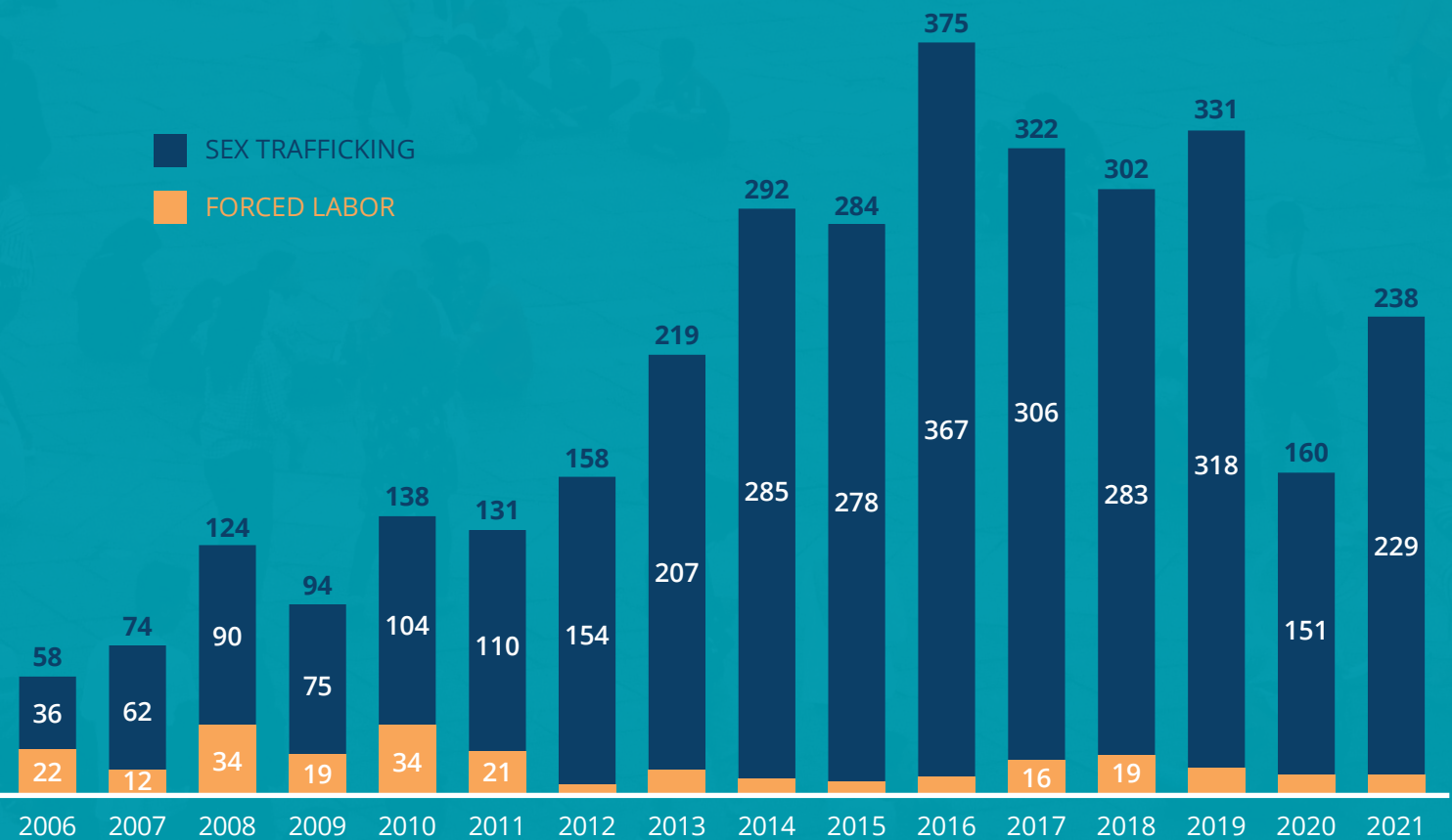
Of the 3,399 defendants convicted since 2000, 92% (3124) were convicted for crimes committed in sex trafficking cases, which is consistent with the overall disparity between the number of sex trafficking and forced labor cases filed. In comparison to sex trafficking convictions, only 8% (275) of the defendants convicted over the past two decades were in forced labor cases.



²⁷² Based on 9 of 11 criminal forced labor convictions in 2020.



NUMBER OF DEFENDANTS CONVICTED FROM 2001 TO 2021

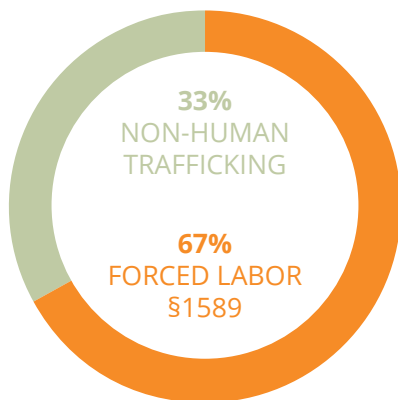




2021 SEX TRAFFICKING CONVICTIONS BY COUNT



2021 FORCED LABOR CONVICTIONS BY COUNT



2.5.2 CONVICTIONS BY COUNT

In 2021, Federal Courts convicted 238 defendants with 466 criminal counts. Of those 238 defendants, 70% (167) were convicted with at least one human trafficking crime. This is a slight increase from 2020, when Federal Courts convicted 69% (111) of defendants with a human trafficking crime.²⁷³ The remaining 30% (71) of defendants convicted in 2021 were convicted of non-human-trafficking crimes only, some of which included convictions for Mann Act offenses, the production, distribution and/or possession of child sexual exploitation material, money laundering, alien harboring, witness tampering, weapons violations, and drug related offenses. A full list of non-human-trafficking counts of conviction can be found in the Appendix on page 130.

SEX TRAFFICKING CONVICTIONS BY COUNT

In 2021, Federal Courts convicted 229 sex trafficking defendants with 364 counts of sex trafficking. This is an increase from 2020 when Federal Courts convicted 160 sex trafficking defendants with 310 counts of sex trafficking. Of the sex trafficking defendants convicted in 2021, 71% (163) were convicted of at least one sex trafficking charge. There were 66 (29%) of sex trafficking defendants convicted only of non-sex trafficking counts. Of the 229 sex trafficking defendants convicted, 217 were originally charged with at least one human trafficking count, and 75% (163) of those were convicted on at least one count of human trafficking.

FORCED LABOR CONVICTIONS BY COUNT

There were 9 defendants convicted in 2021 with 12 counts of forced labor, which is a decrease from 2020, when 9 defendants were convicted of 20 counts of forced labor. Of the 9 forced labor defendants convicted in 2021, 4 (44%) were convicted of at least one forced labor charge.

²⁷³ Based on the 160 criminal defendants found guilty in 2020.

2.6 CRIMINAL SENTENCES

The Trafficking Victim Protection Act (TVPA) provides a statutory framework for determining appropriate and uniform sentences for convicted traffickers. It imposes mandatory minimum prison sentences, requires courts to order victim restitution, and orders sex offender registration for certain offenses. The Sentencing Guidelines also provide a range of sentencing enhancements, which may greatly impact the sentence a federal judge imposes, depending on the specific facts of each case.

2.6.1 IMPRISONMENT

The TVPA creates varying statutory punishments according to the type of exploitation, as well as the age of the victims, in the case. Defendants convicted of sex trafficking under § 1591 are subject to a mandatory minimum sentence of either 10 years or 15 years. A conviction involving sex trafficking of a minor under the age of 14, or the defendant's use of force, fraud, or coercion, is punishable by a mandatory minimum sentence of 15 years' imprisonment.²⁷⁴ A sex trafficking conviction involving a minor victim between the age of 14 and 17, without evidence of force, fraud, or coercion, is punishable by a mandatory sentence of 10 years imprisonment.²⁷⁵ By comparison, forced labor convictions do not carry a statutory mandatory minimum sentence. Instead, § 1589 establishes that a defendant convicted of forced labor under § 1589 is subject to a prison sentence of up to 20 years.

Of the 232 defendants sentenced in 2021, 99% (231) received sentences that included a term of imprisonment, ranging from 6 to 540 months.²⁷⁶ The percentage of sentences including a term of imprisonment was approximately the same in 2020, at 98% (155).²⁷⁷ On average, defendants sentenced in human trafficking cases in 2021 received a term of imprisonment for 160 months (13 years, 4 months), which is the highest average sentence imposed in human trafficking cases since the enactment of the TVPA.²⁷⁸ Defendants sentenced in 2021 who were convicted by entering a plea agreement, received an average sentence of 143 months (11 years, 11 months) in prison, whereas defendants found guilty following trial faced an average of 290 months (24 years, 2 months) imprisonment.



²⁷⁴ 18 U.S.C. § 1591(b)(1).

²⁷⁵ 18 U.S.C. § 1591(b)(2).

²⁷⁶ Though Federal Courts convicted 238 defendants in 2021, sentencing information in this section reflects the 232 defendants whose final judgments were entered by the court in 2021, as defendants may not be convicted and sentenced in the same year.

²⁷⁷ Based on 155 of 156 defendants sentenced to a term of imprisonment in 2020.

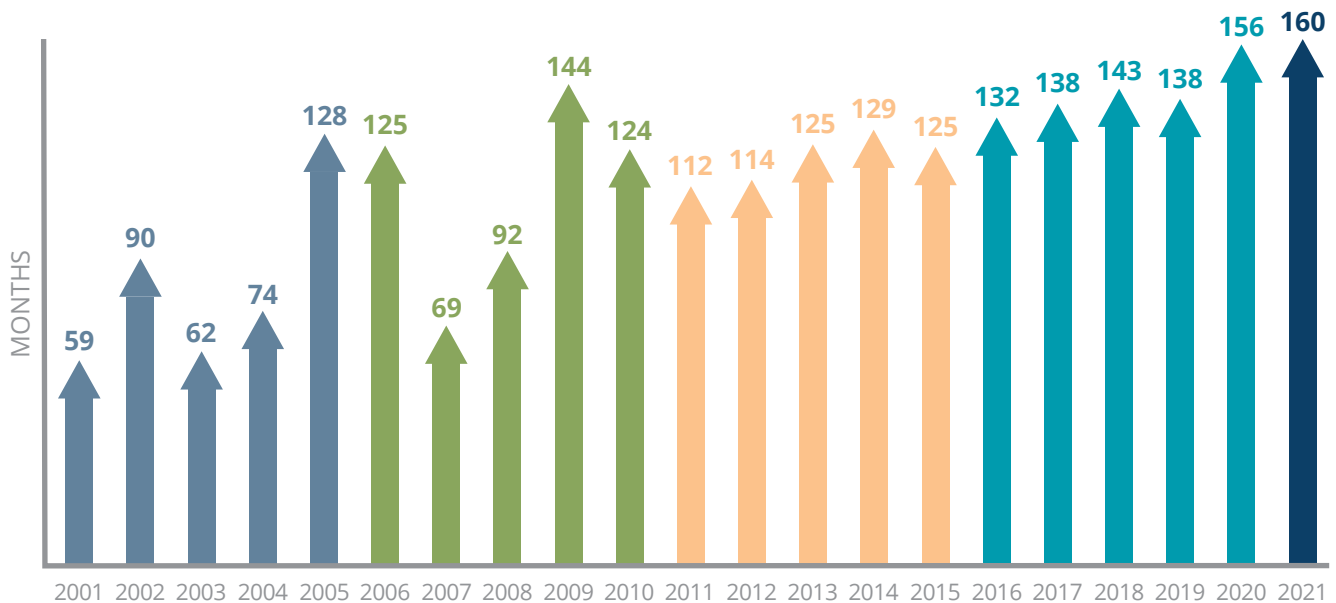
²⁷⁸ When calculating the average sentence in cases, the Report excludes sentences greater than 600 months (50 years).



There were 7 defendants sentenced in 2021 whose sentences did not include a term of imprisonment. Though not sentenced to a term of imprisonment, 6 of these defendants were sentenced to terms of probation and one of the defendants was ordered to pay \$100,000 in restitution. While defendants convicted of human trafficking offenses in the Federal Court System *do not* typically receive probationary or noncustodial sentences, imprisonment is *not* mandatory for some offenses under the sentencing guidelines.²⁷⁹

Since the TVPA's enactment, the severity of sentences imposed in human trafficking cases has steadily increased. For instance, in 2001 the average sentence imposed against a defendant convicted in a trafficking case was 59 months—less than five years. This increased to over 10 years by 2005, when courts sentenced defendants convicted in human trafficking cases to an average sentence of 128 months (10 years, 8 months) in prison.

AVERAGE SENTENCES FOR DEFENDANTS CONVICTED IN CRIMINAL HUMAN TRAFFICKING CASES



²⁷⁹ 97% of defendants convicted in 2021 received a sentence that included a term of imprisonment.

IMPRISONMENT OF DEFENDANTS IN SEX TRAFFICKING

Federal Courts sentenced 222 (97%) sex trafficking defendants in 2021 to a term of imprisonment, ranging from 12 months to life. As prescribed by law, the average imprisonment imposed in sex trafficking cases varied based on the age of the victims exploited by the defendant. In 2021, defendants convicted in *minor-only* sex trafficking cases faced the longest period of imprisonment, an average of 175 months (14 years, 7 months). In 2021, defendants convicted in *adult-only* cases faced an average imprisonment term of 136 months (11 years, 4 months), and defendants convicted in cases with *both* adult and minor victims faced an average imprisonment of 165 months (13 years, 9 months).

Imprisonment for buyer defendants ranged from 18 months (1 year, 6 months) to 444 months (37 years), with an average term of imprisonment of 180 months (15 years). As would be expected, buyer defendants convicted in cases with actual victims faced a longer prison term, on average, than buyer defendants convicted in sting cases with exclusively fictitious victims. Federal Courts sentenced buyer defendants in cases with actual victims to 191 months (15 years, 11 months) in prison, on average. Buyer defendants in cases with only fictitious victims faced a less severe, but still substantial, prison term of 158 months (13 years, 2 months), on average.

AVERAGE TERM OF IMPRISONMENT FOR DEFENDANTS IN NEW 2021 SEX TRAFFICKING CASES



CASE HIGHLIGHT

UNITED STATES VS. MARLIN SANTANA THOMAS

Defendants convicted of sex trafficking of a minor in the Federal Court System, on average, receive a longer term of imprisonment than defendants convicted of sex trafficking of an adult only. But, defendants who are convicted for the trafficking of adults can also receive lengthy terms of imprisonment, including life in prison, when the facts, circumstances, and certain aggravating factors merit such a sentence.

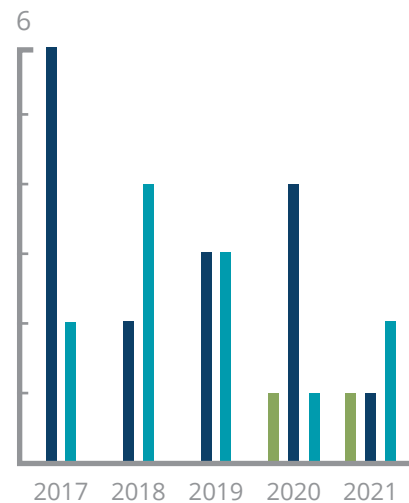
In November 2021, the Southern District of Iowa advocated for and received a life sentence for a career trafficker who was convicted of trafficking six adults and one minor in the Des Moines area over a period of several years.²⁸⁰ In this instance, the defendant used physical violence against all six adults to coerce them into engaging in commercial sex acts, and he assaulted, raped, and stalked individuals who wouldn't comply with his trafficking scheme.²⁸¹ The Defendant recruited women from substance abuse rehabilitation centers, plied them with narcotics, and then coerced them into working in commercial sex.²⁸² He posted online escort advertisements of the individuals and transported them to hotels and motels in Iowa as well as Illinois, Missouri, and North Dakota, keeping the proceeds from the commercial sex acts.²⁸³

At the sentencing hearing, the United States presented victim impact statements on behalf of the six trafficked individuals, recounting the harm and lasting effects of the defendant's crimes.²⁸⁴ When issuing the sentence, the presiding judge characterized the defendant's crimes as depraved, stating that the defendant had treated humans like currency.²⁸⁵

Including victims in advocating for appropriate sentencing is important, not only for punishment and deterrence, but also for creating access to justice for known and unidentified individuals harmed. This prosecutor led and victim-centered approach is essential, as it empowers victims and encourages victim confidence in the justice system.

In 2021, five (2%) defendants convicted of sex trafficking received sentences of life in prison. Two of the defendants were convicted of exploiting exclusively minor victims, one of exploiting exclusively adult victims, and two of exploiting both minor and adult victims. The number of defendants sentenced to life imprisonment in 2021 is slightly lower than 2020, when Federal Courts sentenced six (3%) defendants to life in prison.

LIFE SENTENCES SINCE 2017



²⁸⁰ U.S. Dept. of Justice, The United States Attorney's Office, South District of Iowa, *Des Moines Man Sentenced to Life in Prison for Sex Trafficking*, November 17, 2021, <https://www.justice.gov/usao-sdia/pr/des-moines-man-sentenced-life-prison-sex-trafficking>.

²⁸¹ *Id.*

²⁸² *Id.*

²⁸³ *Id.*

²⁸⁴ *Id.*

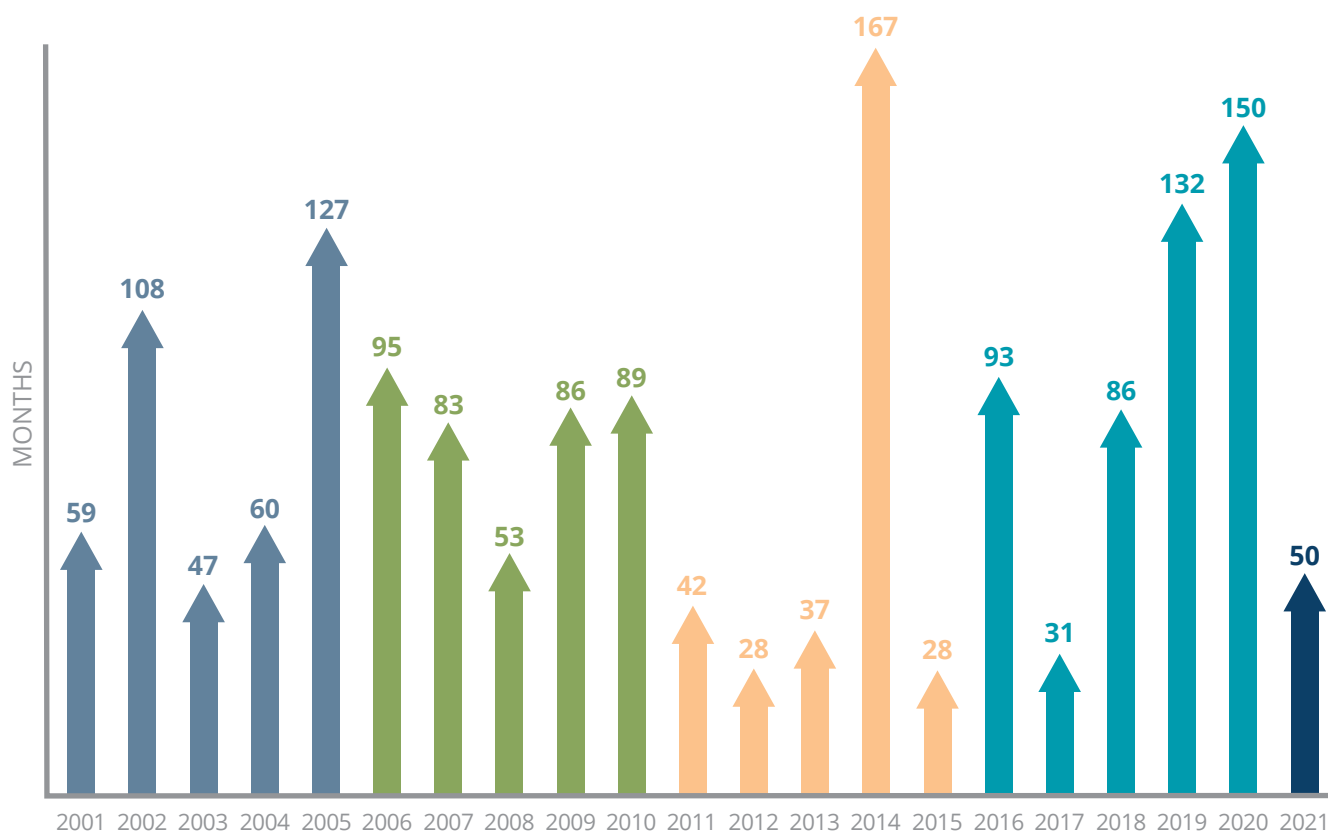
²⁸⁵ *Id.*



IMPRISONMENT OF DEFENDANTS IN FORCED LABOR

In 2021, 100% (9) of the defendants sentenced for convictions of forced labor received a sentence including a term of imprisonment, ranging from 6 to 144 months (12 years).²⁸⁶ The average sentence imposed in 2021 for convictions of forced labor was 50 months (4 years, 2 months), which was 100 months less than the average forced labor sentence in 2020. Since the enactment of the TVPA, average sentences for defendants convicted in forced labor cases have varied greatly, ranging from 28 months (2 years, 4 months) to 167 months (13 years, 11 months).²⁸⁷ The overall average sentence, when considering every forced labor sentence since the TVPA's enactment, is 78 months (6 years, 6 months).

AVERAGE FORCED LABOR SENTENCES SINCE THE TVPA'S ENACTMENT



²⁸⁶ Based on 9 defendants convicted in criminal forced labor cases in 2021.

²⁸⁷ Based on a 28-month average criminal forced labor sentence in 2015, and a 167-month average criminal forced labor sentence in 2014.



2.6.2 MONETARY PENALTIES

In addition to sentencing defendants to a term of imprisonment, defendants convicted in human trafficking cases may be ordered to pay monetary penalties, including fines, restitution, and special assessments.

FINES

In 2021, 9 defendants sentenced in human trafficking cases were ordered to pay a fine. The number of defendants ordered to pay a fine in 2021 decreased from 12 defendants in 2020. Since the TVPA's enactment, the number of defendants ordered to pay a fine has fluctuated greatly, from 1 defendant in 2012 to 36 defendants in 2016, for a total of 235 defendants ordered to pay a fine since 2000.

As in years past, defendants sentenced in forced labor cases are more likely to pay fines than defendants sentenced in sex trafficking cases. Only 4% (8) of the defendants sentenced for sex trafficking were ordered to pay a fine in 2021.²⁸⁸ By comparison, 11% (1) of defendants sentenced for forced labor were ordered to pay a fine.²⁸⁹ Fines ranged from \$1,500 to \$250,000, with the average fine ordered of \$60,944.44. All 9 defendants ordered to pay a fine in 2021 were also sentenced to a term of imprisonment.²⁹⁰ The average term of imprisonment for these defendants was 144 months.²⁹¹

JVTA SPECIAL ASSESSMENT

The 2015 Justice for Victims of Trafficking Act (JVTA) includes a provision that requires courts to order defendants convicted of human trafficking crimes or other offenses related to the sexual abuse of children to pay a \$5,000 special assessment into a "Domestic Trafficking Victim's Fund."²⁹² In addition to providing an exemption for indigent defendants, the statute prioritizes the payment of victim restitution and other outstanding court-ordered fines prior to defendants satisfying the JVTA special assessment.²⁹³

"... defendants sentenced in forced labor cases are more likely to pay fines than defendants sentenced in sex trafficking cases."

²⁸⁸ Based on 223 defendants sentenced for criminal sex trafficking in 2021.

²⁸⁹ Based on 9 defendants sentenced for criminal forced labor in 2021.

²⁹⁰ Based on 9 defendants ordered to pay fines and a term of imprisonment in 2021.

²⁹¹ Based on a total term of imprisonment of 1,297 months for 9 defendants who were also ordered to pay a fine in 2021.

²⁹² The \$5,000 special assessment under 18 U.S.C. § 3014 applies to defendants convicted under Chapter 77.

²⁹³ 18 U.S.C. § 3014(b).



In 2021, 20% (47) of defendants sentenced for human trafficking were ordered to pay the JVTa Special Assessment.²⁹⁴ This is an increase from 2020, when 12% (18) of defendants were ordered to pay the JVTa Special Assessment.²⁹⁵ Over the past four years, the number of defendants ordered to pay the JVTa Special Assessment has fluctuated from 5% in 2018 to 20% in 2021.

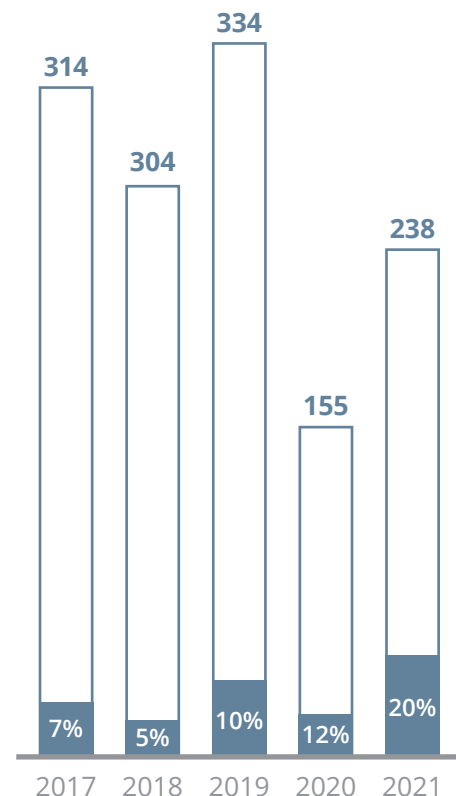
Of the 223 sex trafficking defendants sentenced in 2021, 43 were ordered to pay the JVTa Special Assessment. The court ordered 4 of the 9 defendants sentenced in forced labor cases to pay the JVTa Special Assessment. Of the 47 defendants ordered to pay the JVTa special assessment fee in 2021, 51% (24) were in minor-only cases, 13% (6) were in adult-minor cases, 26% (12) were in adult-only cases, and 11% (5) were in buyer cases with only fictitious victims.²⁹⁶

2.6.3 VICTIM RESTITUTION

The TVPA provides one of the most comprehensive mandatory restitution schemes under federal law, recognizing that restitution is critical to promote rehabilitation, facilitate healing, and restore the dignity of trafficked persons. These calculations can include lost income, medical expenses, counseling services, or other losses suffered as a result of the exploitation.

PERCENTAGE OF SENTENCED DEFENDANTS ORDERED TO PAY JVTa SPECIAL ASSESSMENT

- TOTAL DEFENDANTS
- DEFENDANTS ORDERED TO PAY THE JVTa SPECIAL ASSESSMENT



²⁹⁴ Based on the 238 defendants sentenced in 2021.

²⁹⁵ Based on the 155 defendants sentenced in 2020.

²⁹⁶ Based on 47 defendants ordered to pay pursuant to JVTa in 2021.

The TVPA mandates that federal judges order defendants convicted of a crime under Chapter 77 to pay victim restitution.²⁹⁷ Even when a defendant in a human trafficking case is not convicted of a crime under Chapter 77, a federal judge has the discretion to order the convicted defendant to pay victim restitution. The U.S. Probation Office determines the amount of restitution by calculating financial loss information

with the assistance of agents, prosecutors, and victims before sentencing. Awarding restitution in human trafficking cases is especially important because victims often work without pay for the financial benefit of the trafficker. As a result, victims leave human trafficking situations with few or no resources with which to rebuild their lives, making restitution essential.

CASE HIGHLIGHT

UNITED STATES V. KENA REED

In September 2021, defendant Kena Reed entered a plea of guilty to one count of sex trafficking of a minor and one count of producing child sexual abuse material in the Eastern District of Kentucky. The defendant received a sentence slightly below the recommended guideline range of 292 to 365 months of imprisonment.

The case originated when a local grocery store chain reported over 5,000 prescription pills missing from their in-store pharmacy.²⁹⁸ Local law enforcement traced the missing medication to a pharmacy technician, Jeremy West (co-defendant), who had taken the medication while working in the pharmacy then traded the medication to defendant Reed in exchange for sexually explicit material, including material involving a minor.²⁹⁹ The defendant made appointments via social media with men with whom she was already acquainted. In most cases, the Defendant arranged the commercial sex acts to obtain drugs to feed her addiction.

At sentencing, the court considered the fact that the trafficked minor will live with the consequences of the defendant's conduct, which cannot be easily quantified, for the rest of their life. The court also reasoned that a lengthy sentence is needed to provide just punishment, to promote respect for the law, and deter others that may consider using a vulnerable minor to profit or obtain other items of value. The court found some mitigating factors in that the defendant had no prior history, and acted out of a substance abuse addiction and not an elaborate criminal scheme. The defendant also never advertised the minor using online media sites, but instead made the commercial sex arrangements with acquaintances.

Importantly, in the sentencing memorandum, the government provided a detailed analysis of mandatory restitution under the Trafficking Victims Protection Act, and provided information as to how victim specialists calculated restitution in consultation with the victim, to reach a reasonable amount. The court ordered the suggested amount of restitution, \$5,000. Providing the court with an explanation in the sentencing memorandum of the mandatory requirements of restitution, along with an explanation of how such amounts were calculated, can help better ensure that restitution is addressed as required under the TVPA.

²⁹⁷ 18 U.S.C. § 1593.

²⁹⁸ Jarrid McCormick, *Federal Grand Jury Indicts Pinsonfork Woman on Child Sex Trafficking*, Other Charges, Williamson Daily News, August 12, 2020, <https://www.williamsondailynews.com/news/federal-grand-jury-indicts-p/>.

²⁹⁹ *Id.*

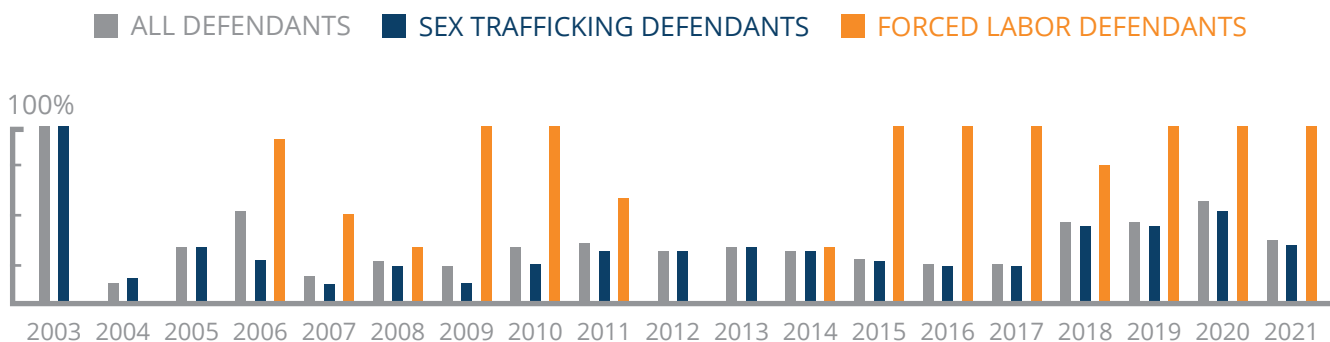


RESTITUTION BY DEFENDANT

In 2021 judgments entered for criminal human trafficking cases, Federal Courts ordered 34% (73) of defendants to pay victim restitution.³⁰⁰ This represents a decrease from 47% (67) of defendants ordered to pay restitution in 2020.³⁰¹ In fact, this is the lowest percentage of defendants ordered to pay victim restitution since 2017, when 21% of convicted defendants were ordered to pay restitution.³⁰² Notably, with the exception of 2001, when 100% (5) of defendants convicted in human trafficking cases were ordered to pay victim restitution, Federal Courts have yet to order more than 47% of convicted defendants to pay victim restitution each year, despite its critical importance to victim rehabilitation.³⁰³ In fact, the percentage of defendants ordered to pay victim restitution each year was below 35% for 17 years of the past two decades.³⁰⁴

Even when restitution should have been mandatory, Federal Courts ordered 37% (52) of the defendants convicted of a Chapter 77 crime in 2021 to pay victim restitution.³⁰⁵

PERCENTAGE OF HUMAN TRAFFICKING DEFENDANTS ORDERED TO PAY MANDATORY RESTITUTION



³⁰⁰ Based on 73 of 216 judgments entered in 2021.

³⁰¹ Based on 67 of 144 judgments entered in 2020.

³⁰² Based on 66 of 310 judgments entered in 2017.

³⁰³ Based on 67 of 144 judgments entered in 2020.

³⁰⁴ Based on victim restitution ordered for 35% or fewer defendants in years 2002, 2004, 2006-2019, and 2021.

³⁰⁵ Based on 52 of 141 defendants convicted of a Chapter 77 offense ordered to pay victim restitution in 2021.



Mandatory restitution is more commonly ordered in forced labor cases than in sex trafficking cases. In 2021, 100% (4) of forced labor defendants to pay mandatory restitution.³⁰⁶ In comparison, defendants were ordered to pay mandatory restitution in only 35% (48) of sex trafficking cases.³⁰⁷ This is consistent with prior years. In fact, Federal Courts have ordered 100% of forced labor defendants to pay mandatory restitution for six of the past seven years.³⁰⁸

RESTITUTION BY CASE

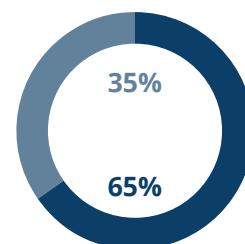
In 2021, restitution for victims was ordered in 60 human trafficking cases, with a total of 201 identified victims. The amount of victim restitution ordered per case ranged from \$150 to \$3,556,941.31, averaging \$298,869.52 per human trafficking case. The average amount of restitution per case in 2021 was slightly higher than 2020, when the average amount of restitution per case was \$263,221.66.

While restitution is more commonly ordered in forced labor cases than sex trafficking cases, the average amount of restitution per case is higher in sex trafficking cases than forced labor cases. In judgments entered in 2021, victim restitution in sex trafficking cases ranged from \$150 to \$3,556,941.31, with an average restitution amount of \$294,947.72 per case. In judgments for forced labor, victim restitution ranged from \$31,000 to \$1,155,776.57, with an average restitution amount of \$334,165.76.

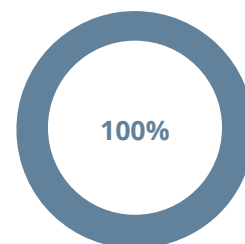
A total of \$17,932,171.31 in victim restitution was ordered in 2021. This is higher than the \$13,950,747.98 total victim restitution ordered in 2020.

MANDATORY RESTITUTION BY PRIMARY CASE TYPE IN 2021

- ORDERED TO PAY RESTITUTION
- NOT ORDERED TO PAY RESTITUTION



SEX TRAFFICKING CASES



FORCED LABOR CASES

³⁰⁶ Based on 4 of 4 criminal forced labor defendants ordered to pay mandatory victim restitution in 2021.

³⁰⁷ Based on 48 of 137 criminal sex trafficking defendants ordered to pay mandatory victim restitution in 2021.

³⁰⁸ Based on 100% of criminal forced labor defendants ordered to pay mandatory victim restitution in 2015-2017 and 2019-2021.

2.7 CRIMINAL APPEALS

Federal law allows parties to a criminal prosecution to appeal the trial court's decision to an appellate court. Upon conviction at the trial court level, a defendant may file a notice of appeal to proceed with appealing the conviction or sentence to a federal appellate court. To appeal, the defendant must file a notice of appeal with a federal appellate court, generally within 14 days after the trial court's entry of judgment or order being appealed.³⁰⁹

2.7.1 NEW APPEALS

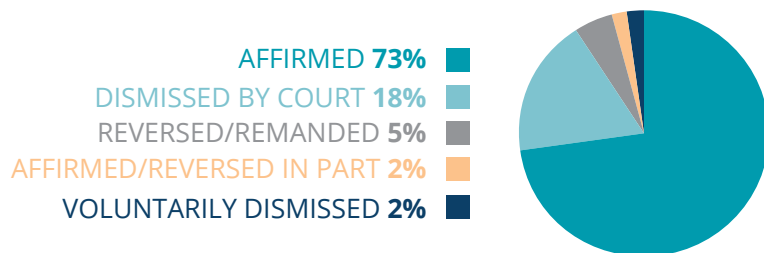
In 2021, there were 68 notices of appeal filed by 67 defendants. Of the 68 notices of appeal filed, 66 were filed in convictions for sex trafficking, and 2 were filed in convictions for forced labor. The largest number of appeals were filed in the Seventh Circuit Court of Appeals, which covers Federal Districts in Illinois, Indiana, and Wisconsin, where 13 defendants filed a notice of appeal.

APPELLATE COURT RESOLUTIONS

In 2021, the appellate courts disposed of 227 appeals from defendants convicted in human trafficking cases, 95% (216) in criminal sex trafficking cases and 5% (11) in criminal forced labor cases.

In 73% (40) of appeals disposed of in 2021, the appellate court affirmed the conviction or sentence imposed by the trial court.³¹⁰ Appellate courts reversed and remanded the lower court's decision in only 5% (3) of the appeals; 2% (1) of the appeals were affirmed in part and reversed in part, meaning the appellate court agreed with the lower court's decision on some issues, but disagreed with it on others. The remaining 20% (11) of the appeals were dismissed, 18% (10) by the appellate court and 2% (1) voluntarily by the defendant.

2021 APPELLATE COURT DECISIONS IN HUMAN TRAFFICKING CASES



"The amount of victim restitution ordered per case ranged from \$150 to \$3,106,000.00."



³⁰⁹ Federal Rule of Appellate Procedure 4(b)(1)(A)(i).

³¹⁰ Based on 55 Circuit Court Decisions in 2021.

2.7.2 SUPREME COURT APPEALS

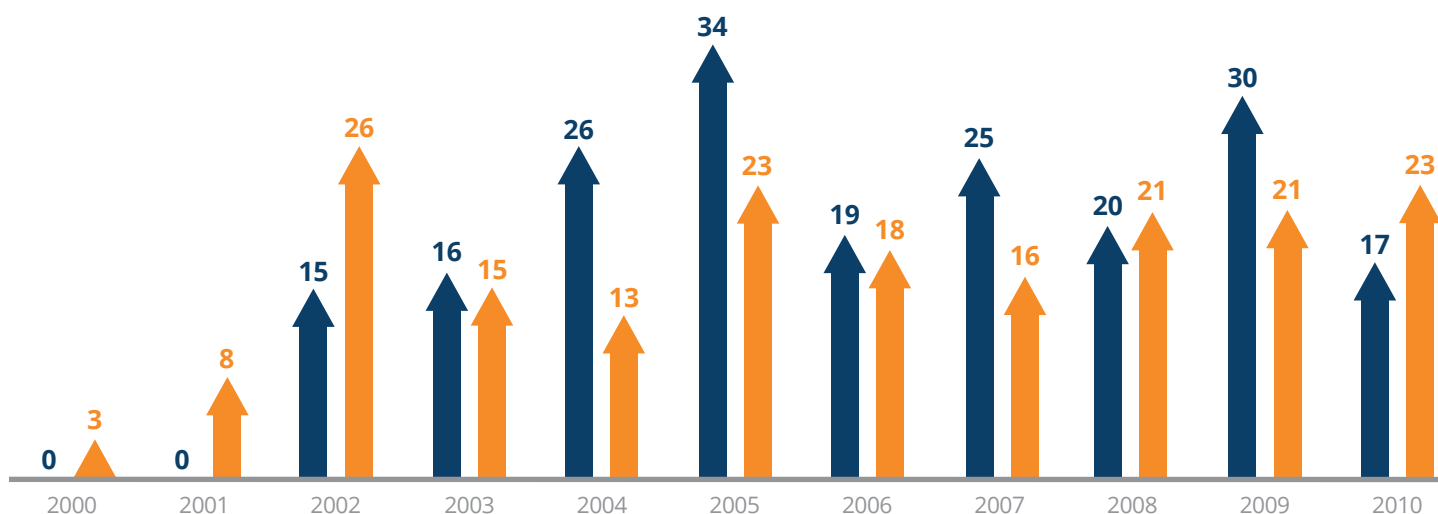
After a defendant has exhausted his appeal at the circuit appellate court level, they may petition the U.S. Supreme Court to hear their case. Review by the Supreme Court is not a matter of right, however, but of judicial discretion. Thus, the defendant must file a “writ of certiorari,” asking the Supreme Court to hear their case on appeal. The Supreme Court grants certiorari only for cases with compelling reasons, including cases that could have national significance, cases that may resolve conflicting decisions across federal circuits, and or cases that could have precedential value.

In 2021, 17 defendants in human trafficking cases filed writs of certiorari in the Supreme Court, asking the Supreme Court to consider and overturn the appellate court’s decision. The Supreme Court denied certiorari—meaning the Supreme Court declined to hear their appeal—for 76% (13) of these defendants in 2021. There were 3 cases filed prior to 2021, of which the court declined to hear the appeal, for a total of 16 (94%) writs of certiorari denied in 2021. No writs of certiorari were granted in 2021, but one writ filed in 2021 is still pending.

2.8 LENGTH OF DISPOSITION FOR CRIMINAL DEFENDANTS

Due to the often complex nature of human trafficking prosecutions, it may take several years before a case reaches disposition in the Federal Court System. In 2021, it took an average of 33 months for a human trafficking case to reach disposition. This is the second-longest length of time for disposition since the enactment of the TVPA. In 2020, the length of time for a case to reach disposition was 38 months.

Since the TVPA was enacted, the average length of time for disposition of each defendant’s charges was 25 months. For the past five years, it has taken an average of 29 months to dispose of charges against defendants in human trafficking cases.³¹¹

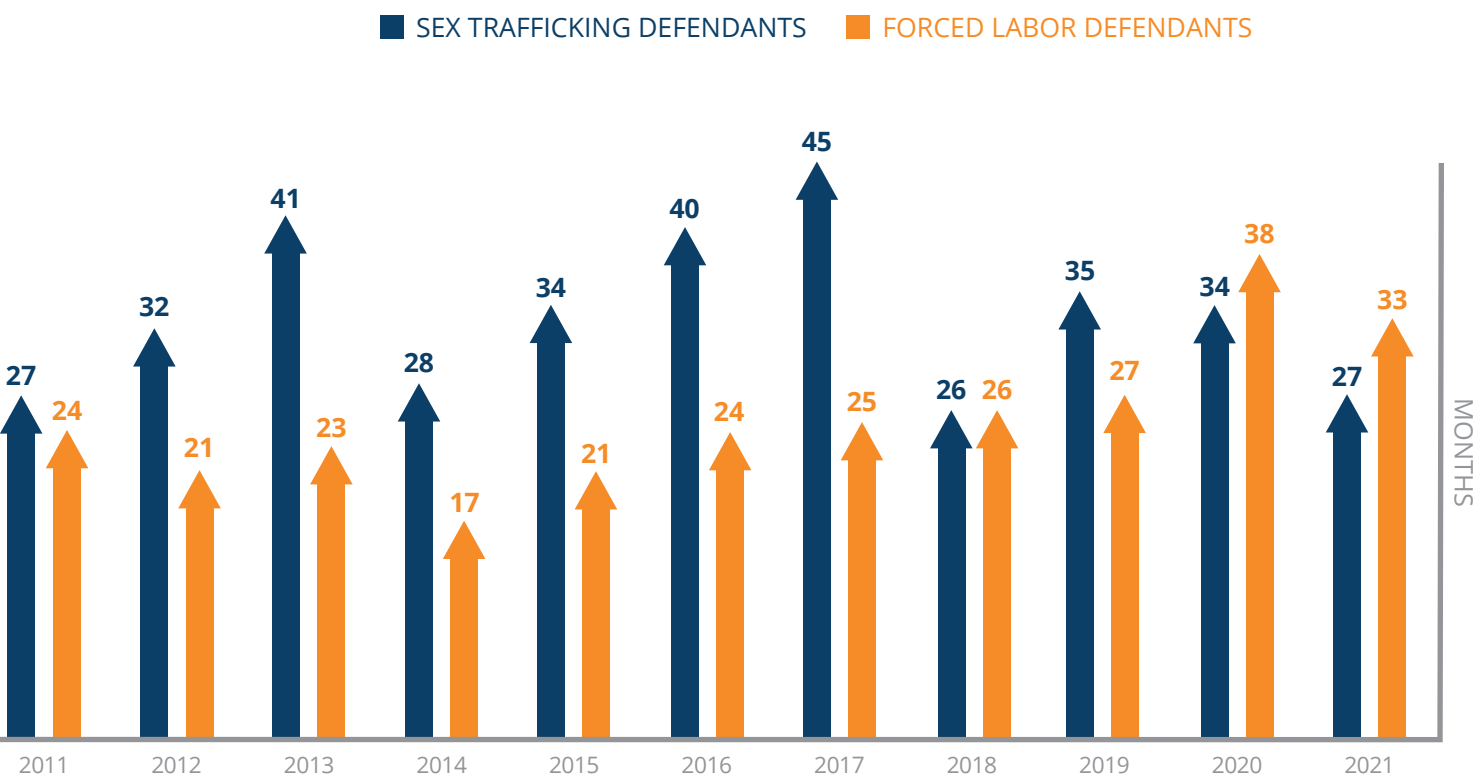


³¹¹ Based on all disposition lengths from 2017-2021.

The length of resolution for human trafficking defendants varied based on how the defendant's charges were disposed. The shortest amount of time that it took to resolve a defendant's charges in 2021 was two months and the longest time was 113 months.³¹² As expected, defendants who entered into a plea agreement had their charges disposed of more quickly than defendants who went to trial. In 2021, Federal Courts took an average of 30 months to dispose of charges against defendants who pleaded guilty. In comparison, defendants found guilty following trial saw their charges disposed of in 52 months, on average.

The length of disposition for defendants in human trafficking cases also varied based on the type of trafficking in the case. Although historically, it has taken Federal Courts longer to dispose of charges against forced labor defendants than sex trafficking defendants, this was not true in 2021, when the average length of disposition for sex trafficking defendants was six months longer than forced labor defendants.³¹³ In 2021, defendants charged with forced labor reached disposition in an average of 27 months. In comparison, defendants charged with sex trafficking reached disposition in an average of 33 months.

AVERAGE LENGTH OF DISPOSITION FOR DEFENDANTS BY PRIMARY CASE TYPE



³¹² In 2021, the Northern District of Texas dismissed charges against one defendant from a criminal sex trafficking case filed in 2020. In 2021, the Second Circuit Court of Appeals affirmed an appeal filed by one defendant from a sex trafficking case originally filed in the Western District of New York in 2012.

³¹³ Since the TVPA's enactment, the average length of resolution for defendants in criminal forced labor cases exceeded the average length of resolution for defendants in criminal sex trafficking cases in every year except 2008, 2010, 2018, 2020, and 2021. In 2021, the average length of resolution for a criminal sex trafficking defendant was 33 months, compared to 27 months for criminal forced labor defendants.



Section 3:

DATA IN UGANDA AND BELIZE



Section 3:

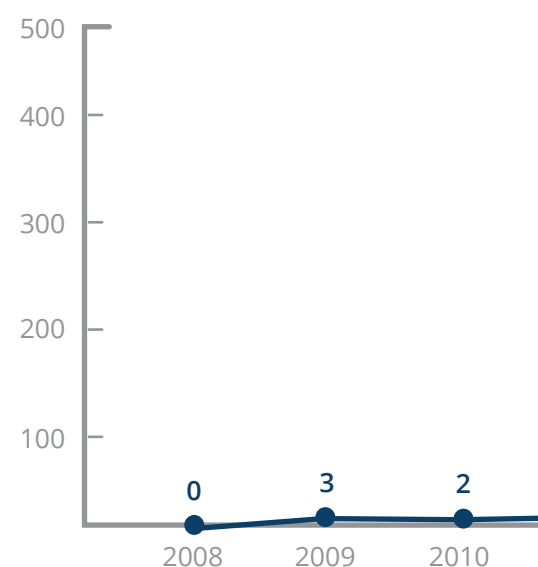
DATA IN UGANDA AND BELIZE

UGANDA

Since 2017, the Human Trafficking Institute (HTI) has worked closely with Uganda as a partner country to build specialized anti-trafficking teams of investigators, prosecutors, and victim specialists, as well as to host specialized training to improve investigative and prosecutorial techniques that are victim-centered. In 2019, prosecutor Tyler Dunman joined the Office of the Director of Public Prosecutions, through a memorandum of understanding, to serve as a subject-matter expert embed for Trafficking in Persons (TIP) investigations and prosecutions. Since the 2017 implementation of targeted training and an embedded expert, Uganda has seen tremendous success across the country in investigating and prosecuting TIP cases by utilizing a collaborative approach between prosecutors, investigators, and service providers.

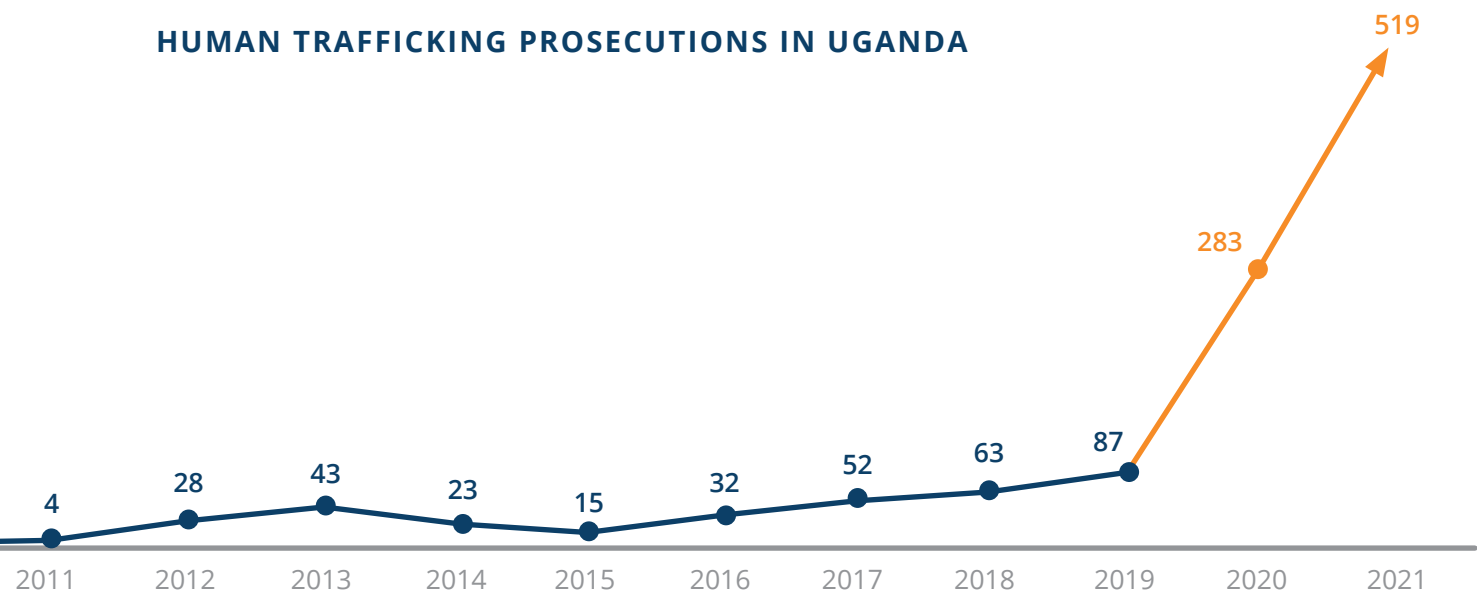
To increase the impact made in combating human trafficking in Uganda, HTI sought a means through which data could be collected and analyzed to help shape best practices in Uganda's anti-trafficking efforts. In 2021, HTI partnered with a fellow anti-trafficking NGO to develop the **Trafficking in Persons Mobile App Platform (TIPMAP)**, Uganda's first database designed to collect and share data about human trafficking investigations and prosecutions.

TIPMAP allows investigators and prosecutors to input human trafficking case information directly from their mobile devices, from which specific data points can then be extracted, organized, and analyzed to help shape best practices in combatting human trafficking in Uganda. TIPMAP's release is a significant step towards using data-driven solutions to combat human trafficking in Uganda. With continued success, the data provided through TIPMAP may be utilized to help identify key findings and emerging trends in human trafficking cases throughout all of Uganda, much like the Federal Human Trafficking Report does for cases filed in the United States Federal Court System.





HUMAN TRAFFICKING PROSECUTIONS IN UGANDA







BELIZE

In 2018, HTI entered into a memorandum of understanding with the Belize Police Department to form a specialized anti-trafficking unit dedicated solely to investigating human trafficking cases and identifying victims of human trafficking. This agreement helped strengthen the relationship HTI previously established with Belize as a partner country in 2017. Since then, HTI has partnered with various agencies within Belize to ensure investigators, prosecutors, judicial officials, and social service workers are prepared to move human trafficking cases through the court system in an efficient manner. In 2021, Belize brought two cases to trial. One resulted in the first ever conviction under the Commercial Sexual Exploitation of Children (CSEC). Another trafficker who had been convicted in 2020 was sentenced in absentia in 2021.

In January 2021, HTI welcomed Chris Lick who currently serves as a subject-matter embedded expert with the Anti-Trafficking In Persons Unit within the Belize Police Department. HTI continues to conduct large scale targeted training in identifying and investigating human trafficking across the country, engaging audiences of law enforcement, frontline workers, prosecutors, and members of the judiciary. With increased awareness and training, HTI anticipates seeing a measurable increase in the number of investigations initiated and prosecuted in Belize in the future.

"With increased awareness and training, HTI anticipates seeing a measurable increase in the number of investigations initiated and prosecuted in Belize in the future."



METHODOLOGY *and* TERMINOLOGY



METHODOLOGY

SCOPE OF THE 2021 FEDERAL HUMAN TRAFFICKING REPORT

The 2021 Federal Human Trafficking Report provides an exhaustive overview of human trafficking cases within the jurisdiction of the United States Federal Courts in 2021. The Report identifies and analyzes multiple data points for new criminal cases filed in 2021. The Report also provides some data points for new cases filed in 2020, 2019, 2018, and 2017 to provide for year-over-year comparison and analysis.

The Report includes all federal cases involving a human trafficking offense under Chapter 77 of the U.S. Penal Code. Many human trafficking cases present legal and evidentiary challenges that make proving the elements of Chapter 77 crimes beyond a reasonable doubt challenging. For this reason, if a case contains substantial evidence of coercion, commercial sex with a minor, or an identified victim of trafficking, such cases are included in the Report to accurately capture all federal efforts to hold defendants accountable for trafficking conduct. Under some circumstances, a defendant may be charged with both Chapter 77 crimes and one or more Mann Act offenses.

The Report **does not** represent the total number of human trafficking cases in the United States; rather, it includes only the cases charged in Federal Courts. Human trafficking cases charged only in the jurisdiction of state courts are not included. Some federal cases may originate from state investigations or prosecutions, but only cases charged in the Federal Courts are included in this report.

While the Trafficking Victims Protection Reauthorization Act of 2003 (“TVPRA”) grants trafficking victims a civil cause of action allowing them to recover civil damages against their traffickers, the primary focus of the Report is the criminal prosecution of human trafficking cases in Federal Courts.¹ The Report identifies civil cases where a plaintiff alleged at least one offense within Chapter 77 against at least one defendant in the suit. Defendants in civil suits can be individual traffickers or entities involved in the trafficking scheme. The Report does not identify which criminal cases also have a civil cause of action filed against the criminal defendant. For detailed information regarding civil causes of action under the TVPA, readers are encouraged to seek information from the Human Trafficking Legal Center (HTLC) which provides an exhaustive review of civil causes of action filed in the Federal Courts System.

LIMITATIONS OF THE 2021 FEDERAL HUMAN TRAFFICKING REPORT

The 2021 Report conveys fact patterns and trends identified in human trafficking cases prosecuted at the federal level but **does not** present data on the prevalence of human trafficking within the United States. While the 2021 Report provides a snapshot of how traffickers operate domestically, the findings and trends throughout the Report are derived only from criminal cases filed in Federal Courts. The 2021 Report does not capture data on criminal or civil human trafficking cases handled in state court, nor does it include data on human trafficking investigations that do not result in prosecution.

Accordingly, the data is not intended—and should not be used—to convey a complete picture of the scope of human trafficking in the United States.

¹ 18 U.S. Code § 1595

For example, the 2021 Report found that 92% of new federal human trafficking prosecutions filed in 2021 were sex trafficking cases.² This percentage is a reflection of the cases filed in Federal Courts—not an indication that 92% of human trafficking conduct in the United States involves commercial sexual exploitation.³

Every year, HTI continues to expand the scope of data included in the Report. In doing so, the 2021 Report captures additional new data points for each federal human trafficking case filed between 2017 and 2021. Where available in public sources, the following new data points are included in the 2021 Report:

- Task force involvement in criminal cases;
- Task force name, where known;
- The location a victim was recruited;
- The individual who recruited a victim;
- Whether a victim was promised certain material possessions as part of the recruitment process;
- Type of material possession promised, where known;
- Whether a victim was promised certain essential resources as part of the recruitment process;
- Whether a victim was offered a ride as part of the recruitment process;
- Whether a victim was particularly vulnerable due to poverty or financial insecurity;
- Expanded the type of relationship defendants had with victims pre-trafficking;
- Expanded the manner by which a human trafficking case was referred to law enforcement;
- Expanded the types of investigating agencies;
- Types of assets seized as part of criminal judgment.

IDENTIFICATION OF FEDERAL HUMAN TRAFFICKING CASES

To publish the 2021 Report, HTI compiled an exhaustive list of human trafficking cases filed in Federal Court by conducting extensive searches of the federal government's Public Access to Court Electronic Records (PACER), Westlaw, Bloomberg, and by reviewing press releases published by the federal government. In addition, HTI provided a list of identified human trafficking cases to the United States Attorney's Office ("USAO") in each district to verify already identified cases and to allow the USAO to identify any additional human trafficking cases not already identified by HTI's identification process.

PACER

Using the federal government's Public Access to Court Electronic Records (PACER), HTI searched the individual pages of the 93⁴ Federal Districts to identify cases involving Chapter 77 and Mann Act offenses related to human trafficking. In determining whether to include a case charged exclusively under the Mann Act, HTI considered whether the government, based on the facts alleged in pleadings and other publicly available sources, *could* ultimately have charged the defendant with a Chapter 77 offense. Thus, cases charged under the Mann Act without accompanying Chapter 77 offenses are included if sources indicated that the defendant compelled an adult victim to engage in commercial sex through force, fraud, or coercion. Similarly, HTI included Mann Act cases involving minor victims where evidence indicated a commercial exchange for sexual conduct took place. Finally, HTI also included cases charged exclusively under the Mann Act if federal prosecutors confirmed an identified victim of trafficking in the case.

² Based on 140 new criminal human trafficking cases filed in 2021.

³ Based on 140 new criminal human trafficking cases filed in 2021.

⁴ Although there are 94 Federal Districts, it is not currently possible to search PACER for human trafficking prosecutions filed in the Northern District of Georgia. Accordingly, HTI contacts the Clerk of Court in the Northern District of Georgia to identify human trafficking prosecutions filed in its district each year.

PRESS RELEASES

HTI also identified federal human trafficking prosecutions by reviewing government press releases and news stories, including those published by each of the 94 United States Attorney's Offices, as well as the following federal agencies:

- Department of Justice, Criminal Division, Child Exploitation and Obscenity Section;
- Department of Justice, Civil Rights Division, Criminal Section, Human Trafficking Prosecution Unit;
- Department of Justice, Federal Bureau of Investigation;
- Department of Homeland Security, Homeland Security Investigations;
- Department of Labor, Bureau of International Labor Affairs.
- Department of State, Bureau of Diplomatic Security

HTI searched for and reviewed any government press releases and news stories that referenced the indictment, arrest, trial, or sentencing of a defendant involved in a human trafficking case. In addition to identifying cases expressly labeled by the federal government as human trafficking, the 2021 Report identified cases through press releases that discussed coerced labor, commercial sex, or transportation of a child for commercial sex. HTI identified <1% (1)⁵ of the new 2021 human trafficking prosecutions through its review of government press releases and news stories.

WESTLAW & BLOOMBERG

HTI also conducted extensive searches on Westlaw and Bloomberg to identify additional federal human trafficking prosecutions or civil human trafficking suits that were not identified on PACER or in government press releases. Specifically, HTI searched Westlaw

and Bloomberg for any court documents, filings, decisions, or appeals involving human trafficking. HTI identified 14% (12) of new 2021 human trafficking cases on Westlaw, all of which were civil cases.⁶ Further, HTI identified 55% (46) of the civil human trafficking suits filed in 2021 on Bloomberg.⁷

U.S. DEPARTMENT OF JUSTICE & U.S. ATTORNEY'S OFFICES

To confirm the accuracy and completeness of the list of new federal human trafficking cases that HTI identified in 2021, HTI provided the list to the Department of Justice's Human Trafficking Prosecution Unit in the Criminal Section of the Civil Rights Division and to the Child Exploitation and Obscenity Section in the Criminal Division. In addition, HTI mailed physical letters to the 94 United States Attorney's Offices, with a list of all the new human trafficking cases filed in their district in 2021. HTI identified 6% (9) of new 2021 criminal human trafficking cases through consultation with federal prosecutors, all of which involved charges under Chapter 77.⁸

HUMAN TRAFFICKING LEGAL CENTER

To ensure an exhaustive list of new civil human trafficking cases, HTI also reviewed the Human Trafficking Legal Center's (HTLC) civil case database. HTI identified 29% (24) of civil human trafficking suits filed in 2021 through HTLC's civil case database.⁹

LATE CASE ADDITIONS

In an effort to provide the most accurate, up-to-date information, HTI engages in an extensive search process each year with the goal of identifying and reporting on every human trafficking case filed in federal court. However, for many reasons,

⁵ Based on 140 new criminal human trafficking cases filed in 2021.

⁶ Based on 83 new civil human trafficking cases filed in 2021.

⁷ Based on 83 new civil human trafficking cases filed in 2021.

⁸ Based on 140 new criminal human trafficking cases filed in 2021.

⁹ Based on 83 new civil human trafficking cases filed in 2021.

additional human trafficking cases may be added to HTI's database after the year in which the case was filed. This includes cases where court filings were initially sealed, preventing the case from appearing in HTI's search results, as well as cases where the government or a plaintiff filed a superseding charging instrument or amended complaint alleging a Chapter 77 offense that was not alleged at the time the case was originally filed. Further, criminal cases filed by complaint may not appear in HTI's search results until a defendant is indicted. Thus, if the government charged a defendant by complaint in 2020, but did not indict the defendant until 2021, the case would not be added to HTI's database until 2021, unless a federal prosecutor specifically identified the case to HTI in 2020.

Human trafficking cases charged outside of Chapter 77 are also sometimes added in subsequent years because of identification by the United States Attorney's Office after the conclusion of HTI's inclusion deadline, or they were identified after new court filings clarified a case qualified for entry. Further, there is sometimes a delay between the time a case is filed in Federal Court and the time a case is added to legal databases, such as Westlaw and Bloomberg. For these reasons, case data captured in each annual FRTR is likely to fluctuate year to year.

COLLECTION OF HUMAN TRAFFICKING CASE DATA

In 2021, HTI employed a team of 4 attorneys and 4 law students to review the public court documents, press releases, and news stories about each of the federal human trafficking cases identified. HTI analyzed the following public court documents, where available, to identify key data points about each human trafficking case: charging instruments, including indictments, complaints, and informations; key motions and briefs; plea agreements; verdict forms; sentencing memoranda; judgments; restitution orders; forfeiture orders; and appellate filings and decisions. HTI sought information including data about the human trafficking scheme, defendants, charges, victims, and

appeals. HTI did not review transcripts from court hearings or trials in each case. HTI entered the human trafficking case data into a Salesforce database designed expressly for the annual publication of the Report. Each data point, when available, was inputted for all new cases filed in 2021, and updated for all active cases filed prior to 2021.

HUMAN TRAFFICKING CASES

A human trafficking case within the 2021 Report may include a single defendant or multiple related defendants (co-defendants) whom the government charged with trafficking one or more victims. Where the facts indicated that multiple defendants were related through an exploited victim or a common plan or trafficking scheme, HTI captured all the defendants within one case on the database, even when the government may have charged the defendants in separate charging instruments or under separate case numbers. For example, if the government charged two defendants for recruiting and facilitating the trafficking of a minor victim within one case number and subsequently charged a buyer defendant for purchasing a commercial sex act from the same minor victim within another case number, the Report captured all three defendants within one human trafficking case so long as the facts indicated that the defendants were all involved in the same trafficking scheme. Where two related defendants are charged in separate case numbers, but one defendant is charged after the other defendant's charges have been disposed of, the Report did not merge the defendants into one human trafficking case. Even though the defendants were related through a common human trafficking scheme, they were instead captured as two separate human trafficking cases within the Report.

CIVIL & CRIMINAL CASES

The Report classified every case as criminal or civil. Cases are criminal if the government charged a defendant with a federal crime by filing a complaint, information, or indictment. Cases are civil if a plaintiff filed a complaint in Federal Court against an individual or corporate respondent.



NEW, ACTIVE & INACTIVE CASES

In criminal cases, a case is categorized as new according to the year in which the government charged the first defendant in the case by complaint, indictment, or information. The 2021 Report considered a human trafficking case to be *new* if the case was filed in Federal Court between January 1, 2021, and December 31, 2021. The Report considered a criminal case to be active in 2021 if the government filed charges in Federal Court and at least one defendant in the case was awaiting trial or sentencing, or if at least one defendant had time remaining in the cause of action to file a direct appeal. The Report classified a criminal case as inactive where there were no charges against any defendant left to be disposed of, and when the time for all defendants to directly appeal the final judgment had expired.

The Report relied on Rules 4 and 26 of the Federal Rules of Appellate Procedure (FRAP) to calculate the date that a defendant's time to file a notice of direct appeal expired. In a criminal case, under FRAP 4(b), "a defendant's notice of appeal must be filed in the district court within 14 days after the later of: (i) the entry of either the judgment or the order being appealed; or (ii) the filing of the government's notice of appeal." For criminal cases where the defendant did not appeal the district court's final judgment and did not file any subsequent motions upon which the district court must rule, the *inactive* date was 14 days beyond the judgment date.

In criminal cases where one or more defendants appealed the district court's judgment, and the appellate court issued its decision on appeal, the case became *inactive* when the defendant's time to appeal the appellate court's decision to the Supreme Court expired. Rule 13 of the Rules of the Supreme Court of the United States provides that "a petition for a writ of certiorari to review a judgment in any case, civil or criminal, entered by . . . a United States court of appeals . . . is timely when it is filed with the Clerk of [the Supreme] Court within 90 days after entry of judgment." The Supreme Court may extend a party's time for filing a writ of certiorari upon a showing of good cause, for a period not exceeding 60 days, provided the

extension is requested at least ten full days before the petition is otherwise due. For a criminal case where 90 days have passed since the appellate court rendered its decision and no additional entries have been added to the appellate docket, it is deemed inactive upon the date that the time to file the petition for certiorari expired.

In criminal human trafficking cases, once there are no pending charges against any defendant and the time for all defendants to appeal the final judgment or order of the court has expired, the case is inactive. Subsequent motions for post-conviction relief, such as a motion challenging the defendant's conviction or sentence under 28 U.S.C. § 2255, or the filing of a habeas corpus petition under 28 U.S.C. § 2241, do not render the case active. Furthermore, clerical activity on the docket following the expiration of the defendant's time to file a direct appeal, including the payment of a fine or restitution or a request for modification of a supervised term of release, does not reactivate an inactive case.

In civil suits, a case is categorized as new according to the year the plaintiff files the first complaint with allegations of human trafficking. The Report considered a civil case to be active if a plaintiff had filed a complaint in Federal Court and at least one defendant was awaiting a final judgment or had time to file a direct appeal. If a case was removed from state court to Federal Court, the active date is marked as the date the case was removed to Federal Court, not the date the case was filed in state court.

The Report relied on Rules 4 and 26 of the Federal Rules of Appellate Procedure (FRAP) to calculate the date a defendant's time to file a notice of direct appeal expired. Under FRAP 4(a), a defendant's notice of appeal generally "must be filed with the district court within 30 days after entry of the judgment or order appealed from." A number of timing extensions are provided in civil cases where the United States is a party to the case, where one of several motions is filed, or where the appeal is filed by an inmate confined in an institution. These timing exemptions were taken into consideration

when calculating a case's inactive date for purposes of the Report. For a civil case where the defendant did not appeal the district court's final judgment and did not file any subsequent motions upon which the district court must rule, the inactive date is marked 30 days beyond the judgment date.

The Report classified a civil case as inactive where there were no claims against any defendant left to be disposed of, and when the time for all defendants to directly appeal the final judgment or order of the court expired. For a civil case where one or more defendants appealed the district court's judgment, and the appellate court issued its decision on appeal, the case became inactive when the defendant's time to appeal the appellate court's decision to the Supreme Court expired. Rule 13 of the Rules of the Supreme Court of the United States provides that "a petition for a writ of certiorari to review a judgment in any case, civil or criminal, entered by . . . a United States court of appeals . . . is timely when it is filed with the Clerk of [the Supreme] Court within 90 days after entry of judgment." The Supreme Court may extend a party's time for filing a writ of certiorari upon showing of good cause, for a period not exceeding 60 days, provided the extension is requested at least ten full days before the petition is otherwise due.

For the purposes of the Report, in civil human trafficking cases, once there were no pending claims against any defendant to be disposed and after the time for all defendants to appeal the final judgment or order of the court expired, the case became inactive. Accordingly, where 90 days had passed since the appellate court rendered its decision and no additional entries were added to the appellate docket, the case was deemed inactive upon the date the time to file the petition for certiorari expired. If a plaintiff filed a complaint with a cause of action under Chapter 77 and subsequently removed the Chapter 77 claim in an amended complaint, the Report included the civil human trafficking suit, but marked it as inactive on the date that the amended complaint was filed. The case was then coded as being voluntarily dismissed by the plaintiff.

PRIMARY CASE TYPE: SEX TRAFFICKING & FORCED LABOR

The Report classified every case as either a sex trafficking case or forced labor case by thoroughly reviewing the facts included in pleadings, public sources, news stories, and press releases. If the facts indicated the defendants compelled or coerced the victims to provide labor or services, the case was classified as forced labor. Conversely, if the facts indicated the defendants compelled or coerced the victims to engage in a commercial sex act, the case was classified as sex trafficking. Attempt and conspiracy cases were included in both categories.

The case type classification was clear in the majority of human trafficking cases in the Report, as the facts or charges involved defendants who compelled or coerced victims to perform either labor/services or sex, not both. Sometimes, cases contained charges or fact patterns that related to both commercial sex and forced labor human trafficking. In 2021, one (1) criminal cases involved both sex trafficking and forced labor charges. For these cases, HTI conducted a thorough review of the case facts and related materials to determine if the trafficking operation was primarily a sex trafficking enterprise or forced labor enterprise. In 2021, the Report concluded that this case was primarily sex trafficking with associated forced labor charges.

HUMAN TRAFFICKING DEFENDANTS

CRIMINAL DEFENDANTS

The Report captured every defendant named in federal criminal human trafficking cases, regardless of whether the individual defendant faced a human trafficking charge in the case. Including all defendants in the case ensured the Report captured the most accurate picture of human trafficking cases prosecuted in Federal Courts. However, in cases where human trafficking was an ancillary matter (discussed in detail below), the Report captured only defendants who the government charged with a

human trafficking crime. The Report did not include defendants who prosecutors charged by complaint or information but never ultimately indicted.

NEW & ACTIVE DEFENDANTS

The Report presented data on 2021 new defendants, who are categorized as defendants the government charged for the first time in 2021. For example, in some instances, prosecutors may initiate and file a case in one year and add new defendants in subsequent years.

When the Report refers to 2021 active defendants in human trafficking cases, it considers all defendants whose case is still pending in Federal Courts, thus their time to file a direct appeal had not run before or in 2021.

A defendant's active date was the date they were initially charged. A defendant's inactive date was the date all charges against the defendant were disposed of and, if applicable, the defendant's window to directly appeal expired. For rare situations in which there were fugitive defendants or long periods of unexplained docket inactivity, project attorneys monitored these dockets annually for new activity. Fugitive defendants are considered inactive after two years of docket inactivity.

IMPORTANT DATES

For each defendant, the Report tracked important dates in the criminal justice process. These include dates:

- The government filed the initial charging instrument;
- The defendant pled guilty or went to trial;
- The district court entered the final judgment;
- The defendant filed a notice of appeal (if applicable);
- The appellate court entered judgment (if applicable);
- The defendant's time to directly appeal expires.

The Report calculated a defendant's length of disposition as the number of months from a defendant's active date to a defendant's inactive date.

When determining dates, the Report generally relied on the file stamp date in the court docket, unless the court docket indicated the event occurred on a different date. When the docket revealed an event occurred on a date different from the file stamp date, the Report relied on the date the event in fact occurred.

DISPOSITION, IMPRISONMENT, & MONETARY PENALTIES

The Report also captured the manner in which the district court disposed of the charges against each defendant: by dismissal, plea agreement, or trial. If the defendant was convicted, the Report tracked their sentence, including:

- Term of imprisonment, if any;
- Term of supervised release, if any;
- Amount of fine, if imposed;
- Information about special assessments, if ordered;
- Information about assets forfeited; and
- Amount of restitution to the victims, if ordered.

The Report tracked the total length of imprisonment to which a defendant in a human trafficking case was sentenced. This included the term of imprisonment ordered for human trafficking convictions as well as non-human trafficking convictions. When calculating average terms of imprisonment, the Report excluded sentences exceeding 600 months (50 years) because these sentences are infrequent and distort average sentencing data. In 2021, no defendant was sentenced to more than 50 years in prison. From 2000 to 2020, 5 defendants were sentenced to more than 50 years in prison, with sentences ranging from 660 months (55 years) to 1440 months (120 years).

DEFENDANT'S PROFILE

When known, the Report included general information about the defendant's profile, such as the gender of the defendant and the age of the defendant at the time of arrest. The Report classified the defendant's gender according to the gender specified in public court documents, press releases, or by the Federal

Bureau of Prisons. Where public sources identified the relationship that the defendant had with the victim prior to exploitation, the Report captured these data.

DEFENDANTS IN ANCILLARY HUMAN TRAFFICKING CASES

In federal criminal cases where human trafficking is an ancillary matter, the Report captured only defendants whom the government charged with a human trafficking crime. The Report categorized human trafficking as an ancillary matter where it was clear that the *primary purpose* of the criminal enterprise was *not* human trafficking. For example, if a federal case was primarily about health care fraud, and the government charged only one of ten defendants with a human trafficking crime and the remaining defendants with non-human trafficking-related offenses, the Report considered human trafficking an ancillary matter in the case. The Report only captured information about the defendant the government charged with a human trafficking crime, it did not include other defendants unrelated to the trafficking crime(s).

Alternatively, the Report did not consider human trafficking as an ancillary matter in cases where the case is *primarily* about human trafficking, even if the majority of charges brought were non-human trafficking offenses (i.e., where one defendant was charged with sex trafficking while the other defendants were charged non-human trafficking offenses for acts related to the same sex trafficking scheme). For example, if prosecutors charged one of ten defendants with a human trafficking crime and the remaining defendants with alien harboring and money laundering in a scheme where 30 women were smuggled into the United States and compelled to provide commercial sex at a massage parlor, the Report *did not* consider human trafficking to be an ancillary matter. Accordingly, the Report captured information about all the defendants the government charged.

Of the new criminal cases charged in 2021, the Report found that human trafficking was an ancillary matter

in 1 sex trafficking case. It is important to note that in cases where trafficking was an ancillary matter, the case becomes inactive when the defendant charged with a trafficking crime becomes inactive, even where charges may still be pending against the other defendants.

CIVIL DEFENDANTS

For civil human trafficking cases, the Report included only defendants against whom plaintiffs allege Chapter 77 or Fair Labor Standards Act claims. Where a defendant in a civil suit files a counterclaim against the plaintiff involving a Chapter 77 offense, the Report adds the plaintiff as the “defendant” in the database, as they are the party being accused of the human trafficking conduct.

For each of these defendants, the Report tracked important dates in the civil process, such as the date;

- The plaintiffs filed suit;
- Of dismissal, trial, or settlement;
- A party filed a notice of appeal (if applicable);
- The appellate court entered judgment (if applicable).

When determining dates, the Report generally relied on the file stamp date in the court docket, unless the court docket indicated the event occurred on a different date. When the docket revealed an event occurred on a date different from the file stamp date, the Report relied on the date the event in fact occurred. For cases where the district court entered a judgment or default judgment, the Report disclosed the amount of the judgment. The Report also disclosed the amount of settlement when known.

HUMAN TRAFFICKING & NON-HUMAN TRAFFICKING CHARGES

The Report captured each charge that the government filed against each defendant, including both human trafficking charges and non-human trafficking charges. The Report relied on the final charging instrument against the defendant when determining the appropriate charges to include, unless the final charging instrument contained no human trafficking charge and immediately preceded a plea agreement. This combination of circumstances indicated the government reduced a defendant’s human trafficking charges as part of a plea agreement. In this situation, to accurately reflect that the defendant pled down from a human trafficking charge, the Report relied on the last in-time charging instrument that contains a human trafficking charge.

HUMAN TRAFFICKING CHARGES

This Report categorized any charge filed against a defendant under the following criminal statutes as a human trafficking charge:

- 18 U.S.C. § 2 (Attempt to Commit Human Trafficking);
- 18 U.S.C. § 371 (Conspiracy to Commit Human Trafficking);
- 18 U.S.C. § 1581 (Peonage);
- 18 U.S.C. § 1582 (Vessels in the Slave Trade);
- 18 U.S.C. § 1583 (Enticement into Slavery);
- 18 U.S.C. § 1584 (Involuntary Servitude);
- 18 U.S.C. § 1585 (Seizure, Detention of Slaves);
- 18 U.S.C. § 1586 (Service on Vessels for Slave Trade);
- 18 U.S.C. § 1587 (Possession of Slaves aboard a Vessel);
- 18 U.S.C. § 1588 (Transportation of Slaves from the United States);
- 18 U.S.C. § 1589 (Forced Labor);
- 18 U.S.C. § 1590 (Trafficking for Peonage, Slavery, Involuntary Servitude, or Forced Labor);
- 18 U.S.C. § 1591 (Sex Trafficking);

- 18 U.S.C. § 1592 (Documents);
- 18 U.S.C. § 1593A (Benefiting Financially);
- 18 U.S.C. § 1594 (Attempt or Conspiracy to Commit Human Trafficking);
- 18 U.S.C. § 1597 (Immigration Documents);
- 18 U.S.C. § 1952 (ITAR to Human Trafficking);
- 18 U.S.C. § 1962 (RICO to Human Trafficking);

This list encompasses all Chapter 77 offenses, as well as attempt, conspiracy, ITAR, and RICO charges where the underlying offense is clearly defined as a Chapter 77 offense.

NON-HUMAN TRAFFICKING CHARGES

All criminal charges other than those listed above as human trafficking crimes are classified as non human-trafficking offenses. Non-human-trafficking charges include, inter alia, the following offenses:

- 8 U.S.C. § 1324 (Alien harboring);
- 18 U.S.C. §§ 2421–2423 (Mann Act);
- 18 U.S.C. § 2421 (Promotion or Facilitation of Prostitution and Sex Trafficking);
- 18 U.S.C. § 2422(a) (Coercion/Enticement of an Adult);
- 18 U.S.C. § 2422(b) (Coercion/Enticement of a Minor);
- 18 U.S.C. § 2423(a) (Travel with Intent to Engage in Criminal Sexual Activity);
- 18 U.S.C. § 2423(b) (Travel with Intent to Engage in Illicit Sexual Conduct);
- 18 U.S.C. §§ 2251–2252 (Child sexual abuse material);
- 18 U.S.C. § 371 (Conspiracy);
- 18 U.S.C. § 1952 (ITAR); and
- 18 U.S.C. § 1962 (RICO) where the predicate offense is outside of Chapter 77.

NUMBER OF CHARGES

In general, the number of charges that the Report captured for a defendant equals the total number of charges included in the final charging instrument

against the defendant. Where the government filed a superseding information that included additional charges for the sole purpose of a plea agreement, the Report also captured the charges from the charging instrument immediately preceding the superseding information. In doing so, the Report aimed to capture the most serious charges that the government brought against the defendant, as well as the ultimate charges included in the defendant's plea agreement. Where human trafficking is considered an ancillary matter, the Report included all charges that the government brought against only those defendants involved in the trafficking enterprise. This includes both human trafficking and non-human trafficking charges filed against those defendants.

HUMAN TRAFFICKING VICTIMS

VICTIMS IN CRIMINAL CASES

The Report captured only publicly-available information about victims the government identified by name, initials, or pseudonym within one or more human trafficking charges or related charges listed in the charging instruments. For these victims, the Report tracked the victim's gender, age, particular vulnerabilities the recruiter may have exploited, the manner in which the victim was recruited, and who recruited the victim. The Report also provided data on the nationality of victims, type of visa held, if applicable, and whether the victim was trafficked into the United States, after they were already present in the United States, or abroad.

HTI's ability to determine the total number of victims exploited by defendants in federal human trafficking cases is limited, as the total number of victims exploited by a defendant may be more than the victims identified in the charging instrument. The victim-related findings in this Report **should not** be used as a prevalence estimate for the number of victims traffickers exploited in the United States, nor should they serve as an estimate of the number of victims assisted by the government or civil society organizations.



REVIEW OF FEDERAL HUMAN TRAFFICKING CASE DATA

In an effort to provide a complete and accurate analysis of human trafficking cases filed in Federal Court, HTI engaged in a comprehensive review process of each human trafficking case entered into the database. Every case in the database was reviewed by at least two different project attorneys. Once a project attorney entered information about a case into the database, a different project attorney was tasked with reviewing each field using the primary sources to confirm each entry was correct. The project attorneys raised questions and anomalies to the Report's Primary Authors for decisions. In addition, the project attorneys reviewed the database through various topical troubleshooting reports to detect any blank fields or unusual entries.

VICTIMS IN CIVIL CASES

The Report relied on public court documents to track victim information in civil human trafficking cases. For civil suits involving fewer than 10 plaintiffs, the Report captured information about each plaintiff-victim, including the gender and age of the victim, where known. For civil suits involving 10 or more plaintiffs, the Report captured information about the lead plaintiff in the case.

HUMAN TRAFFICKING APPEALS

Where a defendant filed a notice of appeal in a criminal case, the Report tracked the timing and decision of the appeal. The Report tracked only direct appeals that followed a final judgment in the case that were filed within the timeline set out in Rule 4 of the Federal Rules of Appellate Procedure. The Report captured information about direct appeals to an appellate court, and direct appeals to the United States Supreme Court. The Report did not track interlocutory appeals. Furthermore, the Report did not capture appeals based on collateral attacks on the district court's judgment, such as motions to challenge a conviction or sentence under 28 U.S.C. § 2255, or the filing of a habeas corpus petition under 28 U.S.C. § 2241.

REVIEW OF FEDERAL HUMAN TRAFFICKING CASE DATA

HTI provided a rigorous review of the data in federal human trafficking cases to identify key findings and emerging trends. In addition, prior to drafting the Report, HTI collaborated with key anti trafficking stakeholders to preview the preliminary findings from the data and discussed themes and trends to include in the final Report publication. For the 2021 Report, HTI provided preliminary findings to the Department of Justice's Human Trafficking Prosecution Unit and Child Exploitation and Obscenity Section, the Department of State's Office to Monitor and Combat Trafficking in Persons, and the Department of Homeland Security's Center for Countering Human Trafficking. HTI incorporated the recommendations and feedback from the preliminary findings briefings into the 2021 Report.

Note, all percentages in the Report are rounded up to the nearest whole number. For this reason, percentages may not always add up to 100%.

TERMINOLOGY

SOLICITATION STRATEGIES IN SEX TRAFFICKING CASES

The Report tracked the primary method that defendants in sex trafficking cases used to solicit buyers. The method of solicitation was determined by how or where a defendant located buyers, including the following strategies:

- **Bar or Club:** When a trafficker solicited buyers of commercial sex at an establishment which served alcohol or drinks as their primary business purpose.
- **Brothels:** When a trafficker solicited buyers of commercial sex through an illegal establishment where in-house commercial sex was offered to customers.
- **Internet:** When a trafficker solicited buyers of commercial sex through an online website or social media platform.
- **Massage Parlor:** When a trafficker solicited buyers of commercial sex at a business that offered, or claimed to offer, legitimate spa services. This included legal massage parlors, as well as illicit massage parlors that claimed to offer legitimate spa services but whose true purpose was to offer commercial sex to customers.
- **Pre-existing Relationship:** When a trafficker solicited buyers of commercial sex among individuals they already knew. An example of the pre-existing relationship method of solicitation would be a drug dealer who began selling victims for commercial sex to his customers in addition to drugs.
- **Street-based Commercial Sex:** When a trafficker expected a victim to solicit or initiate commercial sex by walking a designated section of a street—often an area known for criminal activity—which is sometimes called a “track”, “stroll”, or “block”.

- **Strip Club:** When a trafficker solicited or expected a victim to solicit buyers or initiate commercial sex at a strip club.
- **Truck Stop:** When a trafficker solicited or expected a victim to solicit buyers or initiate commercial sex at a truck stop.

INDUSTRIES IN FORCED LABOR CASES

The 2021 Report tracked the primary industry in forced labor cases, which was defined by the predominant type of labor or services that the defendant compelled a victim to provide. Federal human trafficking cases involved victims exploited for labor or services in the following industries:

- **Agriculture:** When a trafficker compelled a victim to provide labor for a farming business primarily engaged in growing crops, cultivating soil, or rearing animals for their byproducts.
- **Bar or Club:** When a trafficker compelled a victim to provide labor or services at an establishment that served alcohol or drinks as its primary business purpose.
- **Beauty Services:** When a trafficker compelled a victim to work at a business, the primary purpose of which was providing health or beauty services. This includes but is not limited to manicures, haircuts, hair braiding, facials, and/or waxing.
- **Construction:** When a trafficker compelled a victim to provide labor at a commercial business focused on the process of building or repairing infrastructure, facilities, or residences.
- **Domestic Work:** When a trafficker compelled a victim to work for a family or household performing tasks such as cleaning or childcare, often living on site.

- **Hospitality:** When a trafficker compelled a victim to work at a hotel or in other hospitality services. This term is a broad industry category that focuses on lodging and tourism.
- **Imprisonment:** When a victim alleged that their detention in jail/prison alone constituted forced labor.
- **Janitorial Services:** When a trafficker compelled a victim to work in janitorial or cleaning duties for a cleaning company or for commercial or public properties. This includes but is not limited to employees of maid services, and commercial janitors.
- **Labor While Incarcerated:** When victims were forced to perform labor or any other services while in jail/prison without adequate compensation.
- **Manufacturing:** When a trafficker compelled a victim to work in any industry focused on the production or packaging of food or other merchandise to be sold, or any other type of industrial factory-type job.
- **Massage Parlor:** When a trafficker compelled a victim to work in a business that offered, or claimed to offer, legitimate spa services. This includes but is not limited to legal massage parlors, as well as illicit massage parlors that claimed to offer legitimate spa services but whose true purpose was to offer commercial sex to customers.
- **Medical or Health Services:** When a trafficker compelled a victim to work in any industry focused on health and medical care.
- **Restaurant or Food Industries:** When a trafficker compelled a victim to work at a venue, the primary purpose of which was selling prepared food. This includes but is not limited to fast food restaurants, sit down restaurants, and food or ice cream trucks.
- **Retail:** When a trafficker compelled a victim to work at a commercial venue whose primary purpose was to sell merchandise. This includes but is not limited to gas stations, grocery stores, and car dealerships.

- **Technology Services:** When a trafficker compelled a victim to work in the technological industry.

METHODS OF COERCION

The 2021 Report categorized every method of coercion as either physical or nonphysical. Physical coercion included any method that involved bodily contact, physical restraint, or physical isolation, as well as conduct that impacted the victim's physical health.

The following methods of coercion were categorized as physical coercion:

- Cages, locked rooms, or barred cells
- Chains or shackles
- Controlling or withholding a victim's access to food
- Forced abortion
- Inducing or exploiting a substance use disorder or forcing a victim to use drugs
- Physical abuse
- Physical isolation
- Rape or sexual violence
- Sleep deprivation
- Tattoos or branding
- Withholding medical care

Nonphysical coercion included any method that involves threats, fraud or conduct that impacted the victim's mental or emotional health.

The following methods of coercion were categorized as nonphysical coercion:

- Abuse of a position of power
- Controlling or withholding access to the victim's child or family members
- Brandishing weapons
- Debt manipulation
- Exploitation of a cognitive disability
- Extortion, including threatening to share images or videos
- Fear of gang violence

- Fraudulent misrepresentation of a job
- Fraudulent promise of romantic relationship
- Language barrier
- Manipulation of a written contract
- Religious abuse, including the abuse of leadership in religious settings, as well as the exploitation of religious beliefs or principles to compel labor or sex
- Threats of arrest for forced unlawful acts
- Threats of deportation
- Threats of physical abuse
- Threats to other victims or third parties
- Threats to the victim's child or other family members
- Verbal or emotional abuse
- Withholding immigration documents
- Withholding pay
- Withholding personal identification documents

ADDITIONAL TERMINOLOGY

- **Adult:** Any person who is 18 years of age or older.
- **Bottom:** A female appointed by the trafficker/pimp to supervise the others and report rule violations. Operating as his "right hand," the Bottom may help instruct victims, collect money, book hotel rooms, post ads, or inflict punishments on other girls.
- **Buyer Case:** A case in which one or more of the defendants bought or attempted to buy commercial sex from a trafficking victim.
- **Buyer Defendant:** A defendant charged with buying or attempting to buy commercial sex from a person, knowing or in reckless disregard of the fact that the person is a trafficking victim. Buyer defendants can also be charged with buying or attempting to buy labor from a trafficking victim, but there were no active buyer defendants in forced labor cases in 2021.
- **Commercial exchange:** When persons provide a thing of value to another individual in exchange for a good or service
- **Commercial sex:** The term "commercial sex act" means any sex act on account of which anything of value is given to or received by any person (22 U.S.C. 7102 (4))
- **District Court:** The district court was categorized by the district of the trial court that had jurisdiction over the case, or the district court that ultimately disposed of the charges in the case.
- **Minor:** Any person under the age of 18.
- **Life Imprisonment:** A sentence of imprisonment for the defendant to remain in prison for the rest of their natural life. The Report captured life sentences that the court imposed against a defendant in a human trafficking case, even where the defendant was also convicted of other serious crimes.
- **Primary Investigative Agency:** The federal law enforcement agency that played the primary role in the investigation of a human trafficking case. If it is difficult to ascertain from public sources which agency played the primary role, the primary agency was classified as the agency that initiated the investigation, if known.
- **Public Sources:** Public court documents, press releases, news stories, and other publicly available information that HTI searched during the collection and entry of case data for the Report. This included case filings that HTI purchased from PACER or documents that HTI retrieved from subscription legal databases.
- **Recruitment:** the act of inducing an individual to engage in commercial sex or forced labor.
- **Sting Case:** A deceptive law enforcement operation used to catch a person committing a crime. This included sting cases in which law enforcement responded to an advertisement posted by a trafficker selling a victim, and cases in which law enforcement advertises a fictitious victim to attract buyers.



APPENDIX





CHARGE & CONVICTION TABLES

HUMAN TRAFFICKING CHARGES FILED AGAINST NEW DEFENDANTS IN SEX TRAFFICKING CASES IN 2021

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CHARGED	COUNTS CHARGED
18 U.S.C. § 1591: Sex Trafficking	142	242
18 U.S.C. § 1594(c): Conspiracy Sex Trafficking	86	93
18 U.S.C. § 1594(a): Attempted Sex Trafficking	34	38
18 U.S.C. § 1591(d): Obstructing Enforcement of Sex Trafficking Offense	7	9
18 U.S.C. § 1962: RICO to Commit Trafficking Offense	3	3
18 U.S.C. § 371: Conspiracy to Commit Human Trafficking	3	3
18 U.S.C. § 1592: ITAR to Commit Trafficking Offense	2	2
18 U.S.C. § 1589: Forced Labor	1	1

HUMAN TRAFFICKING CHARGES FILED AGAINST NEW DEFENDANTS IN FORCED LABOR CASES IN 2021

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CHARGED	COUNTS CHARGED
18 U.S.C. § 1594(b): Forced Labor Conspiracy	37	39
18 U.S.C. § 1589: Forced Labor	30	98
18 U.S.C. § 1592: Unlawful conduct with Respect to Documents in Furtherance of Trafficking, Peonage, Slavery, Involuntary Servitude, or Forced Labor	6	11
18 U.S.C. § 371: Conspiracy to Commit Human Trafficking	6	6
18 U.S.C. § 1962: RICO to Commit Trafficking Offense	4	4
18 U.S.C. § 1594(c): Conspiracy Sex Trafficking	3	3
18 U.S.C. § 1591: Sex Trafficking	3	12
18 U.S.C. § 1594(a): Attempted Forced Labor	1	1
18 U.S.C. § 1590: Trafficking for Peonage, Slavery, Involuntary Servitude, or Forced Labor	1	1

HUMAN TRAFFICKING CONVICTIONS IN SEX TRAFFICKING CASES IN 2021

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CONVICTED	COUNTS OF CONVICTION
18 U.S.C. § 1591 Sex Trafficking	96	157
18 U.S.C. § 1594(c) Conspiracy Sex Trafficking	59	59
18 U.S.C. § 1594(a) Attempted Sex Trafficking	15	18
18 U.S.C. § 371 Conspiracy to Commit HT Offense	4	4
18 U.S.C. § 1962 RICO to Commit Trafficking Offense	2	2
18 U.S.C. § 1952 ITAR to Commit Trafficking Offense	2	2
18 U.S.C. § 1591(d) Obstructing Enforcement of Sex Trafficking Offense	2	6
18 U.S.C. § 1590 Trafficking for Peonage, Slavery, Involuntary Servitude, or Forced Labor	1	1
18 U.S.C. § 2 Attempt to Commit Human Trafficking	1	2

NON-HUMAN-TRAFFICKING CONVICTIONS IN SEX TRAFFICKING CASES IN 2021

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CONVICTED	COUNTS OF CONVICTION
18 U.S.C. § 2251 Sexual exploitation of children	16	29
18 U.S.C. § 1952 ITAR	14	29
18 U.S.C. § 2422(b) Coercion/Enticement of minor	22	26
Drug-Related Offense	17	25
18 U.S.C. § 2421 Mann Act	10	16
18 U.S.C. § 2252 Child Pornography	9	14
18 U.S.C. § 922(g) Felon in Possession of Firearm	5	8
18 U.S.C. § 2423 (a) Travel with intent to engage in criminal sexual activity	6	7
18 U.S.C. § 2252A Certain activities relating to material constituting or containing child pornography	6	7
18 U.S.C. § 1956 Laundering of monetary instruments	5	5
18 USC § 924(c) Possession of a Firearm (Crime of Violence)	5	5
18 U.S.C. § 371 Conspiracy to commit offense or to defraud United States	5	5
18 U.S.C. § 1962 RICO	3	4
18 U.S.C. § 1512 Witness Tampering	3	4
18 U.S.C. § 2422(a) Coercion/Enticement of adult	3	3
18 U.S.C. § 2261A Stalking	2	3
18 U.S.C. § 401 Power of court	1	3
18 U.S.C. § 4 Misprision of felony	3	3
18 U.S.C. § 2423(e) Transportation of minors - Attempt & Conspiracy	1	1
18 U.S.C. § 2260A Penalties for Registered Sex Offenders	1	1
18 U.S.C. § 1960 Prohibition of unlicensed money transmitting businesses	1	1
18 U.S.C. § 1201 Kidnapping	1	1
18 U.S.C. § 1001 Statements or entries generally	1	1
18 U.S.C. § 922(n) Person under indictment in possession of a firearm		
8 U.S.C. § 1324 Alien Harboring	1	1

HUMAN TRAFFICKING CONVICTIONS IN FORCED LABOR CASES IN 2021

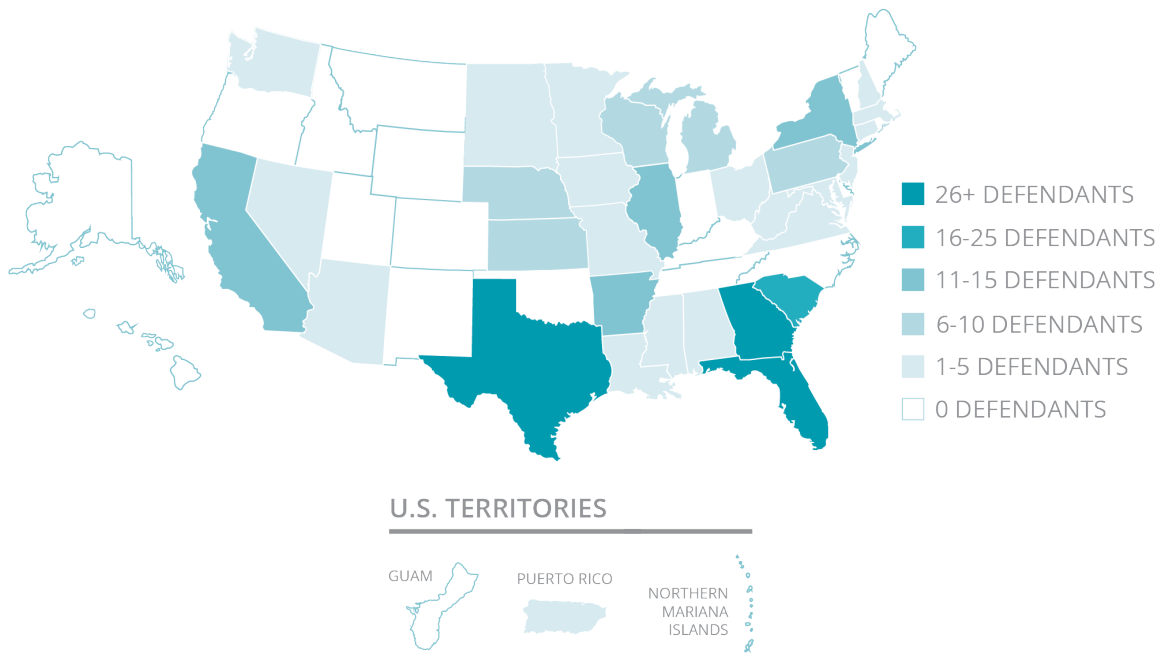
HUMAN TRAFFICKING OFFENSE	DEFENDANTS CONVICTED	COUNTS OF CONVICTION
18 U.S.C. § 1589 Forced Labor	3	3
18 U.S.C. § 1594(b) Forced Labor Conspiracy	1	1

NON-HUMAN-TRAFFICKING CONVICTIONS IN FORCED LABOR CASES IN 2021

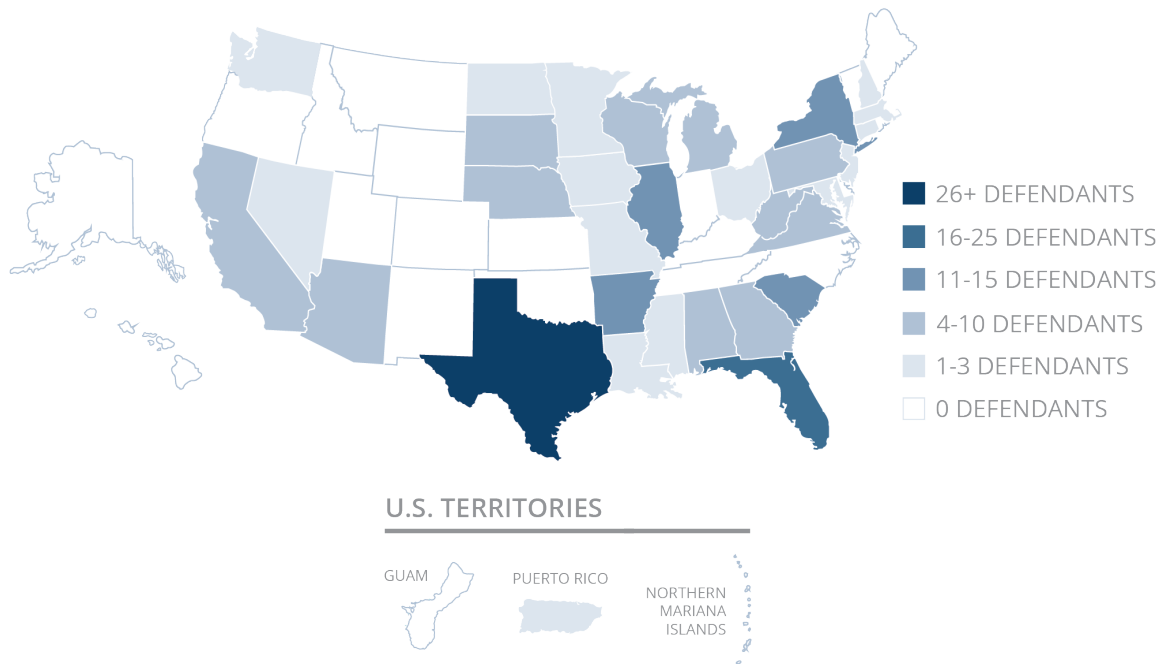
HUMAN TRAFFICKING OFFENSE	DEFENDANTS CONVICTED	COUNTS OF CONVICTION
8 U.S.C. § 1324 Alien Harboring	4	4
42 U.S.C. § 408 Identity Theft	1	1
18 U.S.C. § 1597 Unlawful conduct with respect to immigration documents	1	1
18 U.S.C. § 1546 Visa Fraud	1	1
18 U.S.C. § 1343 Wire Fraud	1	1

MAPS OF FEDERAL HUMAN TRAFFICKING CASES BY STATE

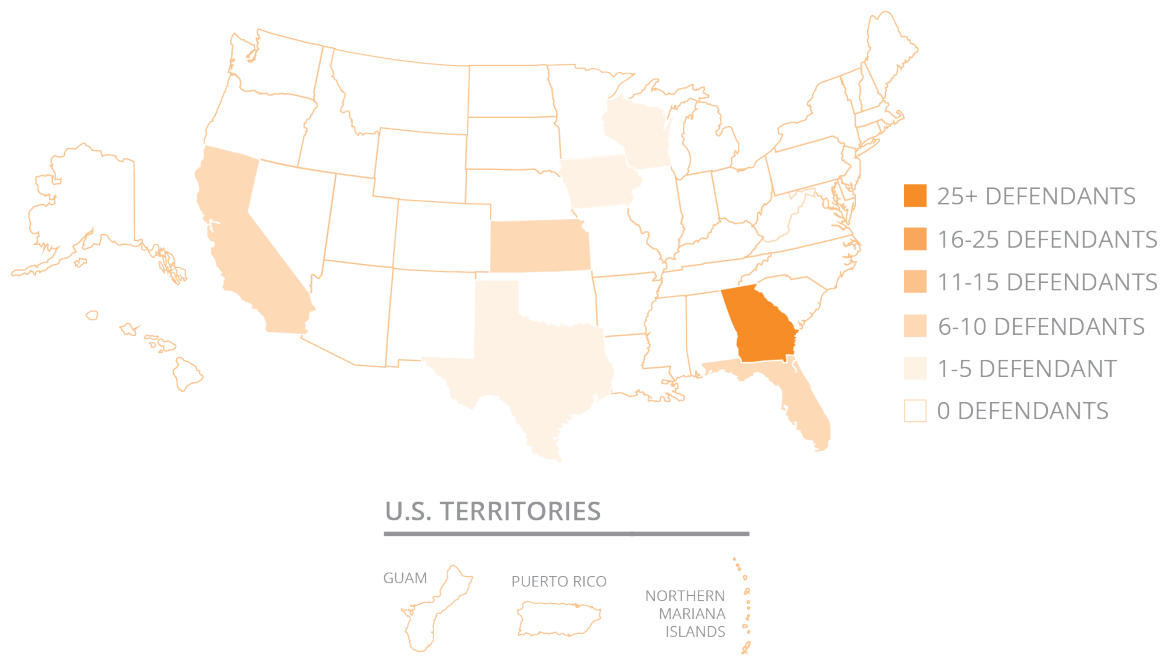
NEW DEFENDANTS IN CRIMINAL HUMAN TRAFFICKING CASES IN 2021



NEW DEFENDANTS IN CRIMINAL SEX TRAFFICKING CASES IN 2021

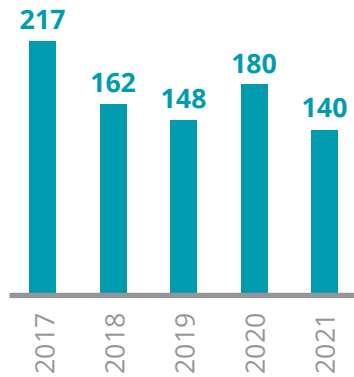


NEW DEFENDANTS IN CRIMINAL FORCED LABOR CASES IN 2021

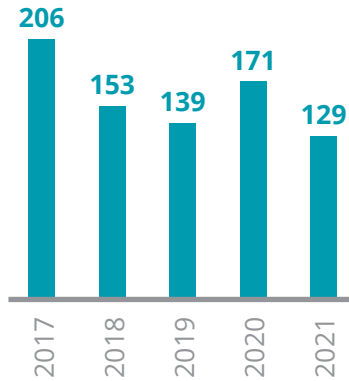


YEAR-OVER-YEAR CHARTS

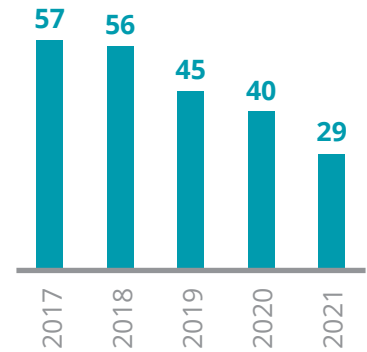
NEW CRIMINAL HUMAN TRAFFICKING CASES



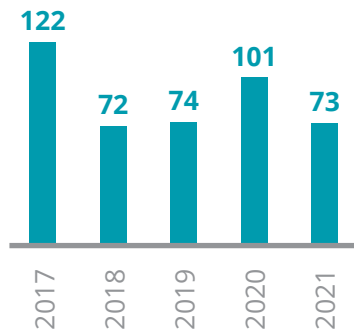
NEW CRIMINAL SEX TRAFFICKING CASES



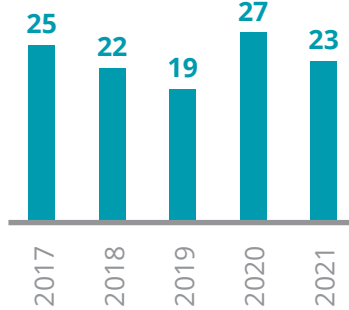
NEW CRIMINAL SEX TRAFFICKING CASES WITH ADULT VICTIMS



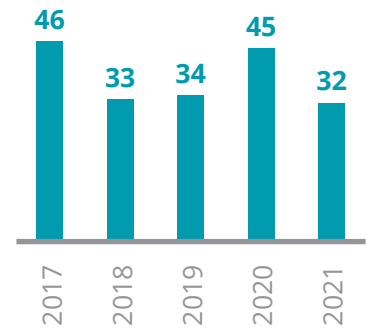
NEW CRIMINAL SEX TRAFFICKING CASES WITH CHILD VICTIMS ONLY



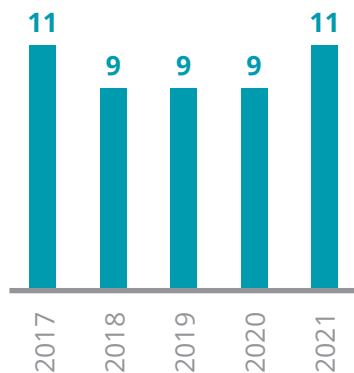
NEW CRIMINAL STING SEX TRAFFICKING CASES WITH EXCLUSIVELY FICTITIOUS VICTIMS



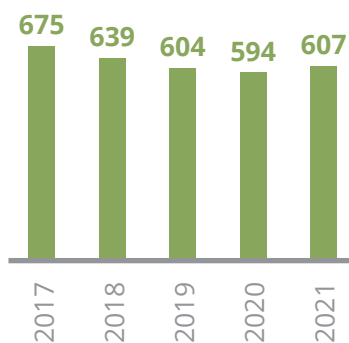
NEW CRIMINAL SEX TRAFFICKING CASES WITH BUYER DEFENDANTS



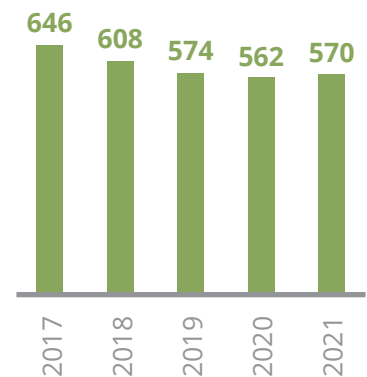
NEW CRIMINAL FORCED LABOR CASES



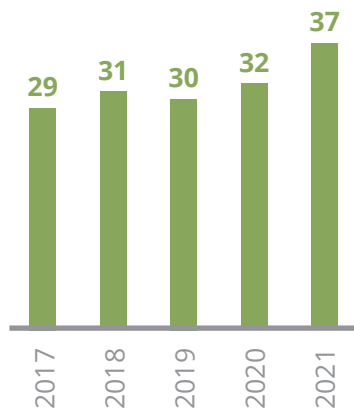
ACTIVE CRIMINAL HUMAN TRAFFICKING CASES



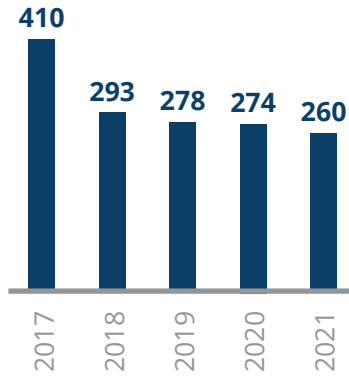
ACTIVE CRIMINAL SEX TRAFFICKING CASES



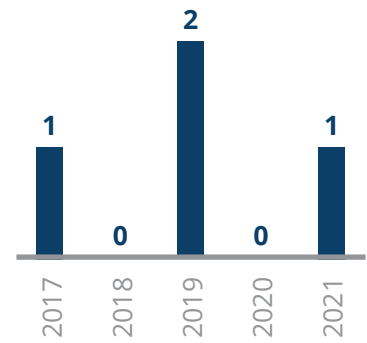
**ACTIVE CRIMINAL
FORCED LABOR CASES**



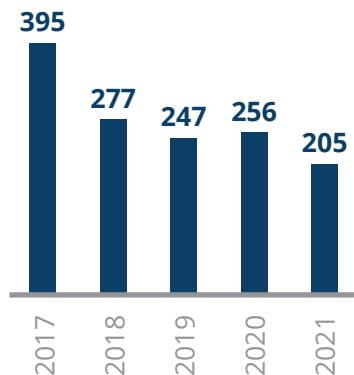
**NEW DEFENDANTS IN
CRIMINAL HUMAN
TRAFFICKING CASES**



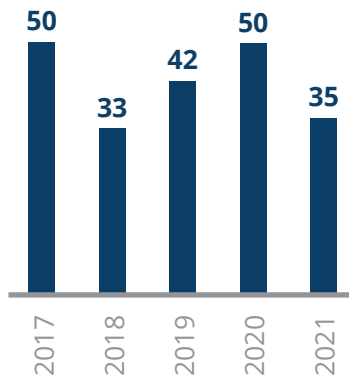
**NEW ENTITY CRIMINAL
DEFENDANTS IN
HUMAN TRAFFICKING
CASES**



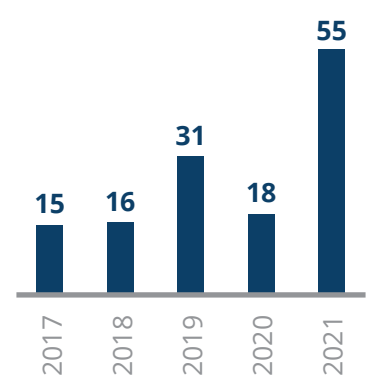
**NEW CRIMINAL
DEFENDANTS IN SEX
TRAFFICKING CASES**



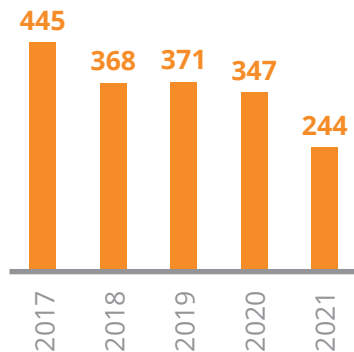
**NEW CRIMINAL BUYER
DEFENDANTS IN SEX
TRAFFICKING CASES**



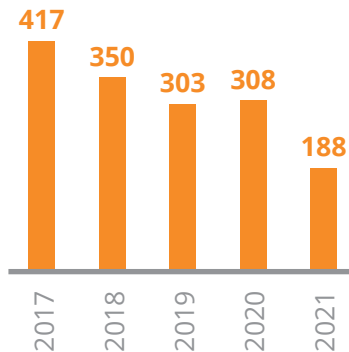
**NEW CRIMINAL
DEFENDANTS IN
FORCED LABOR CASES**



**VICTIMS IDENTIFIED IN
NEW CRIMINAL HUMAN
TRAFFICKING CASES**



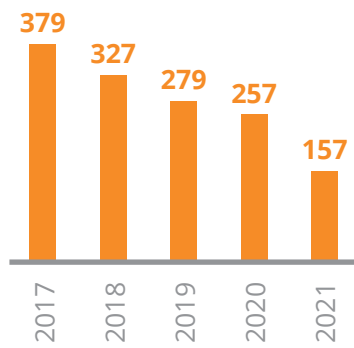
**VICTIMS IDENTIFIED
IN NEW CRIMINAL SEX
TRAFFICKING CASES**



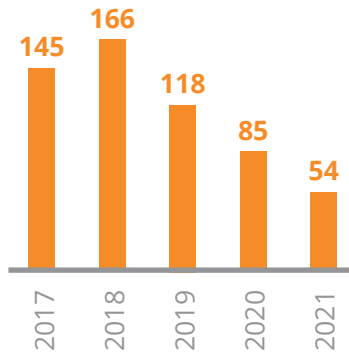
**MALE VICTIMS
IDENTIFIED IN
NEW CRIMINAL SEX
TRAFFICKING CASES**



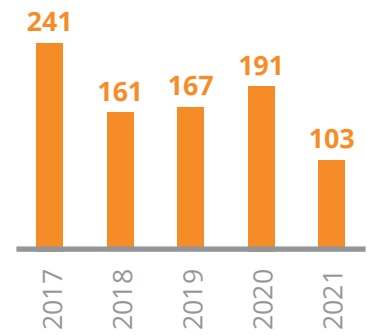
**FEMALE VICTIMS
IDENTIFIED IN
NEW CRIMINAL SEX
TRAFFICKING CASES**



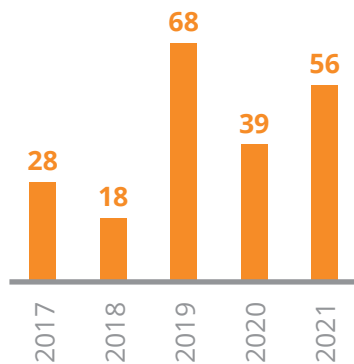
**ADULT VICTIMS
IDENTIFIED IN
NEW CRIMINAL SEX
TRAFFICKING CASES**



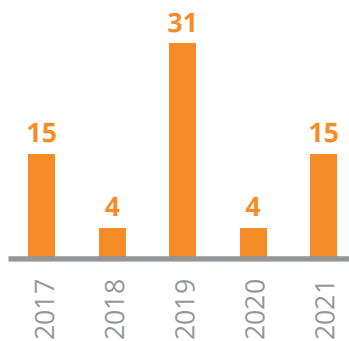
**CHILD VICTIMS
IDENTIFIED IN
NEW CRIMINAL SEX
TRAFFICKING CASES**



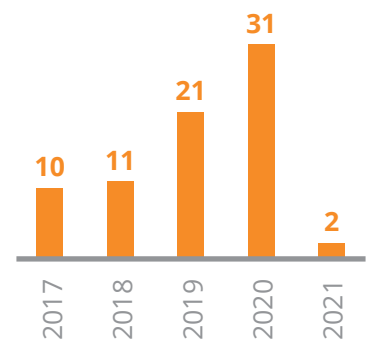
**VICTIMS IDENTIFIED
IN NEW CRIMINAL
FORCED LABOR CASES**



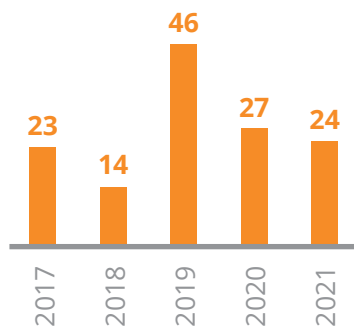
**MALE VICTIMS
IDENTIFIED IN NEW
CRIMINAL FORCED
LABOR CASES**



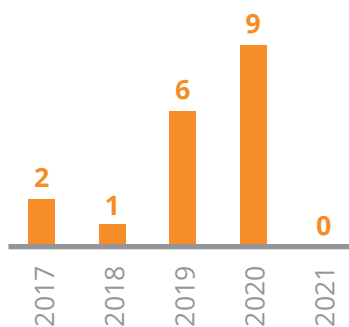
**FEMALE VICTIMS
IDENTIFIED IN NEW
CRIMINAL FORCED
LABOR CASES**



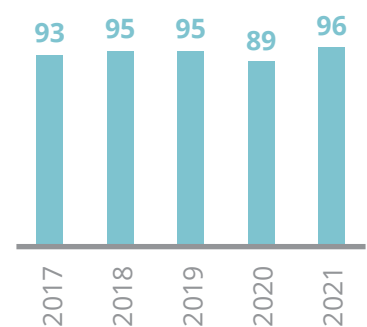
**ADULT VICTIMS
IDENTIFIED IN NEW
CRIMINAL FORCED
LABOR CASES**



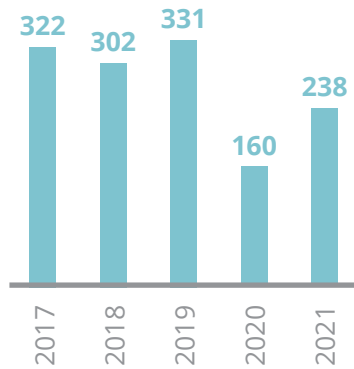
**CHILD VICTIMS
IDENTIFIED IN NEW
CRIMINAL FORCED
LABOR CASES**



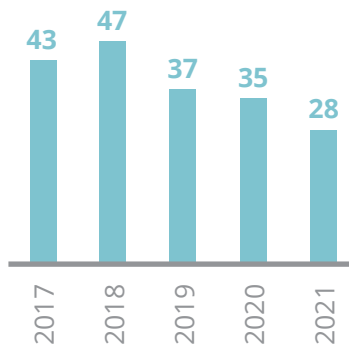
**DEFENDANT
CONVICTION RATE IN
HUMAN TRAFFICKING
CASES (%)**



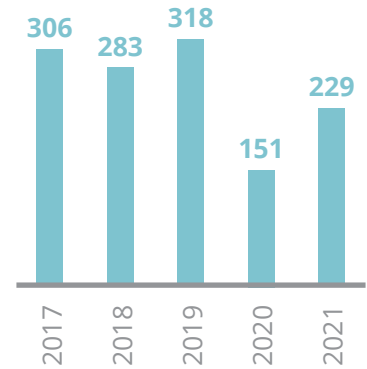
**DEFENDANTS
CONVICTED IN HUMAN
TRAFFICKING CASES**



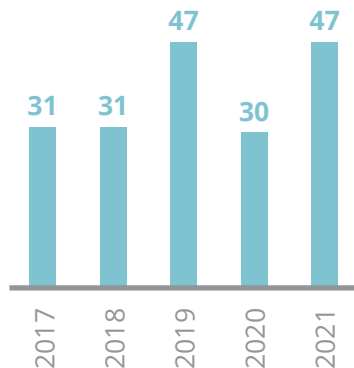
**DEFENDANTS
CONVICTED IN
HUMAN TRAFFICKING
CASES BY TRIAL**



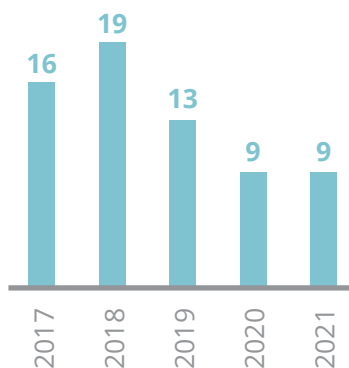
**DEFENDANTS
CONVICTED IN SEX
TRAFFICKING CASES**



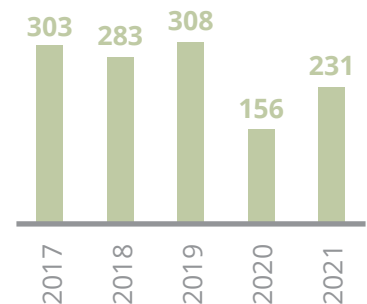
**BUYER DEFENDANTS
CONVICTED IN SEX
TRAFFICKING CASES**



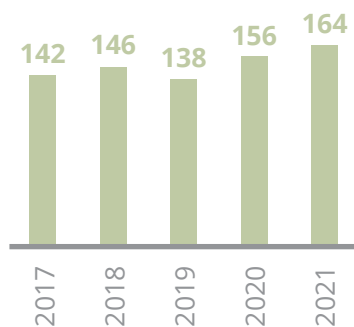
**DEFENDANTS
CONVICTED IN FORCED
LABOR CASES**



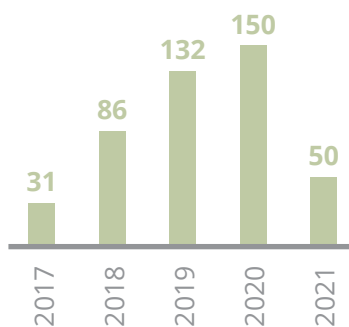
**DEFENDANTS IN
HUMAN TRAFFICKING
CASES SENTENCED
TO TERM OF
IMPRISONMENT**



**AVERAGE LENGTH
OF SENTENCE FOR
SEX TRAFFICKING
DEFENDANT (MONTHS)**



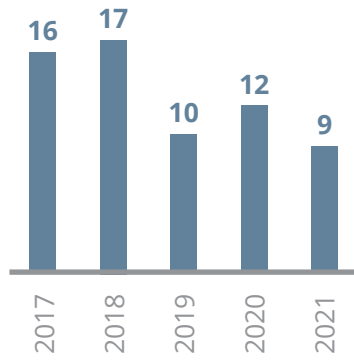
**AVERAGE LENGTH OF
SENTENCE FOR FORCED
LABOR DEFENDANT
(MONTHS)**



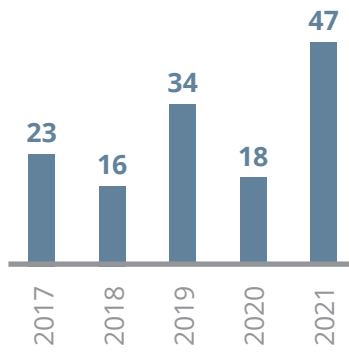
**HUMAN TRAFFICKING
DEFENDANTS
SENTENCED TO
LIFE IN PRISON**



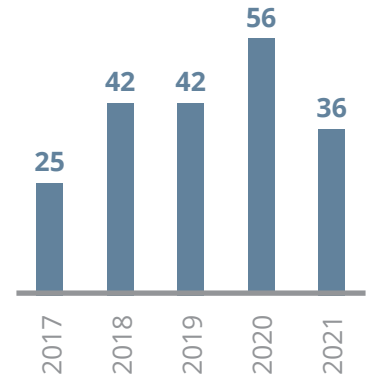
**HUMAN TRAFFICKING
DEFENDANTS ORDERED
TO PAY A FINE**



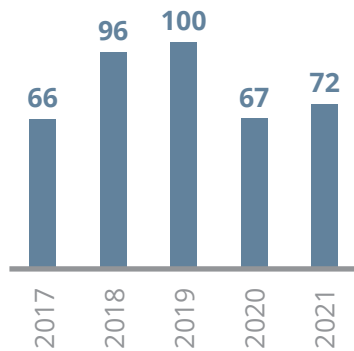
**HUMAN TRAFFICKING
DEFENDANTS ORDERED
TO PAY \$5,000 JVTA
ASSESSMENT**



**DEFENDANTS ORDERED
TO PAY MANDATORY
RESTITUTION (%)**



**DEFENDANTS IN HUMAN
TRAFFICKING CASES
ORDERED TO PAY
RESTITUTION**



FEDERAL JUDICIAL DISTRICT TABLES

NEW CRIMINAL CASES & DEFENDANTS CHARGED IN 2021

DISTRICT	NEW SEX TRAFFICKING CASES	NEW DEFENDANTS IN SEX TRAFFICKING CASES	NEW FORCED LABOR CASES	NEW DEFENDANTS IN FORCED LABOR CASES	NEW CASES CHARGED OUTSIDE CH. 77
Alabama Middle	1	3	0	0	0
Alabama Northern	1	1	0	0	0
Alabama Southern	0	0	0	0	0
Alaska	0	0	0	0	0
Arizona	3	5	0	0	0
Arkansas Eastern	3	11	0	0	0
Arkansas Western	0	0	0	0	0
California Central	0	0	0	6	1
California Eastern	1	1	0	0	3
California Northern	1	1	0	0	0
California Southern	5	6	0	0	0
Colorado	0	0	0	0	0
Connecticut	1	1	0	0	1
Delaware	0	0	0	0	0
District of Columbia	0	0	0	0	0
Florida Middle	7	9	1	5	1
Florida Northern	1	1	0	0	1
Florida Southern	6	12	1	1	1
Georgia Middle	1	3	0	0	0
Georgia Northern	1	1	0	0	1
Georgia Southern	1	1	3	26	0
Guam	0	0	0	0	0
Hawaii	0	0	0	0	0
Idaho	0	0	0	0	1
Illinois Central	2	2	0	0	6
Illinois Northern	4	5	0	0	0
Illinois Southern	7	7	0	0	10
Indiana Northern	0	0	0	0	0
Indiana Southern	0	0	0	0	1
Iowa Northern	0	0	0	0	0
Iowa Southern	3	3	1	2	1
Kansas	0	0	1	8	2
Kentucky Eastern	0	0	0	0	1
Kentucky Western	0	0	0	0	0
Louisiana Eastern	0	0	0	0	0
Louisiana Middle	0	0	0	0	0
Louisiana Western	2	3	0	0	0
Maine	0	0	0	0	1

DISTRICT	NEW SEX TRAFFICKING CASES	NEW DEFENDANTS IN SEX TRAFFICKING CASES	NEW FORCED LABOR CASES	NEW DEFENDANTS IN FORCED LABOR CASES	NEW CASES CHARGED OUTSIDE CH. 77
Maryland	2	3	0	0	0
Massachusetts	1	1	0	0	1
Michigan Eastern	8	8	0	0	0
Michigan Western	2	2	0	0	2
Minnesota	1	2	0	0	1
Mississippi Northern	0	0	0	0	0
Mississippi Southern	1	1	0	0	0
Missouri Eastern	0	0	0	0	0
Missouri Western	1	1	0	0	0
Montana	0	0	0	0	1
Nebraska	7	10	0	0	6
Nevada	1	1	0	0	1
New Hampshire	1	1	0	0	0
New Jersey	1	1	0	0	1
New Mexico	0	0	0	0	0
New York Eastern	4	10	0	0	2
New York Northern	1	1	0	0	3
New York Southern	2	3	0	0	2
New York Western	1	1	0	0	0
North Carolina Eastern	0	0	0	0	2
North Carolina Middle	0	0	0	0	0
North Carolina Western	0	0	0	0	1
North Dakota	1	1	0	0	0
Northern Mariana Islands	0	0	0	0	0
Ohio Northern	2	2	0	0	3
Ohio Southern	0	0	0	0	1
Oklahoma Eastern	0	0	0	0	1
Oklahoma Northern	0	0	0	0	1
Oklahoma Western	0	0	0	0	3
Oregon	0	0	0	0	0
Pennsylvania Eastern	3	5	0	0	0
Pennsylvania Middle	0	0	0	0	3
Pennsylvania Western	2	2	0	0	1
Puerto Rico	1	1	0	0	0
Rhode Island	0	0	0	0	0
South Carolina	4	13	1	3	1
South Dakota	3	4	0	0	1
Tennessee Eastern	0	0	0	0	0
Tennessee Middle	0	0	0	0	0
Tennessee Western	0	0	0	0	0
Texas Eastern	1	5	0	0	0
Texas Northern	7	10	0	0	3
Texas Southern	5	21	1	2	3

DISTRICT	NEW SEX TRAFFICKING CASES	NEW DEFENDANTS IN SEX TRAFFICKING CASES	NEW FORCED LABOR CASES	NEW DEFENDANTS IN FORCED LABOR CASES	NEW CASES CHARGED OUTSIDE CH. 77
Texas Western	1	1	0	0	2
Utah	0	0	0	0	1
Vermont	0	0	0	0	0
Virginia Eastern	3	4	0	0	2
Virginia Western	1	1	0	0	0
Virgin Islands	0	0	0	0	0
Washington Eastern	2	3	0	0	0
Washington Western	0	0	0	0	1
West Virginia Northern	0	0	0	0	0
West Virginia Southern	3	4	0	0	0
Wisconsin Eastern	4	4	2	2	1
Wisconsin Western	1	2	0	0	1
Wyoming	0	0	0	0	1
TOTAL	129	205	11	55	85

ACTIVE CRIMINAL CASES, ACTIVE DEFENDANTS & CONVICTIONS IN 2021

DISTRICT	ACTIVE SEX TRAFFICKING CASES	ACTIVE DEFENDANTS IN SEX TRAFFICKING CASES	ACTIVE FORCED LABOR CASES	ACTIVE DEFENDANTS IN FORCED LABOR CASES	DEFENDANTS CONVICTED IN SEX TRAFFICKING CASES	DEFENDANTS CONVICTED IN FORCED LABOR CASES
Alabama Middle	1	3	0	0	0	0
Alabama Northern	1	1	0	0	0	0
Alabama Southern	0	0	0	0	0	0
Alaska	10	10	0	0	2	0
Arizona	7	10	0	0	1	0
Arkansas Eastern	9	18	0	0	2	0
Arkansas Western	1	1	0	0	1	0
California Central	8	16	1	9	3	0
California Eastern	12	15	2	4	3	0
California Northern	8	11	0	0	1	0
California Southern	14	23	2	14	4	0
Colorado	1	1	0	0	0	0
Connecticut	4	5	0	0	0	0
Delaware	0	0	0	0	0	0
District of Columbia	6	13	0	0	0	0
Florida Middle	15	18	1	5	6	0
Florida Northern	5	7	0	0	0	0
Florida Southern	18	30	1	1	6	0
Georgia Middle	3	6	0	0	2	0
Georgia Northern	6	11	0	0	3	0

DISTRICT	ACTIVE SEX TRAFFICKING CASES	ACTIVE DEFENDANTS IN SEX TRAFFICKING CASES	ACTIVE FORCED LABOR CASES	ACTIVE DEFENDANTS IN FORCED LABOR CASES	DEFENDANTS CONVICTED IN SEX TRAFFICKING CASES	DEFENDANTS CONVICTED IN FORCED LABOR CASES
Georgia Southern	3	3	4	27	0	0
Guam	0	0	0	0	0	0
Hawaii	0	0	0	0	0	0
Idaho	0	0	0	0	0	0
Illinois Central	11	12	0	0	7	0
Illinois Northern	19	27	4	7	2	2
Illinois Southern	9	9	0	0	0	0
Indiana Northern	3	3	0	0	1	0
Indiana Southern	2	2	0	0	1	0
Iowa Northern	1	1	0	0	0	0
Iowa Southern	9	14	1	2	5	0
Kansas	4	4	1	8	3	0
Kentucky Eastern	3	8	1	1	5	0
Kentucky Western	2	2	0	0	1	0
Louisiana Eastern	1	1	1	1	0	0
Louisiana Middle	0	0	0	0	0	0
Louisiana Western	3	4	1	1	0	0
Maine	2	3	0	0	0	0
Maryland	15	21	0	0	6	0
Massachusetts	8	12	0	0	2	0
Michigan Eastern	22	39	0	0	9	0
Michigan Western	3	3	0	0	1	0
Minnesota	7	21	1	1	10	0
Mississippi Northern	1	1	0	0	1	0
Mississippi Southern	3	5	0	0	1	0
Missouri Eastern	6	7	0	0	6	0
Missouri Western	6	10	0	0	1	0
Montana	3	7	0	0	1	0
Nebraska	12	19	0	0	4	0
Nevada	10	11	0	0	3	0
New Hampshire	2	2	0	0	1	0
New Jersey	2	4	1	1	0	0
New Mexico	4	19	0	0	3	0
New York Eastern	18	41	2	3	5	0
New York Northern	4	4	0	0	1	0
New York Southern	14	41	0	0	11	0
New York Western	12	13	1	2	3	2
North Carolina Eastern	7	10	0	0	6	0
North Carolina Middle	0	0	0	0	0	0
North Carolina Western	5	5	1	1	1	0
North Dakota	2	2	0	0	1	0
Northern Mariana Islands	1	1	0	0	0	0

DISTRICT	ACTIVE SEX TRAFFICKING CASES	ACTIVE DEFENDANTS IN SEX TRAFFICKING CASES	ACTIVE FORCED LABOR CASES	ACTIVE DEFENDANTS IN FORCED LABOR CASES	DEFENDANTS CONVICTED IN SEX TRAFFICKING CASES	DEFENDANTS CONVICTED IN FORCED LABOR CASES
Ohio Northern	11	13	0	0	5	0
Ohio Southern	6	18	0	0	4	0
Oklahoma Eastern	0	0	0	0	0	0
Oklahoma Northern	4	6	1	2	4	2
Oklahoma Western	6	10	0	0	8	0
Oregon	6	10	0	0	2	0
Pennsylvania Eastern	14	34	1	1	4	0
Pennsylvania Middle	10	15	0	0	5	0
Pennsylvania Western	3	3	0	0	0	0
Puerto Rico	6	6	0	0	2	0
Rhode Island	0	0	0	0	0	0
South Carolina	7	22	2	4	2	1
South Dakota	7	8	0	0	1	0
Tennessee Eastern	0	0	0	0	0	0
Tennessee Middle	1	1	0	0	0	0
Tennessee Western	0	0	0	0	0	0
Texas Eastern	5	12	1	1	2	0
Texas Northern	35	53	0	0	17	0
Texas Southern	23	65	2	5	8	2
Texas Western	4	5	0	0	3	0
Utah	2	3	0	0	1	0
Vermont	1	1	0	0	0	0
Virginia Eastern	10	23	1	3	2	0
Virginia Western	2	2	0	0	0	0
Virgin Islands	3	4	0	0	1	0
Washington Eastern	5	6	0	0	2	0
Washington Western	3	3	0	0	2	0
West Virginia Northern	0	0	0	0	0	0
West Virginia Southern	7	8	0	0	4	0
Wisconsin Eastern	14	21	3	7	11	0
Wisconsin Western	7	9	0	0	3	0
Wyoming	0	0	0	0	0	0
TOTAL	570	951	37	111	229	9

ABOUT THE HUMAN TRAFFICKING INSTITUTE

The Human Trafficking Institute exists to decimate human trafficking at its source by empowering police and prosecutors to stop traffickers. Working inside criminal justice systems, the Institute provides the embedded experts, world-class training, investigative resources, and evidence-based research necessary to free victims.



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2701 Prosperity Ave, Suite 405 | Fairfax, VA 22031