The following is a compendium of news reports over the last month that may be of interest to our AG offices who are dealing with human trafficking issues. Neither the National Association of Attorneys General nor the National Attorneys General Training & Research Institute expresses a view as to the accuracy of news accounts, nor as to the position expounded by the authors of the hyperlinked articles.

April 2014

News from AG Offices

California Attorney General Kamala Harris led a delegation of Attorneys General, including Colorado Attorney General John Suthers, Florida Attorney General Pam Bondi, Nevada Attorney General Catherine Cortez Masto, and New Mexico Attorney General Gary King, to meet with Mexican federal officials and state attorneys general to discuss issues involving transnational criminal organizations, including drug, human and firearms trafficking. Prior to the meeting, General Harris released a comprehensive report detailing the current impact of transnational criminal organizations on California.

Georgia Attorney General Sam Olens spoke to businessmen and civic leaders this month, emphasizing the message that the fight against child sex trafficking must include stigmatizing and prosecuting the purchasers as well as targeting the traffickers.

Kansas Attorney General Derek Schmidt announced the sentencing of a Minnesota man, Preston Sanders, to 147 months in the Kansas Department of Corrections. A Logan County jury found Sanders guilty last October of transporting a person under 18 years of age knowing that the person would be used for the sexual gratification of another. The arrest and subsequent conviction began as a traffic stop on I-70. The Attorney General’s office assisted in the prosecution.

Massachusetts Attorney General Martha Coakley announced that a Fall River woman, Olivia Lara, was indicted on the three counts of Trafficking in Persons Under the Age of 18 for Sexual Servitude and three counts of Deriving Support from a Minor Prostitute. In connection with the same case, Feliziano Ramirez was indicted on the charge of Rape of Child.

Michigan Attorney General Bill Schuette praised members of the Michigan house for passing a package of bills which will strengthen legal protections for human trafficking victims by improving restitution for victims. The bills reflect the recommendations made by the Michigan Commission on Human Trafficking. Detailed information regarding the various bills passed was included in a press release from the Attorney General’s Office and can be found below under State Legislative Activity.

Rhode Island Attorney General Peter Kilmartin has put forth legislation, H7612, that would strengthen the state’s ability to prosecute those who engage in human trafficking and make it easier to seize assets
of those convicted of trafficking. General Kilmartin has also announced support for H7916 that would increase the penalties for sex trafficking of a minor from 40 years imprisonment to 50 years, increase the fine from $20,000 to $50,000, and increase the penalties for obstruction or interference with enforcement of sex trafficking laws from 20 years to 35 years imprisonment.

South Dakota Attorney General Marty Jackley announced that the Sioux Falls Area Human Trafficking Task Force and Internet Crimes Against Children Task force conducted an undercover operation where detectives posted online ads for escort services. Two men, Elijah Wilson and James Anthony Murphy, were arrested when they responded to the ad offering a 13-year old for sexual services. General Jackley also announced this month that SB 25 passed and was signed by the Governor. The legislation, proposed by the Attorney General's Office, will allow for the forfeiture of assets used in the furtherance of human trafficking and sex crimes after conviction.

Federal Legislative Activity

Senator Mark Kirk introduced SB 1738, the Stop Exploitation Through Trafficking Act of 2013. A companion bill, HR 4225, was introduced in the House.

Representative Carolyn Maloney is advocating for a bill that would send the IRS after pimps and traffickers for tax evasion. The Human Trafficking Fraud Enforcement Act of 2014 would give the IRS more funding and give financial aid and whistleblower protections to survivors of human trafficking.

Forty-four members of Congress wrote a “strongly-worded” letter to Attorney General Eric Holder urging him to do more to crackdown on Web sites like Backpage.com that are helping facilitate sex trafficking in the United States.

State Legislative Activity

Legislators in American Samoa have approved the territory’s first anti-human trafficking law. The bill makes human trafficking illegal with a penalty of 5 to 10 years in prison with a mandatory 10 years if the trafficking involves a minor. Deputy Attorney General Mitzie Jessop helped to craft the bill.

Georgia’s new statute, O.C.G.A. 16-5-47, requires that airports, bus stations, strip clubs, and other establishments post signs advertising the National Human Trafficking Resource Center’s hotline. Workers at the concessions at Atlanta’s airports have also undergone training to detect signs that a child traveling through the airport may be a victim of trafficking.

The Indiana legislature passed, and the Governor signed, SEA 291, which authorizes the Indiana Attorney General’s Office to access and maintain information about human trafficking investigations and to assist in prosecutions.

In Kansas, the Senate is considering HB 2501 which requires the imposition of a $2,500 fine against persons entering diversion agreements to charges of buying or selling sexual relations. It also would prohibit diversion for anyone who had previously entered into a diversion agreement for the same crime and require municipal and district courts to report these offenses to the Kansas Bureau of Investigation.
Penalties paid by individuals convicted of these and other crimes are earmarked for law enforcement training and services to victims of sexual trafficking.

**Louisiana**’s **HB 569** would allow district court judges to decide whether they would like to create specialized human trafficking court divisions. It would also allow victims of human trafficking who have been charged with prostitution to request their cases be dismissed. **HB 1025** would create harsher punishments and better tools for addressing human trafficking and the seizure of personal property of persons engaged in the crime.

**Maryland** legislators are considering several human trafficking measures this legislative session. **HB 608** calls for an increase in training for state and local police on matters such as sensitivity regarding victims. **HB 559** would require that victims’ addresses be kept confidential. Joint **Resolution 7** would require the Maryland Human Trafficking Task Force conduct a study of other states’ approaches to decriminalizing prostitution where a minor is a human trafficking victim.

The **Michigan** House passed a number of bills that are now being considered by the Senate. **H.B. 5239** would amend the Child Welfare Act to include human trafficking in the list of crimes and suspected crimes that are required to be reported by the Department of Human Services to law enforcement. **HB 5236** would allow funds from property forfeited from a convicted human trafficker to be used as restitution for victims. **HB 5237** amends the Crime Victim’s Rights Act to better define restitution provisions for human trafficking victims. **HB 5234** would revise and strengthen the definitions of “commercial sexual activity,” “forced labor or services,” and “coercion.”

**New Mexico** Governor Susana Martinez signed a law requiring employers to post a notice containing information about the National Human Trafficking Resource Center. **HB 181** goes into effect July 1, 2014.

The **Oklahoma** House has approved **HB 2353**. It increases the potential penalty for human trafficking convictions to life imprisonment. It also adds human trafficking to the list of crimes that requires those convicted to serve 85 percent of their time before becoming eligible for parole.

In **Pennsylvania**, legislators have introduced **SB 75** to toughen penalties for those convicted of human trafficking and expand services for trafficking victims. It would also strengthen the state’s legal definition of human trafficking and allow for the dropping of charges against victims of human trafficking.

**Washington** legislators passed three bills and a resolution addressing human trafficking this session. **HB 1292** allows a victim of trafficking and related offenses to vacate the record of a related prostitution conviction. The victim must establish eligibility by a preponderance of the evidence. However, the law also states that records may not be vacated if there are certain other pending criminal charges (other than prostitution). **HB 1791** expands the definition of “sex offense” to include trafficking in the first degree when a trafficked person is caused to engage in a sexually explicit act or a commercial sex act. Property forfeited because of its connection to child pornography, commercial sexual abuse, or promoting prostitution may be retained by a law enforcement agency for enforcement of sex offenses.
SB 6339 creates the crime of involuntary servitude, classified as a Class C felony, which does not require a specific threat of serious harm or physical restraint of labor but includes the threat to turn a person into immigration officials or withhold a passport as a means of forcing on into labor. Finally, SJM 8003 petitions Congress and the President to amend the Communications Decency Act to authorize states to enact and enforce laws holding Internet service providers liable when they knowingly facilitate child sex trafficking.

Wisconsin senators are considering SB492 which would amend the state’s current human trafficking law. It eliminates non-consent as an element of “trafficking,” allows a victim of sex trafficking to have a related conviction expunged, and eliminates the ability to prosecute minors for a prostitution offense.

**State Investigations/Arrests**

March 28: Charges have been refiled against a Wichita, Kansas, man on one count of aggravated human trafficking and one count of commercial sexual exploitation of a child. Earlier charges were dismissed because of witness unavailability.

March 24: The Clayton County, Georgia, sheriff’s joint vice task force set up a sting operation that identified two individuals who have been charged with human trafficking, sexual exploitation of a minor, and pimping. The arrests were made after officials discovered a 16-year old had posted on a social media site as an escort.

March 21: Wichita, Kansas, authorities have filed charges against two men, Polo Miller and Alexander Lane, on charges including aggravated human trafficking and commercial sexual exploitation of a child.

March 21: Three men arrested in Gorham, Maine, are implicated in a human trafficking case involving a 19-year old woman. Two of them, Klein Fernandes and Tamika Dias, have been charged with two counts of Class B aggravated sex trafficking. Jeremy Seeley is charged with two counts of misdemeanor sex trafficking. Fernandes has allegedly admitted to police that he is a member of the Crips street gang. Police were contacted by a relative of the woman who had reported her missing and found her being advertised on Backpage.com.

March 19: San Mateo, California, police announced the arrest of Michael Pierce on suspicion of human trafficking involving teen girls in South San Francisco. Undercover officers made a date with an escort through myRedBook.com and were taken to a hotel room where they found a 17- and an 18-year old girl. Preliminary information suggests that Pierce used social media websites to befriend teenage girls.

March 14: Daytona Beach, Florida, officials announced that an undercover sting resulted in the arrest of Lashonda Riley on human trafficking charges. An undercover detective arranged to meet a woman who had advertised herself online. After the detective arrested her, she revealed her age and told the detective that she was being controlled through coercion and violence. This is the first time Daytona Beach police have charged someone with sex trafficking.
March 14: A complaint filed in Sedgwick County, Kansas, District Court alleges that Shailesh Bhatka, 54, of Wichita, trafficked a 16-year old and allowed property in which he had an interest to be used to sell sex acts with the teen-ager.

March 14: A brother and sister from Taunton, Rhode Island, Peterson Raymond and Johanne Raymond, were arrested and charged with trafficking a person for sexual servitude, assault and battery with a dangerous weapon, kidnapping, and threatening to commit a crime. They allegedly held a mentally disabled woman against her will, drugging her and arranging for her to have sex with men for a fee.

March 13: Cherry Hill, New Jersey, police conducted an undercover operation at a local hotel that led police to three prostitutes who allegedly were forced by a Trenton man to work. Brian A. Moore has been charged with human trafficking and promotion of prostitution.

March 7: Loc Bao Tran was extradited from Colorado to North Dakota to face human trafficking charges in Minot. Prosecutors allege that he joined with Trina Phong Nguyen in running a business that offered massage and prostitution services from women who couldn’t speak English.

March 5: The Albany County, New York, Sheriff’s Office arrested two individuals following a tip on the whereabouts of an endangered 21-year-old woman. The woman was able to contact a friend, telling her that she was being forced into prostitution and that she was being held in a motel in the Town of Colonie. Elijah Richardson and Jakia York were charged with felony sex trafficking, criminal possession of controlled substance, and unlawful possession of marijuana.

March 5: Denver, Colorado, police have arrested Joe Avalos who is alleged to have provided drugs to young women in exchange for their having sex with strangers in Arvada, Wheat Ridge, and Boulder. Investigators believe that Avalos ran the operation out of his home in Arvada. He is charged on 17 counts, including kidnapping, pandering of a child, pimping, sexual assault, distribution of a controlled substance to a minor, keeping a place of prostitution, and attempting to pimp a child.

March 1: The Osceola County, Florida, Sheriff’s Office arrested Abillo Medina after they responded to a prostitution ad online. Undercover officers met up with a prostitute and arrested her. However, after deputies questioned her about bruises on her arm, she told officials that Medina set up meetings for her with different men, took her money, and threatened to hurt her if she didn’t work for him. He is charged with human trafficking, kidnapping, prostitution, and resisting arrest without violence.

February 28: The Special Crimes Investigation Unit within the Alaska Bureau of Investigations arrested Jeron Maon Batts of Anchorage on charges involving multiple counts of sex trafficking and tampering with physical evidence.

**State Prosecutions and Convictions**

A Houston County, Alabama, judge recently set a trial date for Santiago Alonso who is facing multiple felony charges, including human trafficking, distribution of drugs to a minor, and felony possession of marijuana. This prosecution is believed to be the first involving state human trafficking charges since the crime was elevated to a felony by the Alabama legislature.
Chauncey Tarae Garcia was found guilty on March 7 in Santa Anna, California, on one state count of human trafficking of a minor. Sentencing is scheduled for April 25. He faces up 28 years to life in prison.

An Oakland County, Michigan, Circuit Court jury found James Coleman guilty on three sex trafficking charges. He faces from 14 to 40 years in prison.

Shawn Conley, of Southport, North Carolina, pled guilty in state court to human trafficking of a minor. The arrest and plea were the result of an investigation by the Boiling Spring Lakes police department into a web-based prostitution operation. Conley was sentenced to serve a minimum of 80 months and a maximum of 108 months in the North Carolina Department of Correction.

Josefina Carleton and her common-law husband, Critobal Zanella Farjardo, pled guilty to human trafficking after a four-day trial in Dallas County, Texas, resulted in a hung jury. This case involving domestic servitude began for investigators in 2010 when a women checked into the emergency room of a local hospital. She claimed that she and her children had spent seven years as a de facto slave in Garland, Texas. She stated she did all the housework, yard working, and cooking, janitorial work at office buildings, and construction work at houses owned by the defendants’ daughter and son-in-law. Her ten-year old daughter was forbidden to go to school but was made to care for the grandchildren of the couple. Her son, then 12, was allowed to go to school but forced to clean offices at night. Both bore scars from suspected child abuse.

**Articles of General Interest**

Holly Smith, a human trafficking survivor, wrote an article with words of advice to law enforcement and others from former human trafficking victims, regarding sensitive techniques for interviewing the victims.

The Urban Institute has released a report from its Justice Policy Center that estimates that the underground commercial sex economy generates millions of dollars annually. Researchers looked at the underground commercial sex economy in eight major cities, interviewing pimps, traffickers, sex workers, child pornographers, and law enforcement.

San Mateo County, California, has implemented a San Mateo County Human Trafficking Protocol. It is a set of guidelines and procedures that will help officers detect and investigate human trafficking cases. The protocol also includes training for staff at local hotels to detect signs of human trafficking at their businesses.

A task force of the American Psychological Association has issued a report on preventing the trafficking of women and girls. Task force members reviewed the scientific literature published since 1980 pertaining to trafficking of females in the United States. They concluded that there is no reliable estimate of the prevalence and incidence of trafficking of women and girls in the United States and no consistent profile of a trafficker.

Carlson, owner of Radisson and other hotels around the world, has taken on the issue of human trafficking. It has partnered with ECPAT (End Child prostitution, Child Pornography and Trafficking) to
ensure their employees are educated about human trafficking and have joined with other major corporations to form gBCAT, the Global business Coalition Against Human Trafficking. gBCAT’s goal is to educate the employee bases of companies on human trafficking, share best practices in supply chain and employee policies, and recruit more business partners to engage in the issue.

For the first time ever, representatives of the Catholic, Anglican, and Muslim faiths gathered at the Vatican press office on Monday for the launch of a Global Freedom Network aimed at eradicating human trafficking by the end of the decade. The agreement, signed by Bishop Marcelo Sanchez Sorondo, New Zealand Archbishop David Moxon, representative of the Archbishop of Canterbury to the Vatican, and Dr. Mahmoud Azab, representing the Grand Imam of Al-Azhar, calls for urgent action by all faith communities to join the effort to free those in slavery.

A series by Nicholas Kristoff, titled “Inside the Brothels,” is available on the New York Times website. Kristoff has extensively investigated human trafficking through the world.