The following is a compendium of news reports over the last month that may be of interest to our AG offices that are dealing with state-focused 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.

June 2015

**News from AG Offices**

**Indiana Attorney General Greg Zoeller** applauded the signing into law of [SEA 532](https://www.in.gov/gis/49232.htm) by Governor Mike Pence. The legislation will allow a criminal location to be deemed an “indecent nuisance” so that the property may be seized. Eighty percent of the assets will be directed to the Human Trafficking Prevention and Victim Assistance Fund and the remaining twenty percent will be placed in the county prosecutor’s office. The new law also includes additional requirements for licensed adult entertainment establishments. In addition, **Gen. Zoeller** has announced the creation of a new division within his office, the Victim Services and Outreach Division. This division will focus on vulnerable populations who are in critical need of services, including victims of human trafficking. The office is putting out a Victim Advocates’ Newsletter; a Victim Rights Handbook will be available online. Finally, in continuing the tradition of his office that began with the hosting of Super Bowl XLVI, a [community awareness campaign](https://www.in.gov/gis/49232.htm) was conducted around the hosting of the 99th running of the Indianapolis 500 Memorial Day race. Volunteers visited hotels, bars, restaurants, gas stations, grocery stores, and other businesses to distribute red flag information and fact sheets as well as a booklet of photographs of missing children.

**HB 89**, introduced into the legislature at the behest of **Montana Attorney General Tim Fox**, has been signed into law by Governor Steve Bullock. It establishes comprehensive definitions and penalties for human trafficking crimes, provides protections for victims, and creates new opportunities for the Montana Department of Justice to raise and educate the public and law enforcement on the issue.

**Acting Attorney General John J. Hoffman** announced that four men have been arrested on first-degree charges of conspiracy, human trafficking, and promoting prostitution of a minor. They are alleged to have trafficked a 14-year old girl. An 18-year old victim was also
found. The National Center for Missing and Exploited Children provided information to an FBI Task Force that led to the arrests.

**Texas Attorney General Ken Paxton** announced that nine suspected child predators were arrested as a result of a joint sting operation between the Attorney General’s Child Exploitation Unit and the Copperas Cove Police Department. Investigators alternately posed as a 15-year old girl or a 16-year old boy on social media and websites such as Whisper, MocoSpace, and Badoo, as well as on Craigslist.

**Utah Attorney General Sean Reyes** testified before the Foreign Affairs Subcommittee on Africa & Global Human Rights regarding his experience with being involved in a sting operation against traffickers in Colombia. He also expressed his support for Megan’s Law and spoke about Utah’s experience in counteracting trafficking.

**Court Cases**

Judge D.J. Stearns of the U.S. District Court of Massachusetts issued his decision in *Doe v. Backpage.Com, LLC, et al.*, No. 14-13870. In this case, three women, who said that had been repeatedly raped after being sold, sued Backpage sued the website for damages. In granting the defendants’ motion to dismiss the lawsuit, the court held that Congress had made clear in the Communications Decency Act that, when balancing between two goals – freedom of expression and the suppression of trafficking – the balance should be struck in favor of the First Amendment. The plaintiffs announced that they would appeal.

**Federal Legislative Activity**

The **Justice for Victims of Trafficking Act, S. 178**, has been signed by President Obama. A summary of the bill, prepared by the Congressional Research Service, can be found here. Several provisions may be of particular interest to the Attorney General community. The new law contains a version of the SAVE Act by amending provisions of the TVPRA, 18 U.S.C. § 1595 (c), to prohibit knowingly advertising commercial sex acts involving a victim of human trafficking or benefitting financially from such advertising, knowing the person advertised is a victim. Since the TVPRA already provides a civil remedy for victims, this provision would allow victims to sue violators of the new statute if they can prove the required mens rea. Another interesting provision amends the Mann Act, 18 U.S.C. § 2421, by providing that the U.S. Attorney General “shall grant a request by a State attorney general that a State or local attorney be cross designated to prosecute a violation of this section unless the Attorney General determines that granting the request would undermine the administration of justice.” If the request is denied, the law requires a detailed reason for the denial within 60 days. Finally, Section 601 would give preference in grant making to states that have safe harbor provisions in their statutes.

**Fast-track trade legislation**, sought by the Administration, passed the Senate. However, it included an amendment that would prohibit expedited consideration of trade agreements with any country (such as Malaysia) that has received a Tier 3 ranking on the State Department’s Trafficking in Persons (TIP) report. Critics complain that the requirement
could be easily bypassed by the Secretary of State’s sending a letter to the Finance and Ways and Means Committees stating the concrete actions a Tier 3 country is taking to comply with the recommendations outlined by the TIP. The House may strip that amendment and, instead, attach similar, and perhaps tougher, provisions to a customs bill.

H.R. 460, which passed the House in January, has now passed out of committee in the Senate. The bill directs the Secretary of Homeland Security to train all DHS personnel on how to deter, detect, disrupt, and prevent human trafficking during the course of performing their normal duties.

State Legislative Activity

SB 420 passed the California Senate and is now in the Assembly. The bill would amend the state penal code to clearly distinguish between buyers and sellers.

In Florida, two bills impacting human trafficking await Governor Rick Scott’s signature. HB 369 requires the Florida Department of Transportation to display human trafficking public awareness signs at rest areas, turnpike service plazas, weigh stations, certain emergency rooms, strip clubs, and businesses offering massage or bodyworks services that are not owned by a health care professional. HB 465 increases penalties for those who solicit prostitutes.

The legislature in Hawaii passed SB 265 which awaits Governor David Ige’s signature. However, the bill has created controversy in the state with opposition to its enactment coming from the Honolulu Prosecuting Attorney, the state’s public defender, and the Honolulu Police Department. They maintain that, if enacted, the law would actually hurt efforts to stem trafficking and create higher barriers of proof.

The Missouri legislature has passed a resolution to create a state-wide human trafficking committee which will include advocates for human trafficking survivors, law enforcement, state officials, a judge, prosecuting attorney, a medical professional, and state officials and lawmakers.

Nebraska Governor Pete Ricketts signed LB 294 into law last month; the bill had passed unanimously in the Nebraska legislature. The measure beefs up criminal penalties for sex traffickers and customers. It also would provide a safe harbor for children who are trafficked, gives law enforcement more tools to target online marketers of trafficked prostitutes, and allows confiscation of traffickers’ assets.

In Rhode Island, S. 123 was signed into law by Governor Gina Raimondo. It raises the maximum sentence from 40 years to 55 years imprisonment for anyone found guilty of sex trafficking a minor.

HB 416 has passed the Texas House. It would require people who work or volunteer in Texas’ abortion facilities and who have direct contact with patients to take a state-mandated training course on human trafficking.
Local Legislative Activity

The Baltimore City Council approved a bill that would provide whistle-blower protections for hotel workers who report suspected trafficking cases and would also require training, approved by the city's Health Department, for hotel workers on how to spot signs of trafficking.

State Investigations/Arrests/Prosecutions

Alabama

May 6, 2015: The Montgomery Police Department has charged a South Carolina man, Theon Smith, with two counts of first-degree human trafficking. The alleged trafficking involved two minors.

Arkansas

May 4, 2015: Arkansas State Troopers arrested 28-year old Amber Johnson in connection with a human trafficking operation. Investigators have identified two teenagers who were the victims of the trafficking and also recovered two children, ages two and three, who had been kept in a Little Rock motel room with one of the teenagers.

California

May 29, 2015: An alleged Long Beach gang member has been charged with human trafficking and causing great bodily injury after the woman he is accused of victimizing appeared in court (on an unrelated matter) with traumatic injuries to her face and body. Leevi Matuni Maseuli faces charges of human trafficking with special allegations of use of a deadly weapon, personal infliction of great bodily injury, and benefiting a criminal street gang.

May 21, 2015: Two men were arraigned in Orange County Thursday in separate cases of alleged human trafficking, including one who allegedly solicited an undercover officer he believed to be an underage girl. Brandon Roosevelt Starks and Tyrell Anthony Lancaster both pled not guilty to the charges.

May 15, 2015: Jaesha Katherine Glean, 33, of Perris was arrested on suspicion of human trafficking and of operating a brothel by sheriff's officials. Her five children have been turned over to Child Protective Services.

Connecticut

May 19, 2015: Watertown Police detectives arrested a convicted felon, Michael Smith, on information they received from the Connecticut Department of Children and Families. He has been charged with trafficking in persons, promoting prostitution in the first degree, and reckless endangerment in regards to a 16-year old girl.
May 7, 2015: Michael Connelly, a former judicial marshal in Waterbury who had previously been charged with prostitution and child pornography, has now been charged with trafficking in persons, three counts of impersonation of a police officer, and three counts of coercion.

Florida

May 31, 2015: Ft. Lauderdale police, along with detectives from the Broward and Miami-Dade sheriff’s offices, arrested six individuals on human trafficking charges. They are allegedly members of the Str8ProfitBoyz, a criminal business that exploited young females and ran a human trafficking operation.

May 27, 2015: A third person has been arrested in connection with a human trafficking investigation regarding a 17-year old and a 32-year old women who were allegedly held against their will, physically abused, and forced to engage in prostitution. Raymond Ruiz was ordered to be held without bond by a Miami-Dade county judge.

Illinois

May 7, 2015: A Chicago area law school student doing research on the sex trade tipped off the Cook County Sheriff’s Department about a backpage.com ad for a 16-year old. Sheriff’s officials matched the girl's picture to her Facebook account and saw correspondence with Kinshasha Johnson. Johnson has been arrested on trafficking charges.

Louisiana

May 26, 2015: David Lee was sentenced to 20 years’ imprisonment, the maximum under Louisiana law, for his role in trafficking two girls, 14 and 16, from San Antonio to New Orleans around Mardi Gras in February 2010.

Maryland

May 21, 2015: Ann Arundel County police arrested Jessie Gene Vaughn, charging him with human trafficking and prostitution. An investigation which began with the heroin task force ended with finding two adult female victims that Vaughn was trafficking online.

North Carolina

May 15, 2015: Charlotte police arrested Deangelo Hugey on human trafficking charges involving two teen-agers, 15 and 16 years old.

North Dakota

May 18, 2015: One of the state’s witnesses intended to be called in a human trafficking case in Mandan was himself charged with trafficking regarding the selling of sexual services of an 18-year old woman. The charges against Abdul Fazl Vann involve providing an 18-year old for sexual services.
May 7, 2015: A potential victim of human trafficking reported to Minot police that she was assaulted and intimated when she attempted to stop working as a prostitute after the man for whom she was working put another prostitute, Shakira Monique McClinton, in charge of her. McClinton was arrested on human trafficking charges.

May 6, 2015: The principal and superintendent of Sawyer School, Charles William Soper, was arrested by Minot police and charged with human trafficking involving a 15 year-old boy.

South Dakota

May 29, 2015: A Minnesota man has been arrested for human trafficking by Sioux Falls police. Police investigators responded to an on-line ad for prostitution. When police made contact, the woman told them she was being held against her will and gave a description of the man who was allegedly victimizing her. Thirty-year old Justin Keith of Milwaukee was found and arrested on second-degree human trafficking charges.

Tennessee

May 31, 2015: Tennessee State troopers have arrested Rafael Quiroz-Martinez on suspected human trafficking charges. A trooper conducted a traffic stop on a window tint violation and, when questioning Martinez and his female passenger, was concerned about inconsistent statements they made. A search of the vehicle found other items, such as $1,380 in cash, a ledger containing cities and dollar amounts, and other items of a suspicious nature. Further investigation revealed that Martinez was under a 2013 order for deportation.

May 24, 2015: The Tennessee Bureau of Investigation (TBI) held a week-long operation both to counter human trafficking and to better understand what is going on Tennessee. The TBI will replicate this approach in other areas of the state. During this phase of the operation, assisted by local police, authorities arrested a dozen men, including a pastor, an Army lieutenant, a farmer, and a small business owner, on prostitution related offenses and also identified several young women who may be victims of human trafficking.

Texas

May 13, 2015: Waco police arrested three individuals recently on human trafficking and assault charges involving a 16-year-old girl. Three other individuals had been arrested earlier in regards to the same case.

Wisconsin

May 11, 2015: Pao Chang, 29, pled no contest to one count of trafficking of a child and one count of human trafficking. He was charged with bringing girls between 14 and 20 years old to Sheboygan apartments and hotels for prostitution, making between $600 and $800 a day. Two other charges were dismissed. Sheboygan County Assistant District Attorney Joel Urmanski will cap his sentencing recommendation to 25 years initial confinement and 15
years extended supervision under the plea deal, but will ask that Chang register as a sex offender for the rest of his life. Sentencing is scheduled for July.

**Articles of General Interest**

The horror associated with labor trafficking in the Malay Peninsula was again in the news last month. Malaysia has found 139 graves in what is suspected to have been a labor camp harboring human trafficking victims, just across the border from the Thai location of a mass grave discovered in April. The crackdown on human trafficking appears to have led traffickers to abandon victims on boats in Thai waters. These boats, holding hundreds of starving migrants, have started coming ashore in Malaysia and Indonesia.

In the May 2015 issue of the *NYU Law Review*, there is an interesting article detailing how the buyers of sex are treated under various state and federal laws. The note advocates that targeted legislation should be passed explicitly addressing this population, with tailored mens rea standards and flexible penalties correlated to culpability.

Polaris has issued a brief on U.S. citizen victims of human trafficking, based on information reported to the National Human Trafficking Resource Center (NHTRC) hotline and Polaris's BeFree Textline in 2014.

Last year, the Texas Education Agency launched the RISE program to educate teachers and school staff members to identify signs of human trafficking. Educators are taught red flags and risk factors and are encouraged to share their knowledge with community members and parents and engage in local prevention efforts.

The Nebraska Coalition on Human Trafficking has initiated a project to train hotel workers in the Omaha area how to spot those who are being forced into prostitution. Some of the signs of awareness include lodgers with a small amount of luggage, an unusual collection of wigs or IDs inside a suite, prepaid debit cards, and girls who are unsure of where they are.

Dr. Arne Graff, medical Director for the Rochester Mayo Clinic Child and Family Advocacy group, talked about the relationship between porn addiction and human trafficking at a conference in Rochester, Minnesota, in early May.

The New York Times ran a lengthy article on potential trafficking in the nail salon industry in New York City. After the article appeared, Governor Cuomo announced emergency measures to help protect those in the manicuring industry from wage theft and exposure to hazardous materials.