2006

Federal Prosecution of Human Trafficking, 2001-2005

U.S. Department of Justice

Follow this and additional works at: http://digitalcommons.unl.edu/humtraffdata

Part of the Inequality and Stratification Commons

http://digitalcommons.unl.edu/humtraffdata/7

This Article is brought to you for free and open access by the Interdisciplinary Conference on Human Trafficking at the University of Nebraska at DigitalCommons@University of Nebraska - Lincoln. It has been accepted for inclusion in Human Trafficking: Data and Documents by an authorized administrator of DigitalCommons@University of Nebraska - Lincoln.
Federal Prosecution of Human Trafficking, 2001-2005

Mark Motivans
Tracey Kyckelhahn
BJS Statisticians

Between 2001 and 2005, U.S. attorneys investigated 555 suspects in matters involving violations of Federal human trafficking statutes. Over half of the matters (58%) opened during this period were for offenses created under the Trafficking in Victims Protection Act (TVPA) of 2000.

This report used data from the Federal Justice Statistics Program (FJSP) to describe violations of Federal human trafficking statutes from 2001 to 2005. (See Notes for specific statutes).

Annual data sets from the Executive Office (EO) for U.S. Attorneys’ National LIONS system and the Administrative Office of the United States Courts (AO) were combined to report on four distinct case processing stages: matters opened by U.S. attorneys, matters closed by U.S. attorneys, cases filed in U.S. district court, and cases terminated in U.S. district court.

This report describes persons processed at each stage for the 5-year period. It does not track persons or cases through the entire case process. (See Notes). The groups at each stage should not be compared.

In matters opened, U.S. attorneys investigated 58% of suspects for violating TVPA offenses

Of the 555 human trafficking suspects in matters opened by U.S. attorneys between 2001 and 2005, more than half (58%) were investigated for offenses created by TVPA:

• forced labor (24%)
• sex trafficking of children (23%)
• trafficking slaves (9%)
• unlawful conduct or general provisions (2%) (table 1).


Almost half of the human trafficking matters opened by U.S. attorneys (48%) were in Federal judicial districts in four States: California (17%), Florida (14%), Texas (9%), and New York (8%). (See map on page 2). Thirty-seven percent of sex trafficking of children matters were referred by U.S. attorneys in California.

146 suspects prosecuted in matters closed by U.S. attorneys

From 2001 to 2005, a total of 377 matters where human trafficking was the lead charge were closed by U.S. attorneys. In the closed matters, U.S. attorneys prosecuted 146 suspects (39%) in U.S. district courts.

Seventy-three percent of suspects with sex trafficking of children as the lead charge and 52% of suspects referred for forced labor were prosecuted. The median time from receipt of matter to decision to prosecute was 1.8 months (not shown in table).

U.S. attorneys declined to prosecute suspects in 222 matters or 59% of the matters closed during this period, due to —

• lack of evidence of criminal intent (29%)
• weak or insufficient admissible evidence (28%)

### Table 1. Suspects in matters referred to U.S. attorneys with human trafficking offenses as lead charge, 2001-2005

<table>
<thead>
<tr>
<th>Lead charge</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>555</td>
<td>100.0%</td>
</tr>
<tr>
<td>Peonage/involuntary servitude</td>
<td>63</td>
<td>11.4%</td>
</tr>
<tr>
<td>Sale into involuntary servitude</td>
<td>155</td>
<td>27.9%</td>
</tr>
<tr>
<td>Transportation for slavery&lt;sup&gt;a&lt;/sup&gt;</td>
<td>16</td>
<td>2.9%</td>
</tr>
<tr>
<td>Forced labor&lt;sup&gt;b&lt;/sup&gt;</td>
<td>134</td>
<td>24.1%</td>
</tr>
<tr>
<td>Trafficking slaves&lt;sup&gt;b&lt;/sup&gt;</td>
<td>49</td>
<td>8.8%</td>
</tr>
<tr>
<td>Sex trafficking of children&lt;sup&gt;b&lt;/sup&gt;</td>
<td>129</td>
<td>23.2%</td>
</tr>
<tr>
<td>Other&lt;sup&gt;b,c&lt;/sup&gt;</td>
<td>9</td>
<td>1.6%</td>
</tr>
</tbody>
</table>

<sup>a</sup>Includes vessels for the slave trade, enticement, and transport of slaves from the U.S.

<sup>b</sup>Offenses added to the human trafficking statute by the TVPA.

<sup>c</sup>Includes misuse of documents and general provisions.

Source: Executive Office for U.S. Attorneys, National LIONS database, fiscal year.
Almost half of the human trafficking suspects referred to U.S. attorneys were in four states, 2001-2005

Percent of human trafficking suspects referred to U.S. attorneys, by Federal districts, 2001-2005

<table>
<thead>
<tr>
<th>District</th>
<th>&lt;1%</th>
<th>1-2.9%</th>
<th>3-5%</th>
<th>&gt;5%</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>G</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes


Data from the EO LIONS system and the AO criminal master file were used in this report (available at <http://fjsrc.urban.org>). In the EO data "lead charge" is the basis for investigation and for which at least 1 hour of investigation time is spent. Differences exist in the numbers reported by each agency, in part due to the case processing time, case filing definitions in agency databases, and the details on case statutory information. (See Reconciling Federal Criminal Case Processing Statistics, BJS, <http://www.ojp.usdoj.gov/bjs/abstract/rfccps.htm>.

In this report, 44% of the 555 human trafficking matters opened by U.S. attorneys from 2001 to 2005 occurred in 2005. A significant portion of these matters will not be reported in subsequent stages until after 2005.

Additional resources


The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. Jeffrey L. Sedwick is director.

This Data Brief was written by Mark Motivans and Tracey Kyckelhahn, under the supervision of Steven K. Smith. Thomas H. Cohen verified the report. Carolyn C. Williams edited the report and Jayne Robinson prepared the report for final printing under the supervision of Doris J. James.

October 2006, NCJ 215248

Table 2. Defendants adjudicated in Federal courts for a human trafficking offense as any charge filed, 2001-2005

<table>
<thead>
<tr>
<th>Number of defendants</th>
<th>Cases concluded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>78</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Disposition</th>
<th>Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convicted</td>
<td>75</td>
</tr>
<tr>
<td>Guilty plea</td>
<td>57</td>
</tr>
<tr>
<td>Jury trial</td>
<td>18</td>
</tr>
<tr>
<td>Not convicted</td>
<td>3</td>
</tr>
<tr>
<td>Dismissed</td>
<td>2</td>
</tr>
<tr>
<td>Acquitted</td>
<td>1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Type of sentence imposed</th>
<th>Cases</th>
<th>Median sentence imposed</th>
<th>Median processing time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prison</td>
<td>64</td>
<td>70 mos</td>
<td>10 mos</td>
</tr>
<tr>
<td>Probation</td>
<td>5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>6</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Includes convicted defendants only.

**Includes fines and suspended sentences.


Office of Justice Programs

Partnerships for Safer Communities
http://www.ojp.usdoj.gov

This report in portable document format and in ASCII and its related statistical data and tables are available at the BJS World Wide Web Internet site: <http://www.ojp.usdoj.gov/bjs/abstract/fpht05.htm>.

Notes


Data from the EO LIONS system and the AO criminal master file were used in this report (available at <http://fjsrc.urban.org>). In the EO data "lead charge" is the basis for investigation and for which at least 1 hour of investigation time is spent. Differences exist in the numbers reported by each agency, in part due to the case processing time, case filing definitions in agency databases, and the details on case statutory information. (See Reconciling Federal Criminal Case Processing Statistics, BJS, <http://www.ojp.usdoj.gov/bjs/abstract/rfccps.htm>.

In this report, 44% of the 555 human trafficking matters opened by U.S. attorneys from 2001 to 2005 occurred in 2005. A significant portion of these matters will not be reported in subsequent stages until after 2005.

Additional resources


The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. Jeffrey L. Sedwick is director.

This Data Brief was written by Mark Motivans and Tracey Kyckelhahn, under the supervision of Steven K. Smith. Thomas H. Cohen verified the report. Carolyn C. Williams edited the report and Jayne Robinson prepared the report for final printing under the supervision of Doris J. James.

October 2006, NCJ 215248


Data from the EO LIONS system and the AO criminal master file were used in this report (available at <http://fjsrc.urban.org>). In the EO data "lead charge" is the basis for investigation and for which at least 1 hour of investigation time is spent. Differences exist in the numbers reported by each agency, in part due to the case processing time, case filing definitions in agency databases, and the details on case statutory information. (See Reconciling Federal Criminal Case Processing Statistics, BJS, <http://www.ojp.usdoj.gov/bjs/abstract/rfccps.htm>.

In this report, 44% of the 555 human trafficking matters opened by U.S. attorneys from 2001 to 2005 occurred in 2005. A significant portion of these matters will not be reported in subsequent stages until after 2005.

Additional resources


The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. Jeffrey L. Sedwick is director.

This Data Brief was written by Mark Motivans and Tracey Kyckelhahn, under the supervision of Steven K. Smith. Thomas H. Cohen verified the report. Carolyn C. Williams edited the report and Jayne Robinson prepared the report for final printing under the supervision of Doris J. James.

October 2006, NCJ 215248


Data from the EO LIONS system and the AO criminal master file were used in this report (available at <http://fjsrc.urban.org>). In the EO data "lead charge" is the basis for investigation and for which at least 1 hour of investigation time is spent. Differences exist in the numbers reported by each agency, in part due to the case processing time, case filing definitions in agency databases, and the details on case statutory information. (See Reconciling Federal Criminal Case Processing Statistics, BJS, <http://www.ojp.usdoj.gov/bjs/abstract/rfccps.htm>.

In this report, 44% of the 555 human trafficking matters opened by U.S. attorneys from 2001 to 2005 occurred in 2005. A significant portion of these matters will not be reported in subsequent stages until after 2005.

Additional resources


The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. Jeffrey L. Sedwick is director.

This Data Brief was written by Mark Motivans and Tracey Kyckelhahn, under the supervision of Steven K. Smith. Thomas H. Cohen verified the report. Carolyn C. Williams edited the report and Jayne Robinson prepared the report for final printing under the supervision of Doris J. James.

October 2006, NCJ 215248