



Federal
**HUMAN
TRAFFICKING** *Report*



A PUBLICATION
OF THE

HUMAN
TRAFFICKING
INSTITUTE

*In the shadow of monuments built by enslaved people, Congress enacted the **TRAFFICKING VICTIMS PROTECTION ACT** in 2000. The law represented a milestone in the enduring march towards **ENDING HUMAN EXPLOITATION** in all its forms. As we reflect on **TWO DECADES** of federal efforts to hold perpetrators accountable and protect survivors of human trafficking, we are energized by our progress and motivated by our shortcomings to keep moving forward.*



ACKNOWLEDGEMENTS

The 2020 Federal Human Trafficking Report was co-authored by Kyleigh Feehs and Alyssa Currier Wheeler, associate legal counsel for the Human Trafficking Institute (HTI), and edited by Lindsey Roberson, director of legal engagement for HTI.

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SPECIAL *Thanks*

The 2020 Federal Human Trafficking Report is a result of the valuable contributions of many individuals who participated in the review of human trafficking cases, entry of case data, management of the human trafficking case database, drafting of the final publication, and collaboration on identifying key findings and emerging trends. The Human Trafficking Institute (HTI) is grateful for all who participated in the development of the 2020 Report and would like to express its gratitude to the following individuals:

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WELCOME *Letter*



Dear Reader,

October 28, 2020 marked the 20th anniversary of the enactment of the Trafficking Victims Protection Act (TVPA) in the United States. While enforcement efforts to hold traffickers accountable for their crimes began earlier than 20 years ago, over the past two decades the TVPA and its subsequent amendments have added additional tools for prosecution efforts, increased victim protection, and ensured serious criminal and civil consequences for those who engage in and facilitate human trafficking.

Since 2017, the Human Trafficking Institute has published this annual Federal Human Trafficking Report, providing practitioners and the public alike with an objective, in-depth analysis of U.S. efforts to prosecute those committing forced labor, sex trafficking, and a variety of related conduct.

The Report is the culmination of an exhaustive review of every federal criminal and civil case, and includes a variety of data points on the resulting trends. This year, however, marks a new benchmark in the depth and breadth of the Report by showcasing all 20 years of prosecution data since the TVPA's enactment. The Report begins with a timeline of key dates and developments in the law that have enhanced the federal government's ability to identify human trafficking victims, investigate human trafficking cases, and ultimately hold human traffickers accountable.

The Report provides comprehensive case profile information regarding the methods of solicitation, criminal schemes, and types of coercion used by traffickers, and adds new data points on social media platforms traffickers used for victim recruitment and trafficking trends of foreign national victims. The Report also offers an overview of trends in criminal prosecutions, including an analysis of charges, convictions, sentences, appeals, and restitution awards. Further, this year's Report provides new information on how trafficking investigations originate. Throughout the Report, we have highlighted certain data trends over the past 20 years, giving invaluable insight into how the enforcement of federal trafficking crimes has evolved. We also provide many points for civil case comparisons to highlight how civil enforcement efforts compare to their criminal counterparts.

We are grateful for the many generous contributions of and the collaboration with governmental agencies, non-governmental organizations, and the survivors who make this Report possible and ensure it is an accurate and victim-centered tool for those working to combat trafficking. This one-of-a-kind analysis allows us to celebrate how far we have come in holding traffickers accountable for their crimes, but also to take an honest look at how much work there is still to do. We look forward to your feedback on this year's Report, and the way it shapes how we work together to seek justice for those most impacted by human trafficking in the United States.

Sincerely,
Lindsey N. Roberson
Director of Legal Engagement



EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

Human trafficking is the crime of using force, fraud, or coercion to compel someone to work or to engage in commercial sex. 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 the only exhaustive review of human trafficking prosecutions in U.S. federal courts. The Report presents data from both sex trafficking and forced labor prosecutions and supplements its analysis with information from civil human trafficking lawsuits.

To mark the 20th anniversary of the Trafficking Victims Protection Act (TVPA), which made human trafficking a federal crime, this year’s edition of the Report also highlights data and trends spanning two decades of anti-trafficking enforcement in the United States.

ONLINE SOLICITATION has dwarfed other tactics used by traffickers to solicit buyers of commercial sex for over a decade, appearing as the primary form of solicitation in **OVER TWICE AS MANY** criminal cases as any other method each year since 2008.

The **DOMESTIC SERVICES INDUSTRY** is the most frequent source of federal forced labor prosecutions. **HALF** of all **FORCED LABOR** prosecutions alleged that traffickers compelled victims to perform domestic services like housekeeping, cooking, childcare, and other forms of labor within a household.

20-YEAR Trends

The number of human trafficking convictions each year has steadily increased over time. A total of **3,169 DEFENDANTS** have been convicted in human trafficking cases since 2000.

NUMBERS AT A GLANCE:

2,093

ACTIVE HUMAN TRAFFICKING PROSECUTIONS

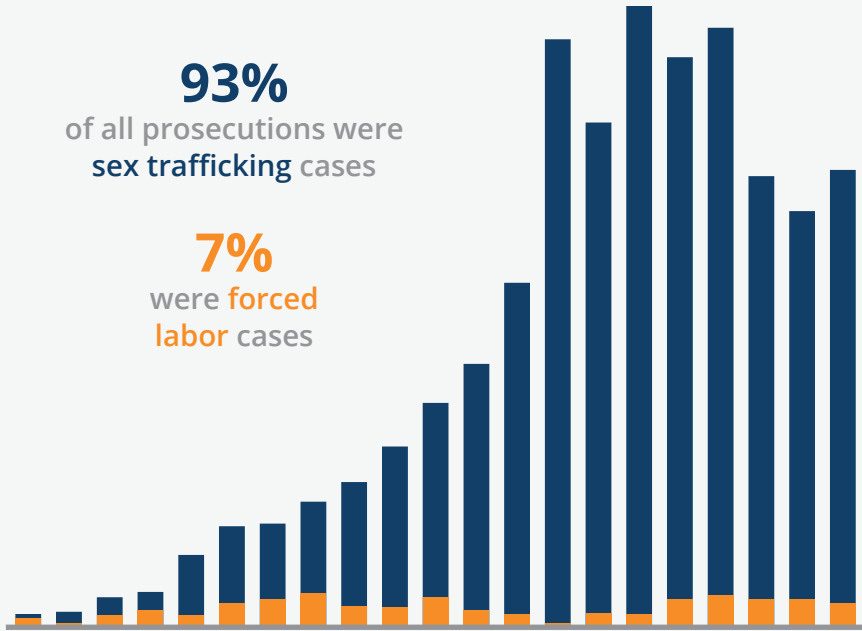
4,132

ACTIVE DEFENDANTS

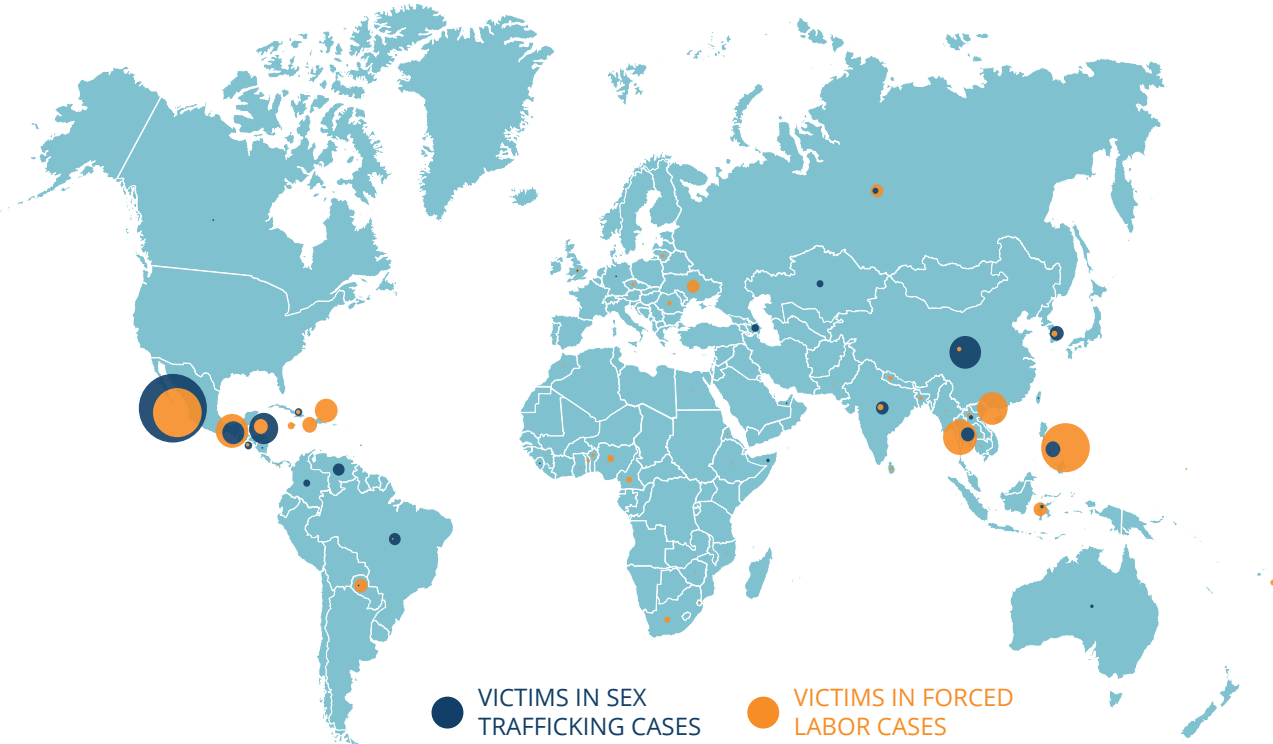
4,824

VICTIMS IN ACTIVE PROSECUTIONS

Prosecutors filed more **SEX TRAFFICKING PROSECUTIONS** in 2020 than all **FORCED LABOR PROSECUTIONS** filed in the two decades since the enactment of the TVPA. Whereas there has been a steady increase in sex trafficking prosecutions since 2000, the number of forced labor prosecutions has remained low.



The impact of human trafficking in the United States is far-reaching, affecting people of all ages and genders, regardless of whether they are U.S. citizens or foreign national victims. Foreign nationals came from **59 DIFFERENT COUNTRIES** of origin, the majority in the Western Hemisphere.



NUMBERS AT A GLANCE:

579

ACTIVE HUMAN TRAFFICKING PROSECUTIONS

94% SEX TRAFFICKING CASES + 6% FORCED LABOR CASES

1,007

ACTIVE DEFENDANTS

1,499

VICTIMS IN ACTIVE PROSECUTIONS

200

ACTIVE CIVIL HUMAN TRAFFICKING LAWSUITS

91 SEX TRAFFICKING CASES + 109 FORCED LABOR CASES

KEY TAKEAWAYS from 2020



Self-reporting by a victim was the most common way that a case was reported to law enforcement in 2020. **OVER ONE-THIRD** of case referrals that resulted in a prosecution involved a victim who contacted law enforcement for assistance, either directly or through the support of a non-profit or hotline. Moreover, **88%** of the new human trafficking cases in 2020 involved multi-agency collaboration in the investigation of the case.

Many human traffickers **OPERATE INDEPENDENTLY** of large-scale “trafficking rings,” instead exploiting vulnerable individuals with whom they have a personal connection. **ONLY 5%** of active sex trafficking cases involved exploitation directed by gangs or more formal organized crime groups. Instead, most cases involved individual traffickers acting as “pimps,” operating without direction from or connection to a larger criminal network, even exploiting victims within their own families.

Prosecutors filed more human trafficking cases in 2020 than in 2019, but charged fewer defendants. The number of cases filed in 2020 **INCREASED 11%** to 165 following two years of decline. In contrast, the number of defendants charged dropped to 257, **DOWN 8%** from 2019.

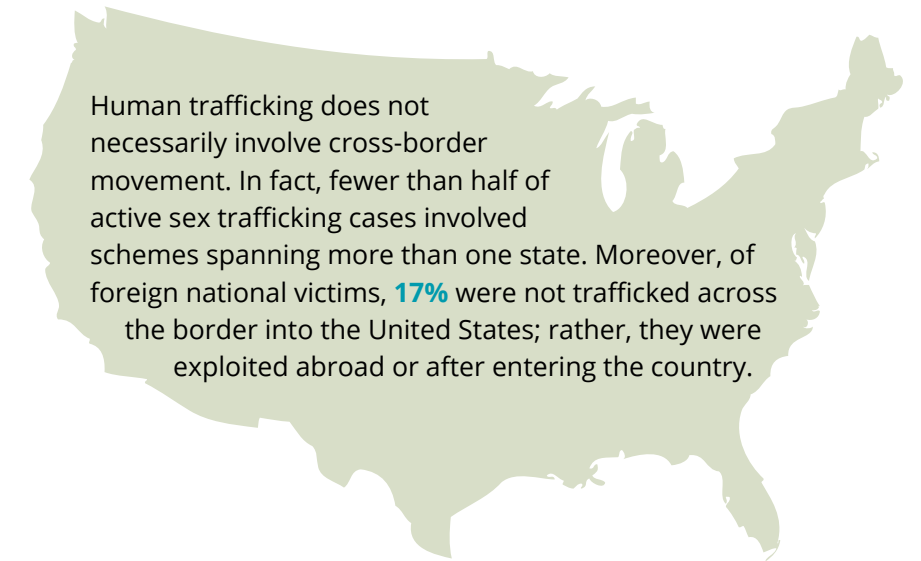
The internet is a major platform for traffickers to recruit sex trafficking victims and solicit buyers of commercial sex. In 2020, 59% of **ONLINE VICTIM RECRUITMENT** in active sex trafficking cases occurred on **FACEBOOK**.

59%



In 2020, federal courts convicted the lowest number of defendants in human trafficking cases since 2012. In 2020, **163 DEFENDANTS** were **CONVICTED**—an **89% CONVICTION RATE**. This is a 51% decline in convicted defendants from 2019.

HUMAN TRAFFICKERS were more likely to control their victims using nonphysical methods of coercion. **FIFTY-NINE PERCENT** of the coercive tactics traffickers used were **NONPHYSICAL** (e.g., threats, fraud, or withholding pay or immigration documents) compared to just **41%** that were **PHYSICAL** (e.g., violence, restraint, medical).



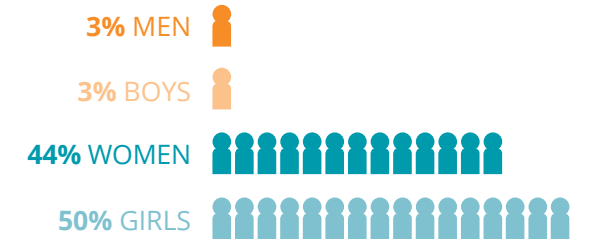
Human trafficking does not necessarily involve cross-border movement. In fact, fewer than half of active sex trafficking cases involved schemes spanning more than one state. Moreover, of foreign national victims, **17%** were not trafficked across the border into the United States; rather, they were exploited abroad or after entering the country.

2020 saw the **HIGHEST AVERAGE SENTENCE** imposed in human trafficking cases since the enactment of the TVPA. On average, federal courts sentenced defendants convicted in human trafficking cases to **13 YEARS** in prison.

MANDATORY RESTITUTION ORDERED IN 2020

2020 marked only the **THIRD TIME** since the TVPA's enactment that mandatory restitution rates were at or above 50%. When looking exclusively at defendants convicted of a crime that triggered mandatory restitution, federal courts ordered victim restitution **50% OF THE TIME**. One-hundred percent of forced labor defendants were ordered to pay mandatory restitution, compared to only 47% of sex trafficking defendants.

VICTIM DEMOGRAPHICS



Girls below the age of 18 are the most likely to be named as victims in human trafficking prosecutions. Prosecutors named 1,499 victims in federal human trafficking prosecutions in 2020, **53%** of whom were **CHILDREN**. Half of identified victims were girls, 3% were boys, 44% were women, and 3% were men. At least one woman and one boy victim self-identified as LGBTQ.

ABOUT THE DATA: The Report's findings are not a prevalence estimate of human trafficking in the United States but instead serve as an objective summary of what the federal criminal justice system has done to address trafficking. The Report does not capture data from state prosecutions, state civil suits, or human trafficking that is not prosecuted.

INTRODUCTION





INTRODUCTION

Although it is nearly impossible to capture a complete data snapshot of human trafficking in the United States, criminal justice metrics can help fill in certain pieces of the larger picture. The Human Trafficking Institute's (HTI) annual Federal Human Trafficking Report ("the Report") provides the only exhaustive review of human trafficking prosecutions in U.S. federal courts. The Report presents data from both sex trafficking and forced labor prosecutions, and supplements its analysis with information from civil human trafficking lawsuits, which are featured in orange "Civil Case Comparison" boxes throughout the Report. The Report's data are not a reflection of the prevalence of human trafficking in the United States, but instead serve as an analysis of fact patterns and trends in human trafficking schemes prosecuted at the federal level.

REPORT SECTIONS

The 2020 Report is divided into two primary sections. Section 1, Criminal Human Trafficking Case Profiles, provides data on who traffickers are and how they operate, including a breakdown of the tactics that traffickers use to target, recruit, and control their victims. Section 1 also conveys that trafficking impacts people of all ages, genders, and nationalities by highlighting data on victim demographics and vulnerabilities. Section 2, Human Trafficking Prosecutions, transitions to an analysis of criminal justice metrics in human trafficking prosecutions, from case referrals, investigations, and charges to convictions, sentences, and appeals. In addition, Section 2 reports on where federal human trafficking prosecutions are most commonly charged and how long human trafficking charges generally take to resolve.

NEW THIS YEAR

This year, the Report features a number of new data points on human trafficking schemes and prosecutions, including: websites and social media platforms used to recruit victims, the nationality of foreign national victims, modes of transportation used to facilitate trafficking, and increased data on human trafficking investigations, including case referrals and multi-agency collaboration. A full list of the new data points in the 2020 Report can be found in the Methodology on page 113.

20 YEARS OF DATA

To mark the 20th anniversary of the Trafficking Victims Protection Act (TVPA), which made human trafficking a federal crime, this year's edition of the Report also highlights data and trends spanning two decades of anti-trafficking enforcement in the United States. Throughout the Report, you will find a series of blue feature boxes entitled "20 Year Trends," which provide a snapshot of how human trafficking schemes and prosecutions have evolved since the enactment of the TVPA. The Report aims to be objective in its presentation of data and avoids proposing reasons for year-over-year shifts in efforts to federally prosecute human traffickers.

Since the TVPA was initially enacted in 2000, Congress has passed five reauthorizations of the law—2003, 2005, 2008, 2013, and 2018—to continue to enhance efforts to prevent trafficking, protect victims, and prosecute traffickers. In addition, in 2015, Congress passed the Justice for Victims of Trafficking Act, which, among other things, amended certain provisions of the TVPA related to child sex trafficking.

As illustrated by the data throughout the Report, the U.S. government has made significant strides in efforts to prosecute traffickers over the past two decades. The following timeline features key dates and developments that have enhanced the federal government's ability to identify human trafficking victims, investigate human trafficking cases, and ultimately hold human traffickers accountable. The timeline is not intended to be an exhaustive overview of the amendments made through each reauthorization of the TVPA, but instead highlights key changes that impacted the federal government's ability to successfully prosecute traffickers.

*As illustrated by
the data throughout
the Report, the U.S.
government has
made **SIGNIFICANT**
STRIDES in efforts
to **PROSECUTE**
TRAFFICKERS
over the past
two decades.*

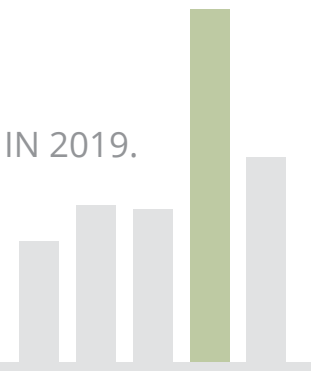


TIMELINE

ON THE EVOLUTION OF FEDERAL HUMAN TRAFFICKING LAWS & ITS IMPACT ON THE PROSECUTION OF TRAFFICKERS

OVER THE PAST FIVE YEARS, THE NUMBER OF CIVIL HUMAN TRAFFICKING SUITS FILED EACH YEAR HAS GROWN, FROM 32 IN 2016 TO ITS PEAK OF

90 IN 2019.



2000

On October 28, 2000, Congress passed the **Trafficking Victims Protection Act (TVPA)** in response to the widespread and growing issue of human trafficking. The TVPA was the first federal law to criminalize human trafficking and represented a monumental step in the U.S. government's commitment to combat trafficking in persons. The TVPA centered on three key components, known as the "three Ps": prevention, prosecution, and protection. To enhance prosecution efforts, the TVPA created a series of new crimes related to forced labor and sex trafficking, which supplemented existing slavery statutes that prohibited peonage, involuntary servitude, and possession or transportation of slaves.

Prior to the TVPA's enactment, the federal government prosecuted traffickers under historical slavery laws, which made it a crime to compel labor or services through "use or threat of physical restraint or physical injury or by the use of threat of coercion through law or the legal process."^{*} In recognition that traffickers can, and often do, control victims without the use (or threat) of physical violence, restraint, or legal coercion, the TVPA expanded the definitions of forced labor and sex trafficking to criminalize both physical and nonphysical coercion (beyond threats), including psychological, financial, and reputational harm.

By legally recognizing that nonphysical coercion is a powerful tool that traffickers use to compel labor and sex, the U.S. government enhanced its ability to hold more human traffickers accountable. Since the TVPA's enactment, 23% (343) of criminal human trafficking prosecutions have involved exclusively nonphysical coercion.[†] The government would not have been able to prosecute these cases under the historical slavery statutes that existed prior to the TVPA.

23%
OF CRIMINAL
HUMAN
TRAFFICKING
PROSECUTIONS
HAVE INVOLVED
**EXCLUSIVELY
NONPHYSICAL
COERCION**

^{*} United States v. Kozminski, 487 U.S. 931, 931, 108 S. Ct. 2751, 2754, 101 L. Ed. 2d 788 (1988)

[†] Based on the 1,518 criminal cases for which at least one method of coercion was identified

2003

On December 19, 2003, Congress passed the **Trafficking Victims Protection Reauthorization Act of 2003 ("2003 TVPRA")**, the first reauthorization of the TVPA, which made several critical amendments to enhance the protection of victims and strengthen the prosecution of traffickers. The 2003 TVPRA provided new ways to prevent trafficking and protect victims more effectively, including mandates for raising awareness about child sex tourism, increased T visa eligibility and access to benefits and services for victims and their families, and authorization for the U.S. government to terminate contracts with overseas contractors who engage in sex trafficking or forced labor.

In addition, the 2003 TVPRA created several provisions to increase efforts to hold traffickers accountable in federal court. First, the law established human trafficking as a predicate offense (i.e., a component of the primary crime) under the Racketeering Influenced Corrupt Organizations (RICO) statute. Since the enactment of this provision, the federal government has charged 114 defendants in human trafficking cases with RICO offenses involving human trafficking as the predicate offense; 24% (27) of the defendants were in forced labor cases and 76% (87) were in sex trafficking cases.

The 2003 TVPRA provided a civil cause of action for trafficking victims to sue their traffickers in federal court through the enactment of 18 U.S.C. § 1595. Under § 1595, victims (or someone on their behalf) can file civil suits against their traffickers for claims involving forced labor, peonage, involuntary servitude, and/or sex trafficking, and if successful, recover actual damages, punitive damages, and reasonable attorney fees. In the initial years after § 1595 was enacted, only a handful of civil human trafficking suits were filed each year. However, as with criminal prosecutions, civil human trafficking suits have increased over time. Over the past five years the number of civil human trafficking suits filed each year has grown, from 32 in 2016, to 41 in 2017, to 40 in 2018, and up to its peak of 90 in 2019. Although the number of new civil suits dropped to 53 in 2020, this remains the highest number of civil human trafficking suits filed in a single year, apart from the preceding year's record.

Finally, the 2003 TVPRA created a requirement that the Attorney General report annually on anti-trafficking efforts. This report has been submitted to Congress since 2004 and provides an overview of the U.S. government's efforts to implement the "three P" framework to combat human trafficking.

STATE AND LOCAL LAW ENFORCEMENT PARTNERED WITH FEDERAL LAW ENFORCEMENT AGENCIES IN THE INVESTIGATION OF AT LEAST

85% OF ACTIVE HUMAN TRAFFICKING CASES

THE FEDERAL GOVERNMENT HAS CHARGED 104 DEFENDANTS

WITH OBSTRUCTING (OR ATTEMPTING TO OBSTRUCT) A SEX TRAFFICKING PROSECUTION UNDER 18 U.S.C. § 1591(D)

2006

On January 10, 2006, the **TVPA Reauthorization Act of 2005 ("2005 TVPRA")** was signed into law, in recognition, in part, that victims of trafficking were not only foreign nationals, but also U.S. citizens and lawful permanent residents. Accordingly, the U.S. government needed to direct additional resources and implement new measures to address domestic trafficking. The 2005 TVPRA included provisions focused on enhancing comprehensive services facilities and creating rehabilitative facilities for trafficking survivors.

In addition, the 2005 TVPRA authorized grant programs to assist state and local law enforcement efforts to identify and investigate human trafficking cases. This amendment underscored the effectiveness of multi-agency collaboration in human trafficking investigations and expressed the U.S. government's recognition that successful collaboration required additional resources. Today, the majority of federal human trafficking prosecutions are the result of collaboration between federal, state, and local law enforcement partners. In fact, in 2020, state and local law enforcement partnered with federal law enforcement agencies in the investigation of at least 85% (399) of active human trafficking cases.[^]

The 2005 TVPRA also strengthened the U.S. government's ability to prosecute trafficking abroad by granting extraterritorial jurisdiction over trafficking offenses committed by persons employed by or accompanying the federal government.

Further, on July 27, 2006, a new provision—**18 U.S.C. § 3299**—was signed into law, which abolished the statute of limitation for sex trafficking crimes prosecuted under 18 U.S.C. § 1591. This expanded the U.S. government's ability to prosecute sex traffickers by removing any time limitation on when a sex trafficking charge could be filed.

[^] Based on 470 active criminal human trafficking cases that identified at least one primary investigative agency

2008

On December 23, 2008, the **William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 ("2008 TVPRA")** was signed into law, which improved the Department of Labor's ability to document and deter trafficking through increased information sharing about workers' rights, strengthened the Department of Health and Human Services' ability to provide services to survivors of trafficking, implemented updated systems to collect trafficking data, expanded T visa protections, and created mandatory screening of unaccompanied, undocumented children.

Along with many other key amendments, the 2008 TVPRA created new trafficking crimes and expanded the definitions and punishments for existing trafficking crimes to strengthen the U.S. government's ability to prosecute traffickers. First, the 2008 TVPRA established a new crime that imposed penalties for those who obstruct or attempt to obstruct the investigation and prosecution of sex trafficking crimes. Since its enactment, the federal government has charged 104 defendants with obstructing (or attempting to obstruct) a sex trafficking prosecution under **18 U.S.C. § 1591(d)**.

Second, the 2008 TVPRA created a penalty for those who knowingly benefit financially from participation in ventures that engage in

human trafficking. This authorized the federal government to charge not only individuals or entities that facilitated human trafficking, but also those that knowingly profited from the crime. Since this provision was enacted, the federal government has charged 1,114 defendants for benefitting financially from human trafficking; 4% (46) were charged exclusively under a benefitting theory of liability and 96% (1,068) were charged for both benefitting from and engaging in prohibited trafficking conduct.

Third, the 2008 TVPRA established a specific offense, **18 U.S.C. § 1594(c)**, for conspiracy to commit sex trafficking. When the TVPA was enacted, it did not include a specific provision that criminalized sex trafficking conspiracies. Instead, sex trafficking conspiracies were prosecuted under a general conspiracy law, which imposed a five-year maximum sentence for convictions. This new provision eliminated the five-year maximum sentence for sex trafficking conspirators and empowered courts to impose more severe sentences. Following the enactment of this provision, federal courts have convicted 623 defendants of conspiracy to commit sex trafficking under § 1594(c), and sentenced them to 130 months (10 years and 10 months) in prison, on average.

ALTHOUGH **47%** OF FORCED LABOR CASES ALLEGED THAT A DEFENDANT WITHHELD OR CONTROLLED A VICTIM'S IMMIGRATION DOCUMENTS, THE GOVERNMENT CHARGED

ONLY **6** DEFENDANTS WITH UNLAWFUL CONDUCT WITH RESPECT TO IMMIGRATION DOCUMENTS

FEDERAL COURTS ORDERED ONLY **10%** OF DEFENDANTS CONVICTED OF A CRIME UNDER THE TVPA BETWEEN 2016 AND 2020 TO PAY THE JVTA SPECIAL ASSESSMENT

2013

On March 7, 2013, the **TVPA** ("**2013 TVPRA**") was again reauthorized through an amendment to the **Violence Against Women Act** and signed into law. The 2013 TVPRA aimed to improve existing programs and enhance efforts to prevent U.S. citizens from purchasing foreign products made using forced labor, stop child marriages, enhance relationships with state and local law enforcement, and allow the Department of State to enter into multi-year agreements with partner countries for the purpose of reducing child trafficking.

In response to growing awareness of the tactics that traffickers use to coerce and exploit foreign national victims, the 2013 TVPRA included a new provision, **18 U.S.C. § 1597**, which established penalties for traffickers who destroy, conceal, remove, confiscate, or possess a victim's passport and/or other immigration documents as a method of compelling labor or services. Although 47% (26) of forced labor cases charged from 2014 to 2020 alleged that a defendant withheld or controlled a victim's immigration documents as a method of control, the government charged only six defendants with unlawful conduct with respect to immigration documents under § 1597.[~] Even fewer—three defendants—were convicted of this offense.

2015

On May 29, 2015, the **Justice for Victims of Trafficking Act of 2015 (JVTA)** was signed into law, which strengthened efforts to combat child sex trafficking by, among other things, amending several provisions within the TVPA. The law improved victims' access to services and compensation and established new training requirements for law enforcement and prosecutors on identifying, investigating, and prosecuting trafficking.

The JVTA required 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 fund for programs that provide victim assistance. The

law provided an exemption for indigent defendants and prioritized the payment of victim restitution over satisfying the JVTA special assessment. Since the JVTA's enactment, federal courts have ordered only 10% (92) of defendants convicted of a crime under the TVPA between 2016 and 2020 to pay the JVTA special assessment, totaling \$689,420.[·]

In addition, the JVTA clarified a 2008 TVPRA Amendment, which broadened efforts to prosecute child traffickers. Prior to 2008, in child sex trafficking cases, the TVPA required prosecutors to establish that a defendant either knew or recklessly disregarded that a victim was under the age of 18. The 2008 TVPRA expanded the knowledge requirement by allowing prosecutors to prove a child sex trafficking crime where the defendant had a "reasonable opportunity to observe" that the victim was a child. This provision was the source of many appeals between 2008 and 2015, as uncertainty remained about whether the new language was an independent standard for satisfying the knowledge element or merely an avenue for proving reckless disregard. The JVTA clarified that the standard existed as a third independent means of proving knowledge, which means that where the government can show that the defendant had a reasonable opportunity to observe that a victim was under the age of 18, the government need not also prove that the defendant knew or recklessly disregarded the victim's age.

The JVTA also enhanced efforts to combat child sex trafficking by adding language to the federal sex trafficking statute, **18 U.S.C. § 1591**, that allowed prosecutors to charge individuals who bought (or attempted to buy) commercial sex from a trafficking victim as traffickers. This amendment added the words "patronize" and "solicit" to a list of prohibited activities that could be prosecuted as sex trafficking under § 1591. Since this enactment, the federal government has charged 121 buyer defendants under § 1591, 42% (51) of whom have been convicted of sex trafficking under § 1591, and 26% (32) of whom have been convicted of other federal crimes.[#]

[~] Based on the 55 forced labor prosecutions charged between 2014 and 2020 that identified at least one method of coercion

[·] Based on the 908 defendants convicted of a Chapter 77 crime between 2016 and 2020

[#] 30% (36) of the buyer defendants that the government charged between 2015 and 2020 are still pending the resolution of their charges at trial court. Federal courts dismissed charges against two buyer defendants that had been charged under § 1591 during this time period.

THE 2018 TVPRA MANDATED THAT EACH FEDERAL DISTRICT DESIGNATE ONE PROSECUTOR AS THE "HUMAN TRAFFICKING JUSTICE COORDINATOR"

2018

On December 21, 2018, Congress passed **four bills** which comprised the most recent Reauthorization of the TVPA ("2018 TVPRA").⁶ The 2018 TVPRA strengthened the U.S. government's efforts to combat human trafficking by reauthorizing existing programs and launching new initiatives related to enforcement, accountability, and prevention.

In addition to increasing authorized funds for victim services, the 2018 TVPRA included provisions that focused on enhancing training and technical assistance for local, state, and federal law enforcement to encourage the identification of human trafficking victims. The 2018 TVPRA directed the Department of Justice (DOJ) and the Department of Homeland Security to develop advanced training curriculum on human trafficking and to provide the training to employees and task force members responsible for the investigation of human trafficking. In addition, it required the DOJ and DHS to establish a victim screening protocol to use during law enforcement operations and to provide technical training on victim screening to avoid arresting or prosecuting a trafficking victim for crimes related to their exploitation.

Furthermore, the 2018 TVPRA mandated that each federal district designate one prosecutor in their office as the "Human Trafficking Justice Coordinator." This amendment not only underscored the importance of the specialized prosecution of human trafficking cases, but also strengthened the federal government's ability to prosecute human trafficking through better coordination among federal, state, and local law enforcement, prosecutors, and victim service providers.

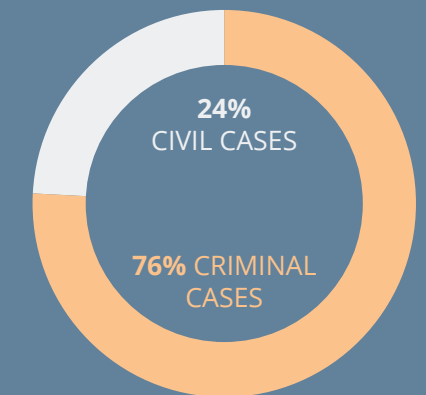
2020

In 2020, a total of 218 new human trafficking cases were filed in federal court. Over three-quarters (76%, 165) of the new human trafficking cases were federal prosecutions—cases charged by the U.S. government to hold traffickers and their accomplices criminally accountable for their conduct. As in years past, the vast majority (95%, 157) of new criminal cases centered on the prosecution of sex trafficking crimes. In fact, the federal government charged only eight new forced labor prosecutions in 2020.

In addition to criminal prosecutions, plaintiffs filed 53 new civil human trafficking suits in federal court in 2020. Civil human trafficking suits are generally filed by victims of trafficking, or someone on their behalf, against an individual or entity that perpetrated or knowingly financially benefited from the victim's exploitation. Whereas criminal human trafficking prosecutions predominantly alleged sex trafficking, civil human trafficking suits involved allegations of forced labor and sex trafficking fairly equally. In fact, of the new civil human trafficking suits, 45% (24) primarily alleged forced labor and 55% (29) primarily alleged sex trafficking.

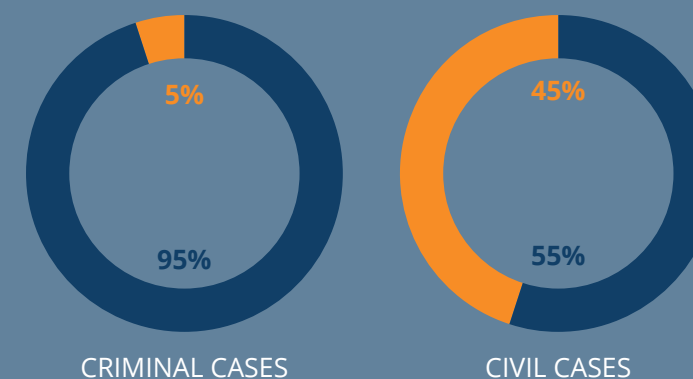
As human trafficking cases may take multiple years to resolve, federal courts also handled 561 criminal and civil human trafficking cases pending from prior years. Altogether, there were 779 human trafficking cases active in 2020, 74% (579) of which were criminal prosecutions and 26% (200) of which were civil suits.

NEW HUMAN TRAFFICKING CASES IN 2020



NEW HUMAN TRAFFICKING CASES IN 2020 BY PRIMARY CASE TYPE

■ SEX TRAFFICKING ■ FORCED LABOR



IN 2020, A TOTAL OF **218** NEW HUMAN TRAFFICKING CASES WERE FILED IN FEDERAL COURT

⁶ P.L. 115-425, P.L. 115-392, P.L. 115-393, P.L. 115-427



Section 1:

**CRIMINAL
HUMAN
TRAFFICKING
CASE PROFILES**

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The criminal human trafficking case profiles that are explored in this section provide a cross section of alleged human traffickers and their accomplices, victims, and schemes. This cross section is limited to the universe of human trafficking that the U.S. government investigated and chose to prosecute at the federal level; a limitation that precludes the data from accurately reflecting all—or even *most*—human trafficking in the United States. In other words, the data presented in this section is just part of the elusive bigger picture. Even with these constraints in mind, the following case profile data give a nuanced look at what the anti-trafficking field can learn from criminal justice metrics as a cross section of human trafficking data.

1.1 CRIMINAL HUMAN TRAFFICKING CASES & DEFENDANTS

In 2020, the U.S. government prosecuted 1,007 defendants (“active defendants”) in 579 human trafficking cases (“active cases”). When compared to the preceding year, these numbers reveal a 6% decrease in active defendants¹ and a 4% decrease in active cases.² Of active defendants, 257 were charged for the first time in 2020 (“new defendants”), down 8% from 2019.³ In contrast, cases filed in 2020 (“new cases”) increased from 2019—up 11% to 165.⁴ Notably, this uptick in new cases is the first in two years, following a decline in active and new defendants and cases from 2017 to 2019.

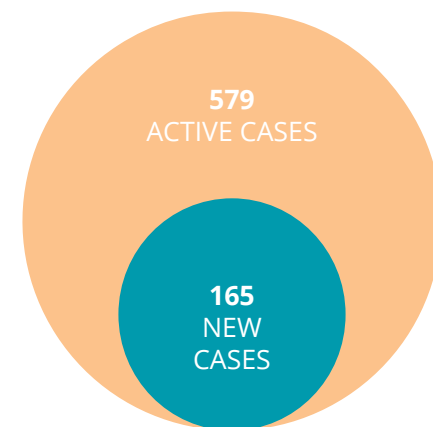
¹ From 1,075 active criminal defendants in 2019

² From 603 active criminal cases in 2019

³ From 278 new criminal defendants in 2019

⁴ From 148 new criminal cases in 2019

2020 CRIMINAL HUMAN TRAFFICKING CASES



1.1.1 DEFENDANTS IN SEX TRAFFICKING & FORCED LABOR CASES

As has been the case for nearly 20 years, there were far fewer active forced labor prosecutions than sex trafficking prosecutions in 2020. In fact, only 6% (32) of active prosecutions were forced labor.⁵ Likewise, only 6% (65) of active defendants were in forced labor cases.⁶ By comparison, 94% (547) of active cases were sex trafficking prosecutions⁷ and 94% (942) of active defendants were in sex trafficking cases.⁸ The same trend is true of new cases and defendants. Of all human trafficking cases filed in 2020, only 5% (8) were forced labor prosecutions,⁹ and only 6% (15) of new defendants were in forced labor cases.¹⁰ In contrast, 95% (157) of new cases were sex trafficking¹¹ and, likewise, 94% (242) of new defendants were in sex trafficking cases.¹²

The increase in new cases from 2019 to 2020 results from the government prosecuting a higher number of child-only sex trafficking cases and sex trafficking cases with only fictitious victims. New child-only sex trafficking cases increased 17%, from 78 in 2019 to 91 in 2020, and sex trafficking cases with exclusively fictitious victims increased 44%, from 18 in 2019 to 26 in 2020. In comparison, new adult sex trafficking cases and new forced labor cases declined during the same time period. From 2019 to 2020, new sex trafficking cases with adult victims declined 13%, from 40 to 35, and new forced labor cases declined 11%, from 9 to 8.

⁵ Based on 579 active criminal cases in 2020

⁶ Based on 1,007 active criminal defendants in 2020

⁷ Based on 579 active criminal cases in 2020

⁸ Based on 1,007 active criminal defendants in 2020

⁹ Based on 165 new criminal cases in 2020

¹⁰ Based on 257 new criminal defendants in 2020

¹¹ Based on 165 new criminal cases in 2020

¹² Based on 257 new criminal defendants in 2020

2020 ACTIVE CRIMINAL CASES & DEFENDANTS BY CASE TYPE



FAQ: DO ANY CASES INVOLVE BOTH SEX TRAFFICKING AND FORCED LABOR?

Yes. Although the Report categorizes all cases as either “sex trafficking” or “forced labor,” eight active criminal cases involved both sex trafficking and forced labor charges. After a thorough review of the court dockets and related materials, HTI determined that in six of these cases, the trafficking operation was primarily a sex trafficking enterprise. In addition to filing sex trafficking charges, prosecutors charged 12 defendants in these sex trafficking cases with forced labor charges for forcing victims to perform domestic work, farming, and work at a massage parlor, among other types of labor. The remaining two cases that involved both types of trafficking were primarily forced labor enterprises. In these forced labor cases, prosecutors charged three defendants with sex trafficking charges for compelling victims with disabilities to perform commercial sex in addition to various types of forced labor. In total, prosecutors identified 40 victims in active criminal cases involving both sex trafficking and forced labor charges.*

* For more information on victims and survivors, see page 27.

There are a number of considerations that make it particularly challenging to identify, investigate, and prosecute forced labor cases. Practical challenges include the reality that forced labor commonly takes place within a broad spectrum of legal industries, oftentimes making it difficult to determine which workers are voluntarily providing labor and which are being forced to do so. Moreover, a statutory distinction that may contribute to the disparity in the percentage of sex trafficking versus forced labor cases is the fact that prosecutors need not prove a defendant employed force, fraud, or coercion (i.e., the “means” element) in child sex trafficking cases, which make up a large portion of federal sex trafficking prosecutions.

In contrast, prosecutors do have to prove the means element in all forced labor cases, even those involving children. Because traffickers commonly use subtle coercive tactics that are difficult to detect, proving coercion is often the most challenging element for prosecutors to prove, and what sets trafficking apart from so many other offenses. So, when looking at only those active human trafficking prosecutions in which the government was required to prove coercion (i.e., sex trafficking cases with adult victims and all forced labor cases), the breakdown looks somewhat different, though sex trafficking cases still make up 85% (188) of this subset of active prosecutions.¹³

Regardless of the reason, the striking fact remains that prosecutors filed more sex trafficking prosecutions in 2020 than all forced labor prosecutions filed in the two decades since then enactment of the TVPA.¹⁴

¹³ Based on 220 active criminal cases in 2020: all sex trafficking cases involving at least one adult victim and all forced labor cases. Cases involving only fictitious victims and cases in which the age of the victim was unknown have been removed from this denominator.

¹⁴ The government filed 157 new criminal sex trafficking cases in 2020 compared to just 139 new criminal forced labor cases from 2000 through 2020.

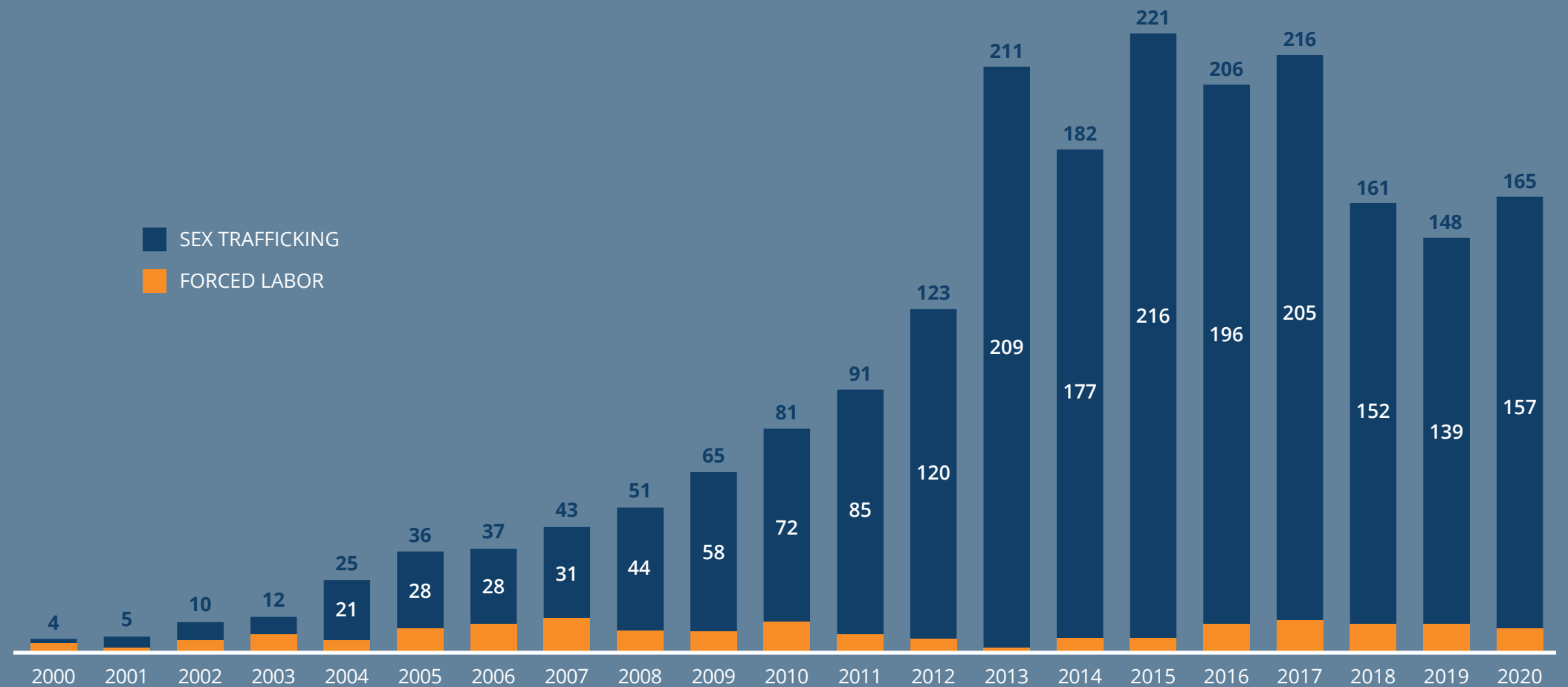
Prosecutors filed MORE SEX TRAFFICKING PROSECUTIONS in 2020 than all forced labor prosecutions filed in the two decades since then enactment of the TVPA.



NEW HUMAN TRAFFICKING PROSECUTIONS

Since Congress enacted the Trafficking Victims Protection Act in 2000, the federal government has filed a total of 2,093 criminal human trafficking cases. Only, 7% (139) of those cases were forced labor prosecutions and 93% (1,954) were sex trafficking prosecutions. Notwithstanding some fluctuation, sex trafficking prosecutions have steadily increased over time, whereas forced labor enforcement has resulted in a fairly flat trend line. In fact, forced labor cases have comprised fewer than 7% of new cases each year for the last decade.

ALL CRIMINAL HUMAN TRAFFICKING CASES FILED SINCE 2000



1.1.2 CRIMINAL ENTITY DEFENDANTS IN HUMAN TRAFFICKING CASES

The enforcement of human trafficking violations involving corporations or other entity defendants has remained consistently low. This has been true even since 2008, when Congress amended the TVPA to criminalize those who financially benefit from forced labor—an addition intended to facilitate corporate liability. Despite a relatively high number of civil lawsuits against entities—hotels in particular—for human trafficking, prosecutors did not charge any entities in 2020. In fact, entities made up less than 1% (3) of all defendants in human trafficking prosecutions,¹⁵ and have since the enactment of the TVPA.¹⁶ All active entity defendants in criminal cases in 2020 were hotels in sex trafficking cases, which is notable given that, in the civil context, 43% (261) of entity defendants were in forced labor lawsuits.¹⁷



CRIMINAL ENTITY DEFENDANTS

Since 2000, the government has charged nine entities in human trafficking prosecutions—less than 1% of all defendants.* The very first case to include entity defendants was filed in 2009, when prosecutors charged three sham corporations established for the purpose of money laundering and visa fraud in furtherance of a forced labor scheme in Kansas City. The only other forced labor case involving entity defendants also occurred in Kansas City, this time implicating two companies comprising longtime local business Century Roofing for allegedly trafficking five foreign national employees. The four entities charged in sex trafficking prosecutions were all hotels or companies that owned and/or operated hotels, including a Best Choice Inn, Travelodge, Howard Johnson, and Pocono Plaza Inn (formerly Quality Inn).

* Based on the 4,132 criminal defendants charged in federal human trafficking cases from 2000 through 2020

2020 ACTIVE CRIMINAL ENTITY & INDIVIDUAL DEFENDANTS IN HUMAN TRAFFICKING CASES



¹⁵ Based on 1,007 active criminal defendants in 2020

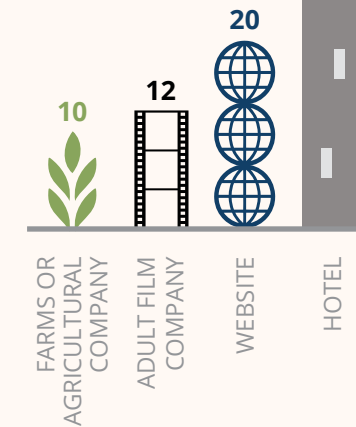
¹⁶ Years in which the government charged one or more entity defendants in human trafficking prosecutions: 2009 (3 defendants); 2011 (1 defendant); 2016 (2 defendants); 2017 (1 defendant); and 2019 (2 defendants).

¹⁷ Based on the 608 active civil entity defendants in 2020

Civil CASE

COMPARISON

MOST COMMON TYPES OF ACTIVE ENTITY DEFENDANTS IN 2020 CIVIL HUMAN TRAFFICKING CASES



All active entity defendants in criminal cases in 2020 were hotels in sex trafficking cases, which is notable given that, in the civil context, 43% (261) of entity defendants were in forced labor lawsuits.*

* Based on the 608 active civil entity defendants in 2020

1.1.3 DEMOGRAPHICS OF DEFENDANTS IN CRIMINAL HUMAN TRAFFICKING CASES

With entity prosecution so rarely pursued, the vast majority (99%, 1,004) of defendants in prosecutions were individual men and women.¹⁸ The 2020 data on gender and other demographics of individual defendants did not deviate from established trends in previous years. Of all active defendants, 81% (802) were male and 19% (194) were female.¹⁹ The percentage of male defendants is higher in sex trafficking cases than forced labor cases. Males made up 82% (765) of active defendants in sex trafficking cases compared to females, who comprised 18% (166).²⁰ Although the percentage of female defendants was higher in forced labor cases (43%, 28) than in sex trafficking cases, males still accounted for the majority (57%, 37) of those defendants.²¹

¹⁸ Based on 1,007 active criminal defendants in 2020

¹⁹ Based on the 996 active criminal defendants in 2020 whose gender was identified in public sources. Eight defendants' gender was unknown.

²⁰ Based on the 931 active criminal defendants in sex trafficking cases in 2020 whose gender was identified in public sources. Eight defendants' gender was unknown.

²¹ Based on 65 active criminal defendants in forced labor cases in 2020



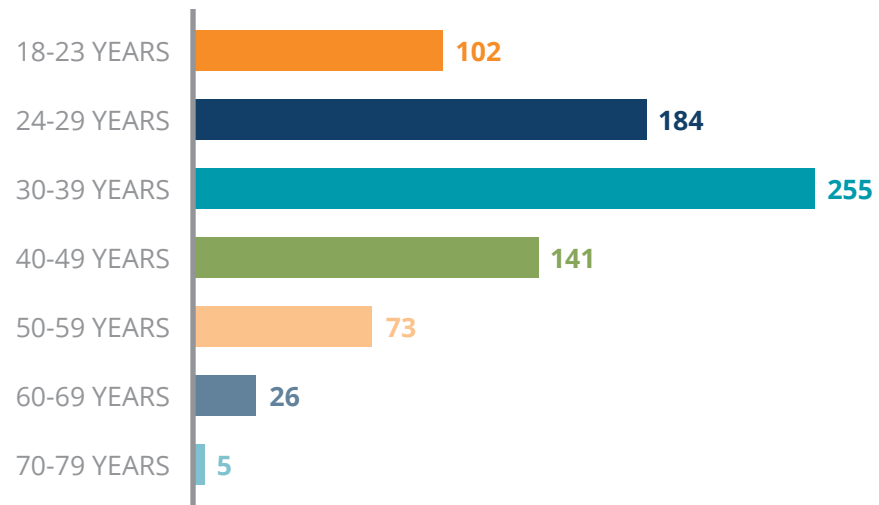


In 2020, buyer defendants accounted for 11% (104) of active defendants in sex trafficking cases; all of them male.²² Buyer defendants are a subset of individual sex trafficking defendants whom prosecutors charge for buying or attempting to buy commercial sex with a victim of sex trafficking.

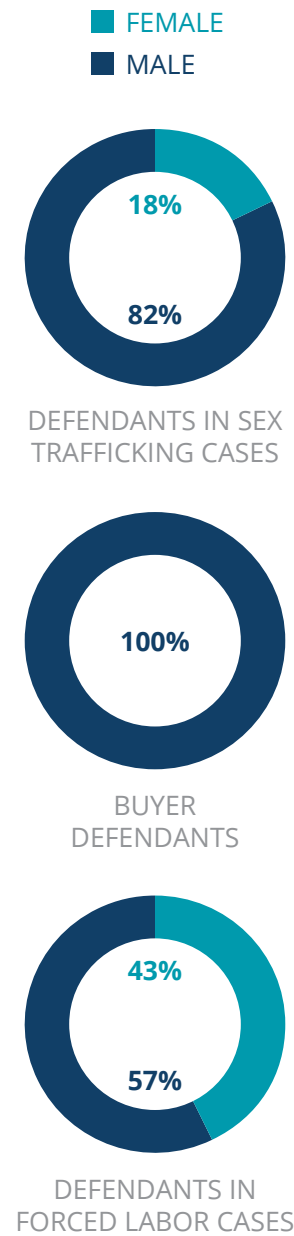
At the time of arrest, active defendants ranged in age from 18 to 79 years old.²³ Defendants were most likely to be in their 30s, with an average age of 36 years.²⁴ Because defendants in sex trafficking cases make up the majority of defendants overall, the average age of defendants in sex trafficking cases is virtually identical to the overall average, at 35 years of age.²⁵ This average jumps to 43 years when looking exclusively at buyer defendants.²⁶ By comparison, active defendants in forced labor cases were older, with an average age of 44 years.²⁷ When breaking the age demographics down by gender, male and female defendants were typically about the same age, with an average age of 36 years and 35 years, respectively.²⁸

Finally, although the Report does not include data on defendants' country of origin, both U.S. citizens and foreign nationals were active defendants in human trafficking cases in 2020.

AGE OF 2020 ACTIVE CRIMINAL DEFENDANTS IN HUMAN TRAFFICKING CASES



2020 ACTIVE CRIMINAL DEFENDANTS IN HUMAN TRAFFICKING CASES BY GENDER



²² Based on 939 active individual criminal defendants in sex trafficking cases in 2020
²³ Based on the 786 active criminal defendants in 2020 whose exact age was known
²⁴ Based on the 786 active criminal defendants in 2020 whose exact age was known
²⁵ Based on the 729 active criminal defendants in sex trafficking cases in 2020 whose exact age was known
²⁶ Based on 92 active criminal buyer defendants whose exact age was known
²⁷ Based on 57 active criminal defendants in forced labor cases in 2020 whose exact age was known
²⁸ Based on the 785 active criminal defendants in 2020 whose age and gender was known

1.2 VICTIMS IN CRIMINAL HUMAN TRAFFICKING CASES

At its core, human trafficking is an act of exploiting—often dehumanizing—another person for one's own financial gain or other benefit. The people who traffickers coerce and exploit are known as “victims” in the criminal justice system because they have been harmed during the commission of a crime. In other words, “victim” is a legal term of art, but it encompasses many individuals who are no longer being trafficked and now identify as survivors. Of course, a single term can never adequately reflect or encompass the humanity and resilience of each person whose life has been impacted by the often devastating effects of human trafficking.

The following data give a small glimpse into the demographics of the 1,499 individuals whom prosecutors listed—usually by initials, for anonymity—as victims in active 2020 human trafficking cases. Because these data are limited to public information about federal prosecutions and only include victims that prosecutors referenced in criminal counts, they underrepresent the total number of people harmed by the crimes in 2020 active cases.²⁹ Accordingly, like all of the data presented in the Report, it is inaccurate to use the following victim 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.

²⁹ Public sources indicate at least 636 victims who were not named in pleadings were impacted by the crimes committed in active criminal cases in 2020.



DEMOGRAPHICS OF VICTIMS IN HUMAN TRAFFICKING PROSECUTIONS

Since the enactment of the TVPA in 2000, federal prosecutors have named 4,824 victims in human trafficking cases, over half (57%, 2,671) of whom were children.* Girls below the age of 18 years old were most likely to be named as a victim in a human trafficking prosecution. In fact, girls comprised 56% (2,439) of all victims.[†] In comparison, only 2% (76) of victims were boys under the age of 18 years old, 40% (1,721) of victims were women, and 3% (113) of victims were men over the age of 18 years old.[‡] Finally, most (89%, 4,295) victims were named in sex trafficking cases and only 11% (529) were named in forced labor cases.[§]

* Based on the 4,712 victims named in criminal cases from 2000 through 2020 whose age was known
[†] Based on the 4,349 victims named in criminal cases from 2000 through 2020 whose gender and age were known.
[‡] The percentages do not add up to 100% due to rounding.
[§] Based on the 4,824 victims named in criminal cases from 2000 through 2020

1.2.1 VICTIMS IN CRIMINAL CASES BY CASE TYPE

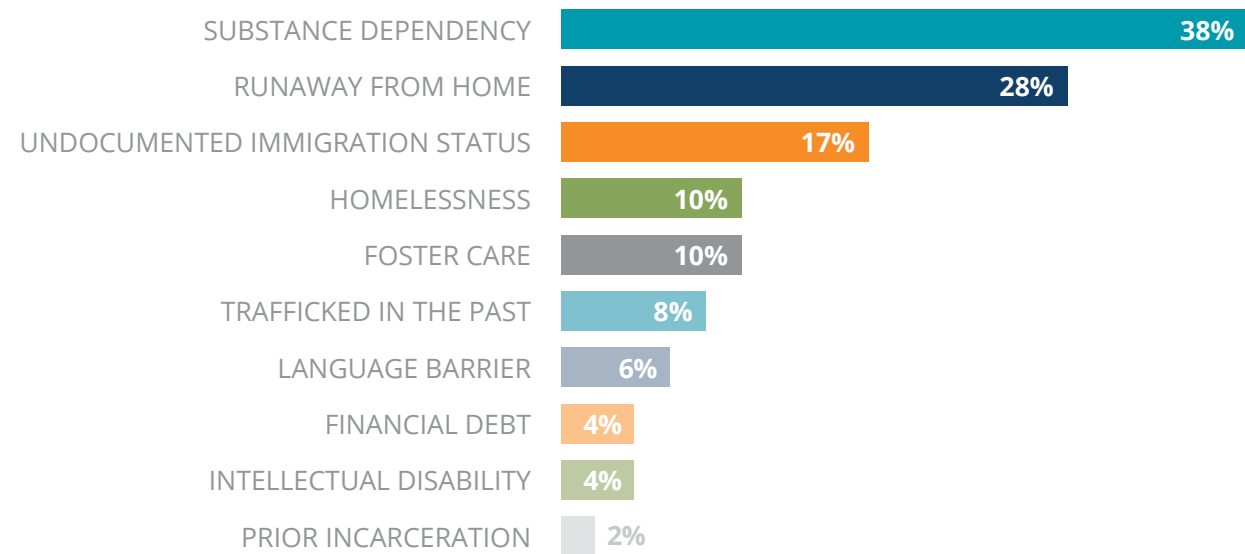
Of the 1,499 victims prosecutors named in active human trafficking cases in 2020, 91% (1,370) were in sex trafficking cases and 9% (129) were in forced labor cases. Further, 278 victims were identified in new cases filed in 2020, which represents a 21% decline from 2019, when prosecutors identified 352 victims. In fact, 278 is the lowest number of victims named in new criminal human trafficking cases since 2012.³⁰ Of these victims in new 2020 cases, 94% (262) were in sex trafficking cases and 6% (16) were in forced labor cases.³¹

In both sex trafficking and forced labor cases, it is rare that perpetrators kidnap complete strangers off the street. Instead, traffickers often make calculated decisions about whom to victimize based on vulnerabilities that they can exploit. In 2020, the top victim vulnerabilities in active cases were substance dependency (38%, 139), having run away from home (28%, 100), undocumented immigration status (17%, 63), homelessness (10%, 37), being in the foster care system (10%, 35), having been previously trafficked (8%, 28), limited English language skills (6%, 22), financial debt (4%, 15), intellectual disabilities (4%, 14), and prior incarceration (2%, 6).³²

VICTIMS IN 2020 ACTIVE CRIMINAL CASES BY CASE TYPE



PRE-EXISTING VULNERABILITIES OF VICTIMS IN 2020 ACTIVE CRIMINAL HUMAN TRAFFICKING CASES



³⁰ When there were only 274 identified victims

³¹ Based on 278 victims in new criminal cases in 2020

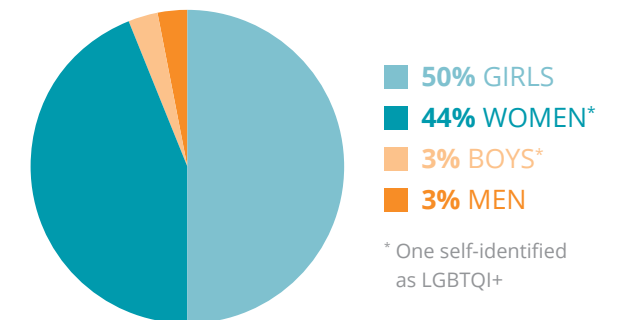
³² Based on the 24% (363) of victims in active criminal cases in 2020 for whom at least one pre-existing vulnerability was identified. The percentages do not add up to 100% because some victims had multiple vulnerabilities.



1.2.2 VICTIMS IN CRIMINAL HUMAN TRAFFICKING CASES BY GENDER & AGE

In active human trafficking cases in 2020, girl victims³³ were identified at the highest rate, accounting for 50% (666) of all victims.³⁴ Women³⁵ were the next most frequently identified victim demographic, comprising 44% (592) of victims.³⁶ This means 94% (1,259) of victims were female.³⁷ In contrast, males made up only 6% (81) of victims,³⁸ with boys (37) and men (44) each comprising 3% of victims.³⁹ Although public sources usually do not reveal information about gender identity or sexual orientation, at least one woman and one boy victim self-identified as lesbian, gay, bisexual, transgender, queer, or questioning (LGBTQ).⁴⁰

VICTIM DEMOGRAPHICS IN 2020 ACTIVE CRIMINAL HUMAN TRAFFICKING CASES



In both sex trafficking and forced labor cases, IT IS RARE that perpetrators kidnap complete strangers off the street.

³³ Females under 18 years of age

³⁴ Based on the 89% (1,339) of victims identified in active criminal cases in 2020 whose gender and age was known

³⁵ Females 18 years old or older

³⁶ Based on the 89% (1,339) of victims identified in active criminal cases in 2020 whose gender and age was known

³⁷ Based on the 89% (1,340) of victims identified in active criminal cases in 2020 whose gender was known. One female victim's age was unknown.

³⁸ Based on the 89% (1,340) of victims identified in active criminal cases in 2020 whose gender was known. One female victim's age was unknown.

³⁹ Based on the 89% (1,339) of victims identified in active cases in 2020 whose gender and age was known. "Boys" refers to males below the age of 18 years and "men" refers to males 18 years or older.

⁴⁰ The Report categorizes defendants and victims as "male," "female," or "other" based on how they self-identify when this information is publicly available. When there is no information on how an individual self-identifies, the Report categorizes based on how they are identified by law enforcement or others in public sources.

Victims experienced unique vulnerabilities based on their gender and age. For girl victims, the top vulnerabilities were having run away from home (63%, 95) and being in the foster care system (23%, 34);⁴¹ for women, substance use dependency (59%, 109) and undocumented immigration status (23%, 43);⁴² and for men, undocumented immigration status (64%, 7) and intellectual disabilities (36%, 4).⁴³ As for boys, public sources revealed a pre-existing vulnerability for only five boy victims, two of whom suffered from a substance use dependency. The following pre-existing vulnerabilities affecting boy victims were identified once each: foster care, LGBTQ, undocumented immigration status, and having run away from home.

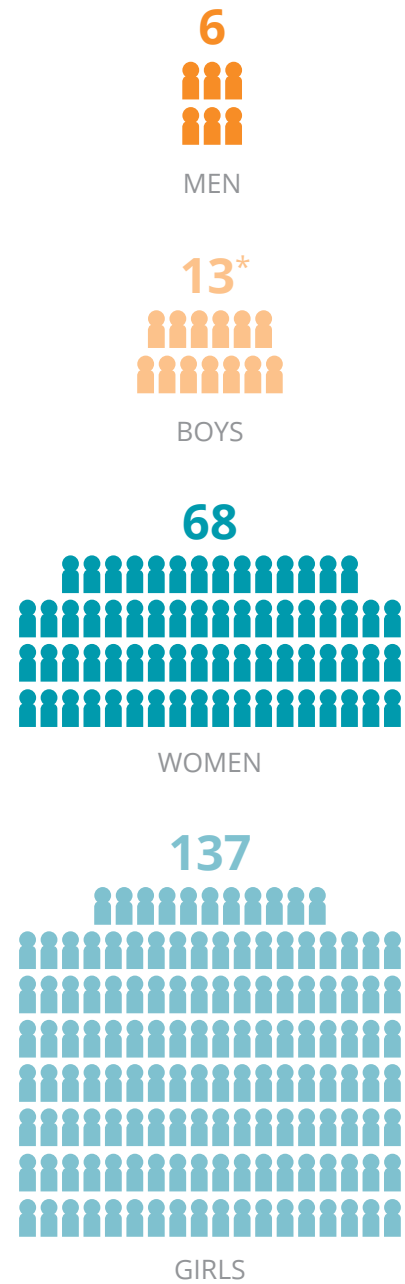
The victim demographics look similar when honing in on only those victims identified in new 2020 cases. Of new victims, 92% (205) were females and 8% (19) were males.⁴⁴ When accounting for both gender and age, 61% (137) of new victims were girls, 30% (68) were women, 6% (13) were boys—one of whom identified as LGBTQ, and 3% (6) were men.⁴⁵

FAQ: WHY ARE THERE SO FEW LGBTQ VICTIMS?

Individuals who identify as LGBTQ, particularly youth, are especially vulnerable to human trafficking because they are more likely to face economic instability, discrimination, and violence compared to their non-LGBTQ peers.* Each year, the Report's authors consult with victim service providers and survivor leaders who report high percentages of LGBTQ individuals among their client and advocacy populations. The Report's data, however, are limited to information from public court documents, press releases, and news articles. Accordingly, the Report can only confirm the sexual orientation or gender identity of a victim if they self-identify as LGBTQ in one of these public sources. For the vast majority of victims, this information simply is not available publicly. Therefore, though HTI can confirm that only two victims in active cases self-identified as LGBTQ, we recognize this is almost certainly an underrepresentation of those in the LGBTQ community who were impacted by federal human trafficking crimes.

* Sex Trafficking and LGBTQ Youth, Polaris (2019), <https://polarisproject.org/wp-content/uploads/2019/09/LGBTQ-Sex-Trafficking.pdf>.

VICTIMS IN 2020 NEW CRIMINAL HUMAN TRAFFICKING CASES



* One self-identified as LGBTQI+

⁴¹ Based on the 151 girl victims in active criminal cases in 2020 for whom at least one pre-existing vulnerability was known
⁴² Based on the 184 women who were victims in active criminal cases in 2020 for whom at least one pre-existing vulnerability was known
⁴³ Based on the 11 men who were victims in active criminal cases in 2020 for whom at least one pre-existing vulnerability was known
⁴⁴ Based on 224 victims in new criminal cases in 2020 whose gender was known
⁴⁵ Based on 224 victims in new criminal cases in 2020 whose gender and age were known

1.2.3 GENDER & AGE OF VICTIMS IN CRIMINAL CASES BY CASE TYPE

Historically, the percentage of child victims and female victims have been higher in sex trafficking cases compared to forced labor cases, and the breakdown in 2020 followed this trend. Following is a closer look at how gender and age demographics broke out differently in sex trafficking versus forced labor cases.

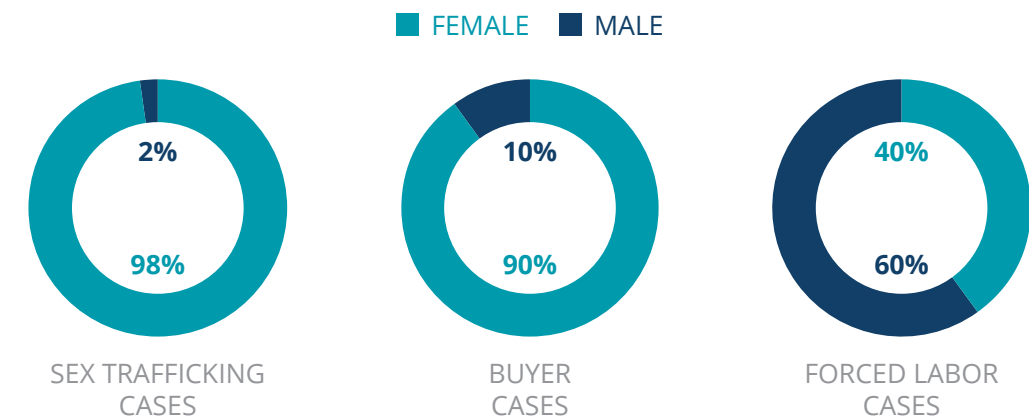
GENDER

In active cases, the percentage of female victims was highest in sex trafficking prosecutions, with 98% (1,225) female victims compared to 2% (31) male victims.⁴⁶ The percentage of female victims dropped slightly to 90% (116) when looking at sex trafficking cases involving buyer defendants, with male victims comprising 10% (13) of victims in this subset of cases.⁴⁷ Finally, as expected, the percentage of female victims was lowest in forced labor cases, with a breakdown of 40% (34) female and 60% (50) male.⁴⁸



The percentages by gender were somewhat different in new cases. Ninety-three percent (196) of victims in new sex trafficking cases were females and only 7% (15) were males.⁴⁹ Notably, however, prosecutors named 15 male victims in new sex trafficking cases in 2020, a number which represents more new male victims in sex trafficking cases in one year than in the preceding three years combined.⁵⁰ Lastly, 69% (9) of victims in new forced labor cases were females, compared to 31% (4) who were males.⁵¹ Although this is an opposite breakdown compared to 2019, when 32% of victims in new forced labor cases were female, the higher percentage of female victims is on trend historically.⁵² In fact, females have made up the majority of victims in new forced labor cases in all but five years since the enactment of the TVPA.⁵³

VICTIMS IN 2020 ACTIVE CRIMINAL CASES BY GENDER



⁴⁶ Based on the 1,256 victims named in active criminal sex trafficking cases in 2020 whose gender was known
⁴⁷ Based on the 129 victims whose gender was known and who were named in active criminal sex trafficking cases in 2020 that involved buyer defendants
⁴⁸ Based on the 84 victims named in active criminal forced labor cases whose gender was known
⁴⁹ Based on the 211 victims identified in new criminal sex trafficking cases in 2020 whose gender was known
⁵⁰ In 2017, there were nine male victims identified in new criminal sex trafficking cases, followed by two in 2018, and only one in 2019.
⁵¹ Based on 13 victims identified in new criminal forced labor cases in 2020 whose gender was known
⁵² Based on the 25 victims in new criminal forced labor cases in 2019 whose gender was known
⁵³ Males made up the majority of victims in new forced labor cases in 2003, 2014, 2015, 2017, and 2019.



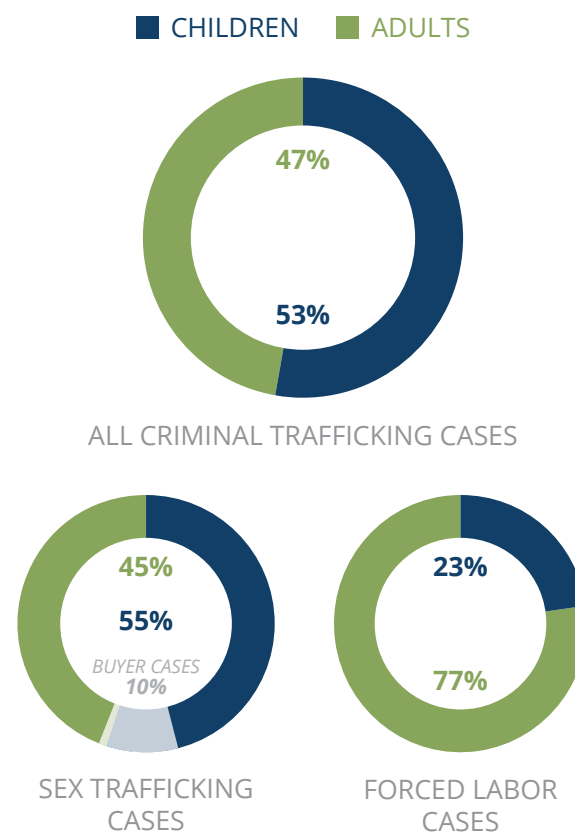
53% of victims in active human trafficking cases were children and **47%** were adults.

AGE

Overall, 53% (789) of victims in active human trafficking cases were children and 47% (709) were adults.⁵⁴ Victims' ages spanned five decades, with the oldest being 50 years old and the youngest being less than one year old.⁵⁵ The average age of victims in both sex trafficking and forced labor cases was 16 years.⁵⁶ Of course, 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 active sex trafficking cases, the percentage of child victims increased to 55% (759) compared to 45% (610) adults,⁵⁷ and the subset of these cases involving buyer defendants had a still higher rate of child victims, up to 89% (127).⁵⁸ Law enforcement identified 10% (13) of the child victims in these buyer cases in sting operations, which often target buyer defendants engaging in the commercial sexual exploitation of children. In contrast to sex trafficking cases, adults made up 77% (99) of victims in forced labor cases compared to just 23% (30) children.⁵⁹

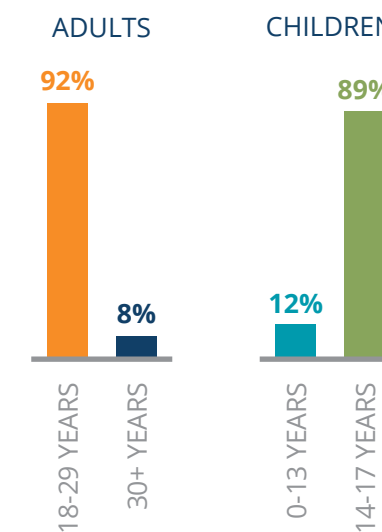
VICTIMS IN 2020 ACTIVE CRIMINAL CASES BY AGE



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.⁶⁰ Most (92%, 46) adult victims in sex trafficking cases were between the ages of 18 and 29 years old, with only 8% (4) 30 years or older.⁶¹ The minimum term of imprisonment for trafficking of children below 14 years of age is also 15 years.⁶² Twelve percent (46) of child victims in active sex trafficking cases fell into this age range.⁶³ The remaining 89% (354) of child victims in active sex trafficking cases were between 14 and 17 years old.⁶⁴ The minimum term of imprisonment for sex trafficking of a child in this age range is 10 years.⁶⁵

When looking exclusively at child victims in active cases, 96% (759) were in sex trafficking cases and 4% (30) were in forced labor cases.⁶⁶ The breakdown is somewhat different when looking exclusively at adult victims, with 86% (610) in sex trafficking cases and 14% (99) in forced labor cases.⁶⁷

AGE OF VICTIMS IN 2020 ACTIVE CRIMINAL SEX TRAFFICKING CASES



89% of child victims in active sex trafficking cases were **BETWEEN 14 AND 17** years old.

⁵⁴ Based on the 1,498 victims in active criminal cases in 2020 whose age was known

⁵⁵ Based on the 485 victims in active criminal cases in 2020 whose exact age at the time of recruitment or first exploitation was known

⁵⁶ Based on the 485 victims in active criminal cases in 2020 whose exact age at the time of recruitment or first exploitation was known

⁵⁷ Based on the 1,369 victims in active criminal sex trafficking cases in 2020 whose age was known

⁵⁸ Based on the 143 victims whose age was known in active criminal sex trafficking cases in 2020 that involved buyer defendants

⁵⁹ Based on the 129 victims in active criminal forced labor cases in 2020 whose gender was known

⁶⁰ 18 U.S.C. § 1591(b)(2)

⁶¹ Based on the 50 adult victims identified in 2020 active criminal sex trafficking cases whose exact age was known. Public sources only identified the exact age for 9% (56) of the 709 adult victims in active criminal sex trafficking cases in 2020 compared to 54% (429) of the 789 child victims in active criminal sex trafficking cases in 2020. This disparity may be due to the fact that the term of imprisonment is the same for all adult victims regardless of age range, though the disparity was similar in forced labor cases in which sentences do not vary based on age.

⁶² § 1591(b)(1)

⁶³ Based on 400 child victims identified in active criminal sex trafficking cases in 2020 whose exact age was known

⁶⁴ Based on 400 child victims identified in active criminal sex trafficking cases in 2020 whose exact age was known. The percentages do not add up to 100% due to rounding.

⁶⁵ § 1591(b)(2)

⁶⁶ Based on the 789 child victims in active criminal cases in 2020

⁶⁷ Based on the 709 adult victims in active criminal cases in 2020



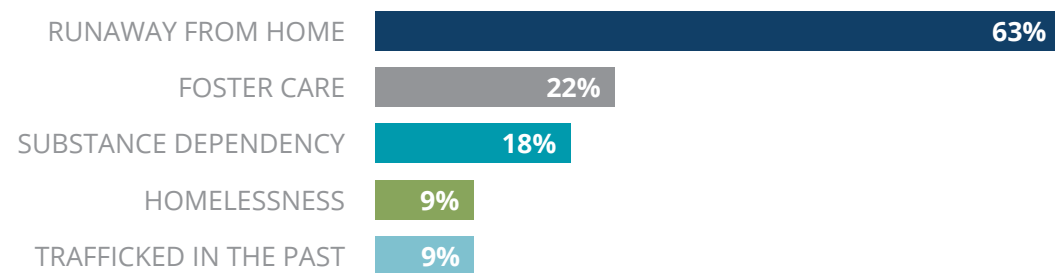
The top pre-existing vulnerabilities also break down differently between children and adults. For child victims, running away from home was by far the most common vulnerability (63%, 100), followed by being in the foster care system (22%, 35), substance dependency (18%, 28), homelessness (9%, 14), and having been trafficked in the past (9%, 14).⁶⁸ In comparison, the top vulnerabilities for adults were substance dependency (55%, 111), undocumented immigration status (25%, 51), homelessness (11%, 23), limited English language skills (9%, 18), and financial debt (7%, 15).⁶⁹

An analysis of age data in new 2020 cases shows 67% (150) of victims were children and 33% (74) were adults.⁷⁰ Notably, this is the greatest disparity between child and adult victims identified since

2015, when 72% (339) of new victims were children.⁷¹ Typically, the age breakdown is split more evenly between children and adults. For example, in 2019, only 54% (151) of new victims were children⁷² and in 2018 children constituted less than half (47%, 151) of new victims.⁷³

In 2020, children made up 69% (145) of victims in new sex trafficking cases compared to adults, who comprised 31% (66).⁷⁴ As in active cases, most victims in new forced labor cases were adults, who accounted for 62% (8), and 38% (5) were children.⁷⁵ Finally, of new child victims, 97% (145) were in sex trafficking cases and 3% (5) were in forced labor cases.⁷⁶ Likewise, of new adult victims, 89% (66) were in sex trafficking cases and 11% (8) were in forced labor.⁷⁷

PRE-EXISTING VULNERABILITIES OF CHILD VICTIMS IN 2020 ACTIVE CRIMINAL HUMAN TRAFFICKING CASES



⁶⁸ Based on the 160 child victims in active criminal cases in 2020 for whom at least one vulnerability was identified. The percentages do not add up to 100% because victims can have more than one vulnerability.

⁶⁹ Based on the 203 adult victims in active criminal cases in 2020 for whom at least one vulnerability was identified. The percentages do not add up to 100% because victims can have more than one vulnerability.

⁷⁰ Based on 224 victims in new criminal cases in 2020 whose age was known

⁷¹ Based on the 471 victims in new criminal cases in 2015 whose age was known

⁷² Based on 281 victims identified in new criminal cases in 2019

⁷³ Based on 324 victims identified in new criminal cases in 2018

⁷⁴ Based on the 211 victims identified in new criminal cases in 2020

⁷⁵ Based on the 13 victims identified in new criminal forced labor cases in 2020

⁷⁶ Based on the 150 child victims identified in new criminal cases in 2020

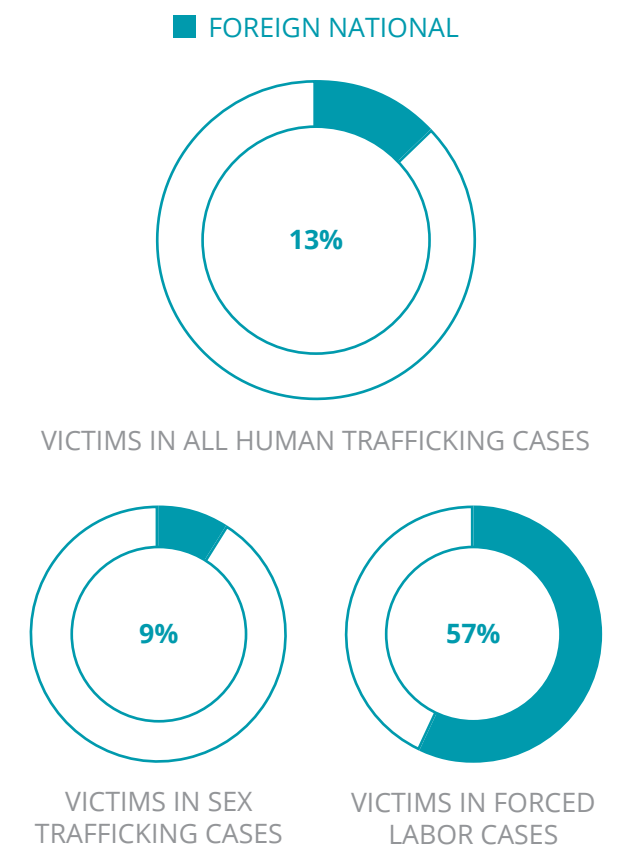
⁷⁷ Based on the 74 adult victims identified in new criminal cases in 2020

1.2.4 FOREIGN NATIONAL VICTIMS

In 2020 active human trafficking cases, 13% (196) of victims were foreign nationals, including two lawful permanent residents and one asylee, and 87% (1,303) were either U.S. citizens or their nationality was unknown.⁷⁸ This breakdown varied greatly by case type. Although only 9% (123) of victims in active sex trafficking cases were foreign nationals,⁷⁹ foreign nationals accounted for 57% (73) of victims in active forced labor cases.⁸⁰ Of all foreign national victims, 63% (123) were in sex trafficking cases and 37% (73) were in active forced labor cases. Moreover, 23% (45) of all foreign national victims were children.⁸²

Even when victims are foreign nationals, human trafficking does not always involve cross-border movement. Of foreign national victims, 8% (15) were exploited exclusively abroad and 9% (16) were exploited only after entering the United States.⁸³ All of the victims exploited exclusively abroad were children, comprising 33% of child foreign national victims.⁸⁴ The remaining 83% (149) of foreign national victims were trafficked into the United States, 58% (87) in sex trafficking cases and 42% (62) in forced labor cases.⁸⁵ Eighty-one percent (120) of victims trafficked into the country were adults and 19% (28) were children.⁸⁶ Correspondingly, 90% (120) of adult foreign national victims were trafficked into the United States⁸⁷ compared to 62% (28) of foreign national victims who were children.⁸⁸

VICTIM NATIONALITY IN 2020 ACTIVE CRIMINAL CASES



⁷⁸ Based on the 1,499 victims identified in active criminal cases in 2020

⁷⁹ Based on the 1,370 victims identified in active criminal cases in 2020

⁸⁰ Based on the 129 victims identified in active criminal forced labor cases in 2020

⁸¹ Based on the 196 foreign national victims in active criminal cases in 2020

⁸² Based on the 196 foreign national victims identified in active criminal cases in 2020

⁸³ Based on the 91% (180) of foreign national victims identified in active criminal cases in 2020 whose location of trafficking was known

⁸⁴ Based on the 45 child foreign national victims in active criminal cases in 2020 for whom this information was known

⁸⁵ Based on the 91% (180) of foreign national victims identified in active criminal cases in 2020 whose location of trafficking was known

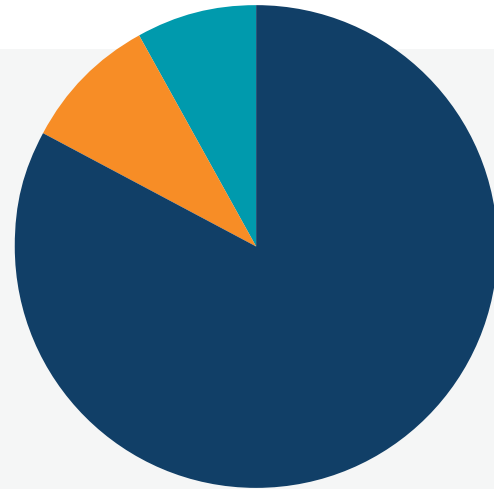
⁸⁶ Based on the 148 victims in active criminal cases in 2020 identified as having been trafficked into the United States

⁸⁷ Based on the 133 adult foreign national victims in active criminal cases in 2020 for whom this information was known

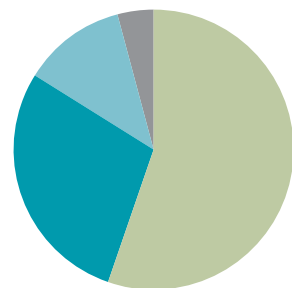
⁸⁸ Based on the 45 child foreign national victims in active criminal cases in 2020 for whom this information was known

TRAFFICKING TRENDS OF FOREIGN NATIONAL VICTIMS IN 2020 ACTIVE CRIMINAL CASES

TRAFFICKED INTO THE UNITED STATES **83%** ■
 TRAFFICKED AFTER ENTERING THE UNITED STATES **9%** ■
 TRAFFICKED ABROAD **8%** ■



VISAS OF FOREIGN NATIONAL VICTIMS IN 2020 ACTIVE CRIMINAL HUMAN TRAFFICKING CASES



■ 56% B-2
 ■ 29% H-2A
 ■ 12% B-1
 ■ 4% F-1

Sometimes, perpetrators traffic victims into the United States by committing visa fraud or otherwise abusing the visa process. In other instances, traffickers exploit the temporary immigration status of visa-holders already in the United States. In 2020, at least 27% (52) of foreign national victims in active cases had come to the United States on a visa. Ninety-five percent (41) of these victims were trafficked into the United States and 5% (2) were exploited after entry.⁸⁹ The breakdown of visa categories was as follows: 56% (29) B-2 for tourists, 29% (15) H-2A for temporary agricultural workers, 12% (6) B-1 for temporary business visitors, 4% (2) F-1 for students.⁹⁰ This is a very similar breakdown to 2019, except there were no J-1 visas for the Exchange Visitor Program, which the government suspended in June 2020 due to the COVID-19 pandemic.⁹¹ Notably, all H-2A visa holders were from Mexico.⁹²

When broken out by case type, the visa categories shift. In active sex trafficking cases, all identified visa-holder victims came through the B-1 (19%, 5) process for temporary business visitors or the B-2 (81%, 21) process for tourists.⁹³ The migration avenues were more varied for victims in active forced labor cases, with 58% (15) on H-2A temporary agricultural worker visas, 31% (8) on B-2 tourist visas, 8% (2) on F-1 student visas, and 4% (1) on B-1 temporary business visitor visas.⁹⁴

All five children who entered the United States on a visa came through the B-2 tourist process and ended up in forced labor cases involving several industries, including domestic work and restaurant or food services.

⁸⁹ Based on the 43 visa-holder victims for whom this information was known

⁹⁰ Based on the 52 foreign national victims identified as visa-holders

⁹¹ Presidential Proclamation 10052, 85 FR 38263, 38263-38267 (June 22, 2020), available at <https://www.federalregister.gov/documents/2020/06/25/2020-13888/suspension-of-entry-of-immigrants-and-nonimmigrants-who-present-a-risk-to-the-united-states-labor>.

⁹² Based on the 14 victims in active criminal cases in 2020 identified as having an H-2A visa and whose country of origin was known

⁹³ Based on the 26 foreign national victims in active criminal sex trafficking cases in 2020 identified as visa-holders

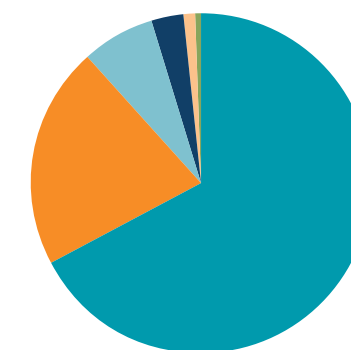
⁹⁴ Based on the 26 foreign national victims in active criminal forced labor cases in 2020 for whom a visa or refugee status was identified

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. Eighty-five percent (62) of foreign national victims were undocumented prior to trafficking, at least 29% (21) had limited English language skills, and at least 14% (10) were in financial debt, potentially due to smuggling or recruitment fees.⁹⁵ Traffickers often exploit these vulnerabilities once an individual has entered the country. As mentioned above, 9% (16) of foreign national victims were trafficked after entering the United States, 63% (10) in sex trafficking cases and 38% (6) in forced labor cases.⁹⁶ Of adult foreign national victims, 10% (14) were trafficked after entering the United States⁹⁷ compared to 4% (2) of foreign national victims who were children.⁹⁸

The foreign national victims in 2020 active cases traveled to the United States from around the world, with 67% (126) from the Western Hemisphere, 21% (39) from East Asia and the Pacific, 7% (14) from South and Central Asia, 3% (5) from Africa, 1% (2) from Europe and Eurasia, and less than 1% (1) from the Near East.⁹⁹ Within these regions, foreign national victims came from at least 23 countries of origin, which are listed in the map on pages 38-39.



FOREIGN NATIONAL VICTIMS IN 2020 ACTIVE CRIMINAL HUMAN TRAFFICKING CASES BY REGION



■ 67% WESTERN HEMISPHERE
 ■ 21% EAST ASIA & PACIFIC
 ■ 7% SOUTH & CENTRAL ASIA
 ■ 3% AFRICA
 ■ 1% EUROPE AND EURASIA
 ■ <1% NEAR EAST

* Regions defined by U.S. Department of State here: <https://www.state.gov/integrated-country-strategies/>

⁹⁵ Based on the 73 foreign national victims identified in active criminal cases in 2020 for whom at least one vulnerability was known

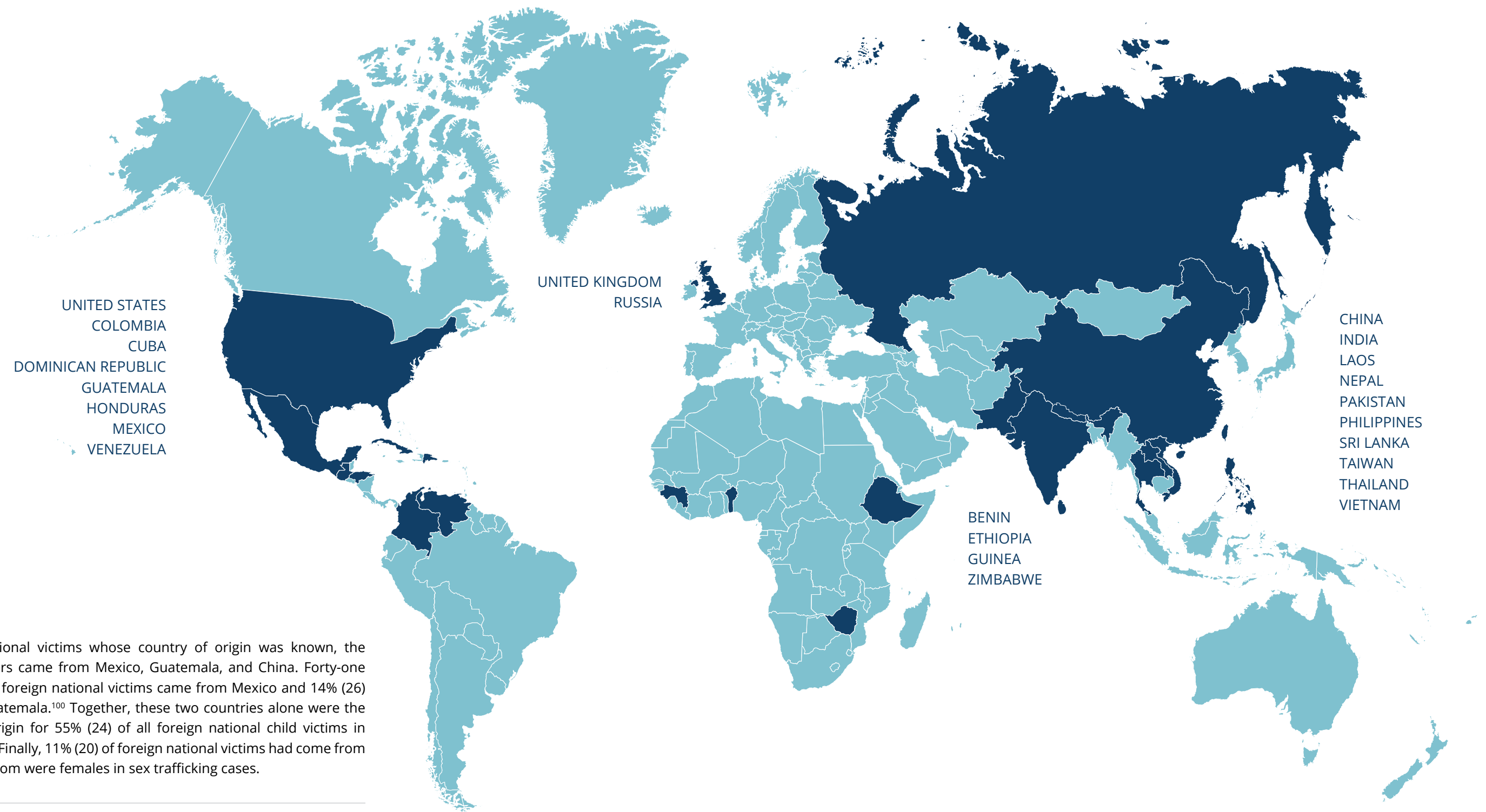
⁹⁶ Based on the 91% (180) of foreign national victims identified in active criminal cases in 2020 whose location of trafficking was known. The percentages exceed 100% due to rounding.

⁹⁷ Based on the 135 adult foreign national victims identified in active criminal cases in 2020 for whom this information was known

⁹⁸ Based on the 45 child foreign national victims identified in active criminal cases in 2020 for whom this information was known

⁹⁹ Based on the 187 foreign national victims in active criminal cases in 2020 whose country of origin was known

**COUNTRY OF ORIGIN FOR VICTIMS IN 2020
ACTIVE CRIMINAL HUMAN TRAFFICKING CASES**



Of foreign national victims whose country of origin was known, the highest numbers came from Mexico, Guatemala, and China. Forty-one percent (77) of foreign national victims came from Mexico and 14% (26) came from Guatemala.¹⁰⁰ Together, these two countries alone were the countries of origin for 55% (24) of all foreign national child victims in active cases.¹⁰¹ Finally, 11% (20) of foreign national victims had come from China, all of whom were females in sex trafficking cases.

¹⁰⁰ Based on the 187 foreign national victims in active criminal cases in 2020 whose country of origin was known

¹⁰¹ Based on the 44 foreign national child victims in active criminal cases whose country of origin was known

FOREIGN NATIONAL VICTIMS

In the 20 years since the enactment of the TVPA, prosecutors have identified 816 foreign national victims from at least 59 countries.* Foreign nationals were more likely than other categories of victims (i.e., U.S. citizens or victims whose nationality was unknown) to be victims in a forced labor cases, with 53% (432) of foreign national victims ending up in forced labor cases compared to 47% (384) in sex trafficking cases.+ Also contrary to general trends among victims regardless of nationality, 78% (588) of foreign national victims were adults compared to just 22% (165) that were children.^ The gender breakdown tracked more closely with overall numbers; most foreign national victims (82%, 553) were females and far fewer (18%, 119) were males, though the percentage of male victims was still high compared to the general victim population.~ Finally, over the past 20 years, 55% (420) of foreign national victims in federal human trafficking cases came from the Western Hemisphere, 33% (248) from East Asia and the Pacific, 4% (33) from Europe and Eurasia, 4% (32) from South and Central Asia, 3% (26) from Africa, and less than 1% (3) from the Near East.*

* Based on 816 foreign national victims identified in criminal cases from 2000 through 2020, including four lawful permanent residents. The country of origin was known for 763 foreign national victims.

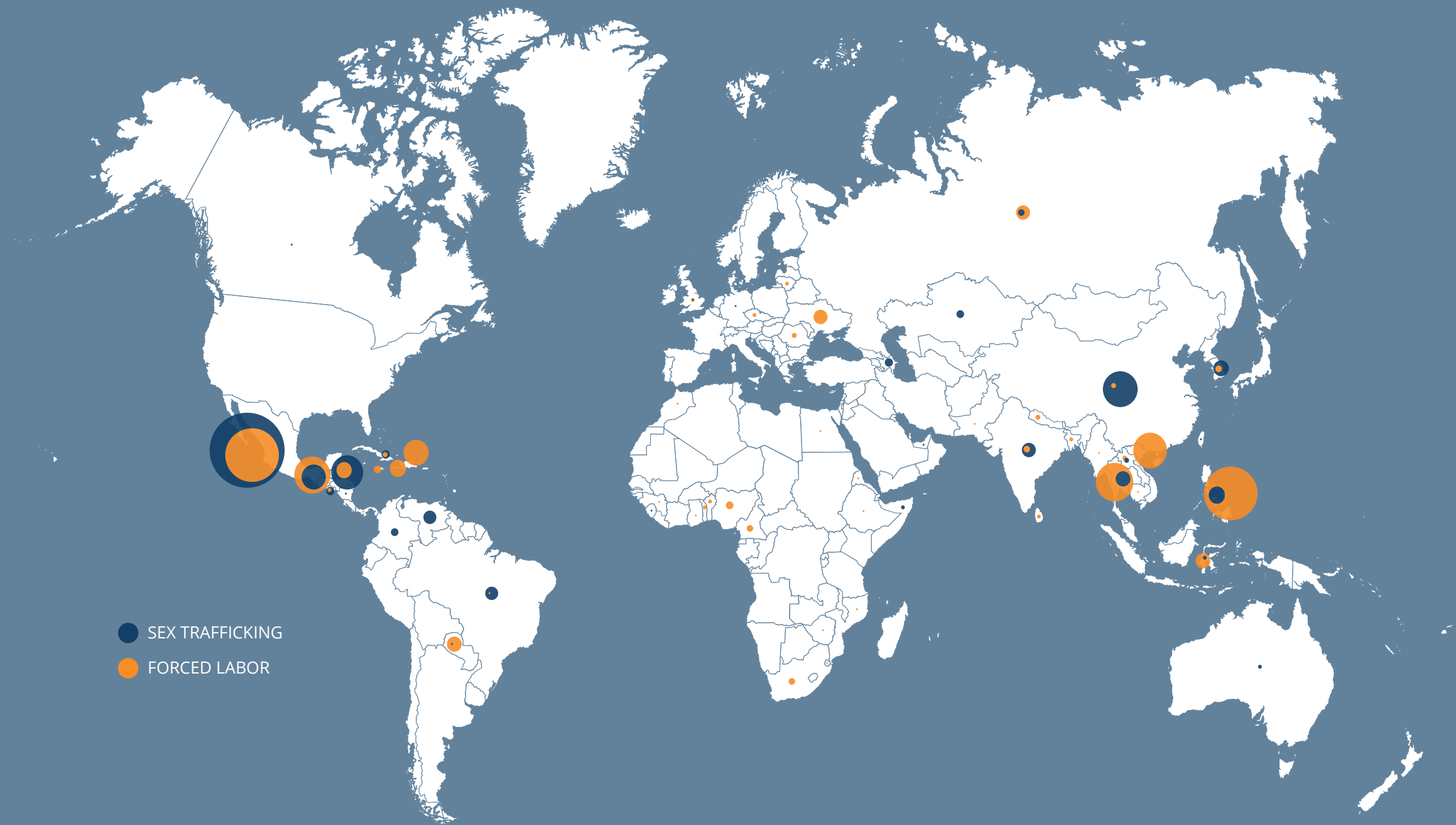
+ Based on 816 foreign national victims, including four lawful permanent residents—two in forced labor cases and two in sex trafficking cases

^ Based on the 753 foreign national victims whose age was known, including four lawful permanent residents, two of whom were adults and two of whom were children

~ Based on the 672 foreign national victims whose gender was known, including four lawful permanent residents who were all females

* Based on the 763 foreign national victims for whom the country of origin was known

COUNTRY OF ORIGIN FOR FOREIGN NATIONAL VICTIMS IDENTIFIED IN CRIMINAL HUMAN TRAFFICKING CASES FROM 2000-2020





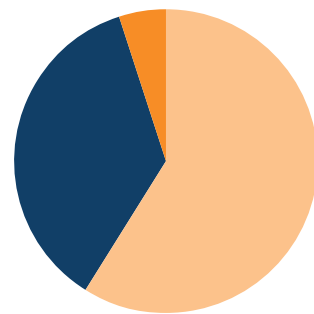
1.3 CRIMINAL SEX TRAFFICKING SCHEMES

The majority (94%, 547) of human trafficking prosecutions at the federal level seek to hold perpetrators accountable for exploiting victims for commercial sex.¹⁰² Information gleaned from the fact patterns underlying these cases reveal some of the many ways sex traffickers and their co-defendants carry out this often hidden crime.

1.3.1 CRIMINAL NETWORKS VERSUS INDEPENDENT TRAFFICKERS IN CRIMINAL HUMAN TRAFFICKING CASES

Although the international convention¹⁰³ that prohibits human trafficking describes the offense as an organized crime, cases involving broad criminal networks account for only a small fraction of the sex trafficking prosecutions the federal government files each year. In fact, only 5% (28) of active sex trafficking cases involved exploitation directed by gangs¹⁰⁴ or more formal organized crime groups.¹⁰⁵ Instead, most cases involved individual traffickers acting as “pimps,”¹⁰⁶ exploiting victims within their own family, or otherwise operating without direction from or connection to a larger criminal network.

SCHEMES IN 2020 ACTIVE SEX TRAFFICKING CASES



- 59% NOT CRIMINAL NETWORK-DIRECTED
- 36% UNKNOWN
- 5% CRIMINAL NETWORK-DIRECTED

¹⁰² Based on the 579 active human trafficking prosecutions in 2020

¹⁰³ G.A. Res. 55/25, Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, Supplementing the U.N. Convention Against Transnational Organized Crime art. 3(a), Nov. 15, 2000, 2237 U.N.T.S. 319 [hereinafter Palermo Protocol] (“This Protocol shall apply...where [trafficking in persons] offences are transnational in nature and involve an organized criminal group....”)

¹⁰⁴ The following gangs were mentioned by name in public sources related to 2020 active federal sex trafficking prosecutions: Black Mob, Black P-Stones, Bloods, Dog Pound Gangsters, Insane Crip Gangsters, Hit Squad, Mara Salvatrucha (MS-13), Sevens, Skanless, Southwest Cholos, The Sauce Factory, and West Coast Crips.

¹⁰⁵ Based on the 547 active criminal sex trafficking cases in 2020. Thirteen cases involved exclusively gang-directed sex trafficking and 13 involved only organized crime-directed sex trafficking. Two cases involved both gang- and organized crime-directed sex trafficking.

¹⁰⁶ There were 343 active criminal sex trafficking cases in 2020 involving pimp-directed trafficking. Of those, 319 (58% of active criminal sex trafficking cases) involved exclusively pimp-directed trafficking. There were familial ties between defendants and victims in at least five of those 319 cases. Additionally, there were also four cases in which the trafficking was exclusively familial (i.e. not pimp-, organized crime-, or gang-directed). Together, the 319 exclusively pimp-directed plus four familial trafficking cases equals 323 (59% of active sex trafficking cases) cases involving independent and/or family-based trafficking rather than trafficking directed by a criminal network.

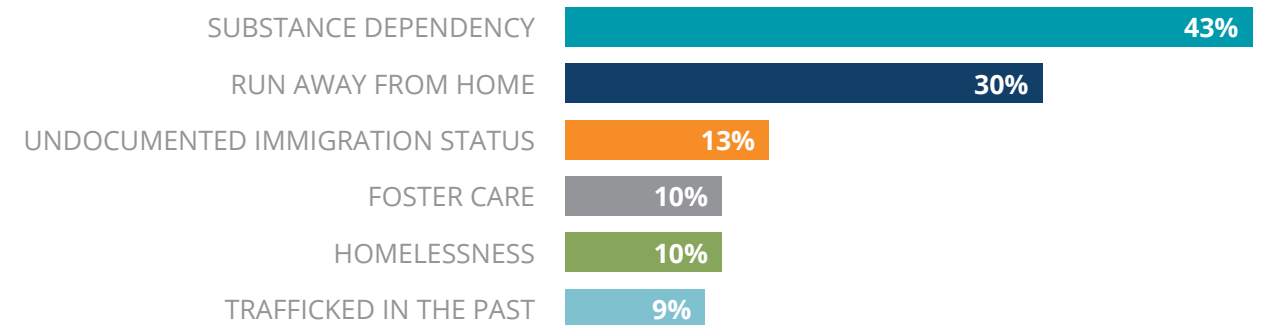
Public information about 2020 active sex trafficking cases alleged that defendants knew their victims prior to trafficking them at least 43% (197) of the time.¹⁰⁷ Of these pre-existing relationships, the most common was social media contact (31%, 61), followed by spouse or other intimate partner (21%, 42), smuggler (13%, 26), friend or classmate (10%, 20), drug dealer (7%, 13), and recruiter or employer (6%, 11).¹⁰⁸ Less common types of pre-existing relationships between defendants and victims included: fellow gang member (4%, 7); extended family, including partners of parents or guardians (4%, 7); parent or legal guardian (3%, 6), mutual friend (3%, 5); religious leader (2%, 4); cohabitant (2%, 4); landlord (2%, 3), pimp (1%, 2); and school staff (1%, 1).¹⁰⁹

1.3.2 VICTIM RECRUITMENT

For some victims, public sources identified characteristics that may have made them especially vulnerable to recruitment by sex traffickers. The top five vulnerabilities among victims in active sex trafficking cases were the same as the top categories across all active cases, though the percentages shift: substance dependency (43%, 139), having run away from home (30%, 97), undocumented immigration status (13%, 43), being in the foster care system (10%, 33), homelessness (10%, 32), and having been trafficked in the past (9%, 28).¹¹⁰



PRE-EXISTING VULNERABILITIES OF VICTIMS IN 2020 ACTIVE CRIMINAL SEX TRAFFICKING CASES



¹⁰⁷ Based on the 462 active defendants in sex trafficking cases with a verified relationship or non-relationship with at least one victim

¹⁰⁸ Based on the 197 defendant-victim relationships specified in active criminal sex trafficking cases in 2020. Three defendant-victim relationships did not fit into any of these categories. These percentages do not add up to 100% because defendants may have multiple types of relationships with victims.

¹⁰⁹ Based on the 197 defendant-victim relationships specified in active criminal sex trafficking cases in 2020.

¹¹⁰ Based on the 24% (324) of victims in active criminal sex trafficking cases in 2020 for whom at least one pre-existing vulnerability was identified. The percentages do not add up to 100% because some victims had multiple vulnerabilities.



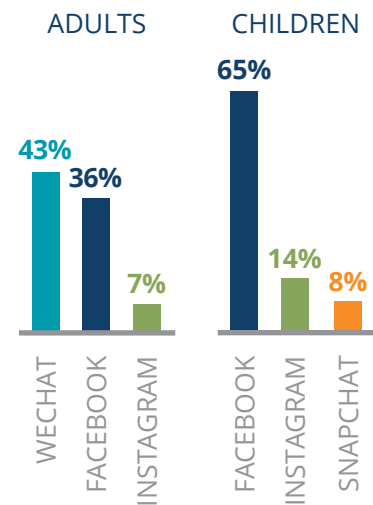
LOCATION OF RECRUITMENT

Traffickers can engage in recruitment tactics virtually anywhere, but there are certain locations that appear with regularity in federal sex trafficking prosecutions. In 2020 active cases, victims were recruited on the street (43), at stores (10), in a cult (7), at parties (7), and at bus stops (6).¹¹¹ Additionally, a few victims were recruited at shelters (3), schools (3), a bar (1) and a beach (1).¹¹²

Although traffickers in 2020 active cases recruited their victims from a variety of physical locations, the internet was the most common (41%, 244) location for recruitment,¹¹³ as has been the case every year since 2013. In 2020, 59% (78) of online victim recruitment in active sex trafficking cases occurred on Facebook, making it by far the most frequently referenced website or app in public sources connected with these prosecutions, which was also true in 2019.¹¹⁴

Surprisingly, despite Facebook's reputation as a less popular platform among teenagers, it was a more common platform for recruiting child victims than adult victims in 2020 active sex trafficking cases. In fact, 65% (68) of child victims recruited on social media were recruited through Facebook¹¹⁵ compared to just 36% (10) of adults.¹¹⁶ After Facebook, Instagram and Snapchat were the most frequently cited social media platforms for recruiting child victims, accounting for 14% (15) and 8% (8) of child recruitment, respectively.¹¹⁷ Among adults, other top platforms were WeChat (43%, 12) and Instagram (7%, 2).¹¹⁸ Overall, when examining websites and apps used to recruit victims irrespective of age, the most common sites in active sex trafficking cases—after Facebook—were Instagram (13%, 17), WeChat (9%, 12), and SnapChat (7%, 9).¹¹⁹

VICTIMS RECRUITED ONLINE IN 2020 ACTIVE CRIMINAL SEX TRAFFICKING CASES BY AGE



¹¹¹ Based on the 602 victims identified in active criminal sex trafficking cases in 2020 for whom details of their recruitment were known

¹¹² Based on the 602 victims identified in active criminal sex trafficking cases in 2020 for whom details of their recruitment were known

¹¹³ Based on the 602 victims identified in active criminal sex trafficking cases in 2020 for whom details of their recruitment were known

¹¹⁴ Based on the 133 victims in active criminal cases in 2020 who were recruited via an identified social media platform

¹¹⁵ Based on the 105 child victims in active criminal sex trafficking cases in 2020 for whom a website or app used for recruitment was known. These percentages may not add up to 100% because victims can be recruited through multiple internet platforms.

¹¹⁶ Based on the 28 adult victims in active criminal sex trafficking cases in 2020 for whom a website or app used for recruitment was known. These percentages may not add up to 100% because victims can be recruited through multiple internet platforms.

¹¹⁷ Based on the 105 child victims in active criminal sex trafficking cases in 2020 for whom a website or app used for recruitment was known. These percentages may not add up to 100% because victims can be recruited through multiple internet platforms.

¹¹⁸ Based on the 28 adult victims in active criminal sex trafficking cases in 2020 for whom a website or app used for recruitment was known. These percentages may not add up to 100% because victims can be recruited through multiple internet platforms.

¹¹⁹ Based on the 133 victims in active criminal sex trafficking cases in 2020 for whom a website or app used for recruitment was known. Traffickers also recruited less than 4% (five or fewer) of victims on each of the following platforms: Tagged, Kik, MeetMe, Grindr, Craigslist, WhatsApp, SkiptheGames, PlentyofFish, Pinger, Mocospace, Hot or Not, BeginModeling, Badoo, and Backpage. These percentages may not add up to 100% because victims can be recruited through multiple internet platforms.

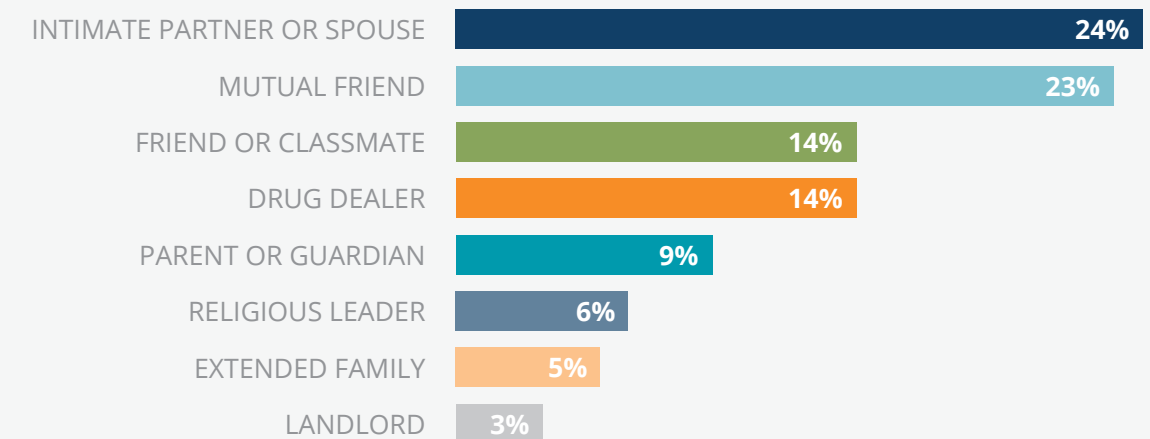
RECRUITMENT TACTICS

The tactics traffickers used to recruit victims varied, but usually involved some form of fraudulent promises. The top methods of recruitment in 2020 active sex trafficking cases were fraudulent job offers (135) and feigned romance (37).¹²⁰ Recruiters also promised victims shelter (6), material possessions (5), transportation (5), drugs (3), gang membership (3), recovery from substance dependency (1), money (1), a tattoo (1), and education (1).¹²¹

For at least 11% (146) of victims in active sex trafficking cases, traffickers¹²² utilized a pre-existing relationship to recruit them into exploitation.¹²³ This tactic includes instances in which a trafficker takes advantage of their own relationship with the victim or the victim's relationship with someone else. In 2020 active sex trafficking cases, the following types of pre-existing relationships were common vehicles for recruitment: spouse or other intimate partner (24%, 34); mutual friend (23%, 32); friend or classmate (14%, 20); drug dealer (14%, 19); parent or legal guardian (9%, 12); religious leader (6%, 9); extended family, including partners of a parent or guardian (5%, 7); landlord (3%, 4); employer (2%, 3); and teacher (2%, 3).¹²⁴

In 2020, 59% of online victim recruitment in active sex trafficking cases occurred on Facebook.

VICTIMS BY TYPE OF RELATIONSHIP EXPLOITED FOR RECRUITMENT IN 2020 ACTIVE CRIMINAL SEX TRAFFICKING CASES



¹²⁰ Based on the 602 victims identified in active criminal sex trafficking cases for whom details of their recruitment were known

¹²¹ Based on the 602 victims identified in active criminal sex trafficking cases for whom details of their recruitment were known

¹²² The person who recruits a victim into sex trafficking is not always the same as the defendant in the sex trafficking case.

¹²³ Based on the 1,370 victims in active sex trafficking cases. Six of these victims' recruitment was categorized as "other" but indicated a pre-existing relationship (i.e. "parents traded children for drugs" and drug dealers).

¹²⁴ Based on the 139 victims recruited through at least one type of pre-existing relationship. The percentages do not add up to 100% because multiple types of pre-existing relationships may have been exploited in the recruitment of a single victim.

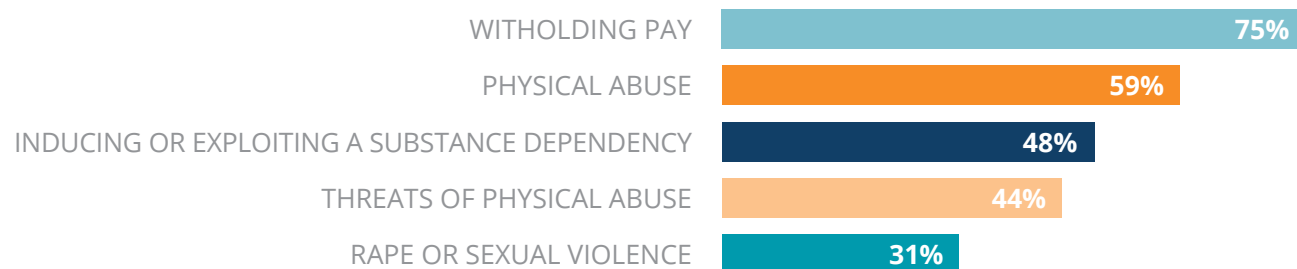


1.3.3 MEANS OF COERCION

Human trafficking is a crime of coercion. To secure a sex trafficking conviction for a case involving an adult victim, prosecutors must prove an alleged trafficker used force, threats of force, fraud, or other forms of coercion to compel a commercial sex act. If the victim is a child, proving coercion is not required, but can lead to more severe sentencing. The question of whether a defendant's actions were coercive in a particular case does not have a one-size-fits-all answer, however. Instead, a trafficker's conduct coerces a victim when it places them in reasonable fear of serious harm if they fail to perform the required commercial sex act. Reasonable fear of serious harm is a subjective determination made in each case when taking into consideration an individual victim's background and circumstances. Often, the most devastatingly effective methods of coercion are not as obvious as the blindfolds, ropes, and cages that populate a Google search of "sex trafficking."

In contrast to popular imagery, physical restraint has never been the primary manner in which defendants control their victims in sex trafficking crimes prosecuted at the federal level. The same held true in 2020, when only 6% (20) of active sex trafficking cases involved cages, locked rooms, or barred cells, and fewer still (2%, 7) involved chains or shackles.¹²⁵ Instead, the top methods of coercion were withholding pay (75%, 271), physical abuse (59%, 213), inducing or exploiting a substance dependency (48%, 175), threats of physical abuse (44%, 158), and rape or sexual violence (31%, 114).¹²⁶ These were the same top methods as in cases with only child victims, though rape or sexual violence were used against children at slightly higher rates than threats of physical abuse. In cases involving exclusively adult victims, physical isolation was the fifth most common method of coercion rather than rape or sexual violence.

TOP COERCIVE MEANS IN 2020 ACTIVE CRIMINAL SEX TRAFFICKING CASES



¹²⁵ Based on the 362 active criminal sex trafficking cases in 2020 in which at least one method of coercion was identified. The percentages do not add up to 100% because cases may have had multiple methods of coercion.

¹²⁶ Based on the 362 active criminal sex trafficking cases in 2020 in which at least one method of coercion was identified. The percentages do not add up to 100% because cases may have had multiple methods of coercion.

20 YEAR TRENDS

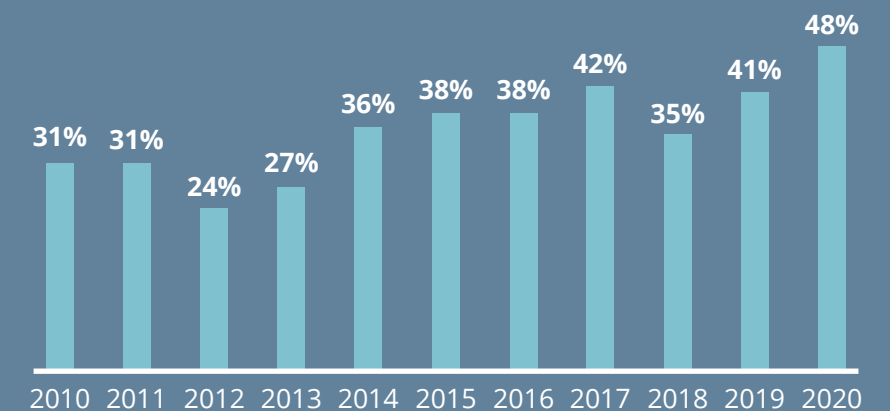
COERCION BY EXPLOITATION OF A SUBSTANCE DEPENDENCY IN SEX TRAFFICKING CASES

Many sex traffickers control their victims by inducing substance dependencies or exploiting victims' existing substance dependencies to compel commercial sex. In fact, nearly half (48%, 175) of active sex trafficking cases in 2020 alleged that a trafficker controlled or withheld a victim's access to drugs, alcohol, or other addictive substances as a method of coercion.* This is the highest percentage of sex trafficking prosecutions to reference the exploitation of a substance dependency as a method of control since the TVPA's enactment, with the exception of 2001, when one of two (50%) new sex trafficking prosecutions involved this coercive tactic.

Although year-over-year fluctuations exist, there has been a general increase over the past two decades in the number of sex trafficking prosecutions referencing the defendant's exploitation of a substance dependency to compel commercial sex. From 2000 to 2010, only 21% (52) of sex trafficking cases alleged the exploitation of a substance dependency.† This increased to 32% (201) for sex trafficking cases charged between 2011 to 2015 and to 40% (248) for sex trafficking cases charged within the past five years (from 2016 to 2020).^ Historically, the exploitation of substance dependencies has been identified more commonly in sex trafficking prosecutions with adult victims than those with child victims. This was not true in 2020, however, when both 48% (10) of new adult-only sex trafficking cases and 48% (20) of new child-only sex trafficking cases indicated that a defendant compelled commercial sex by inducing or exploiting a substance dependency.~

It is important to note that the increase in sex trafficking prosecutions referencing this coercive tactic does not necessarily mean that traffickers are more commonly exploiting substance dependencies in 2020 than they did two decades ago. However, it certainly indicates a growing recognition and understanding among justice sector professionals that controlling or withholding a victim's access to addictive substances is both a powerful and legally sufficient means of coercion.

PERCENTAGE OF NEW CRIMINAL SEX TRAFFICKING CASES INVOLVING EXPLOITATION OF A SUBSTANCE DEPENDENCY



* Based on the 362 active sex trafficking prosecutions in 2020 in which at least one method of coercion was identified

† Based on the 253 new sex trafficking prosecutions charged between 2000 to 2010 in which at least one method of coercion was identified

^ Based on the 633 new sex trafficking prosecutions charged in 2011 to 2015 and 616 new sex trafficking prosecutions charged in 2016 to 2020 in which at least one method of coercion was identified

~ Based on the 21 new adult-only sex trafficking prosecutions and 42 new child-only sex trafficking prosecutions in 2020 in which at least one method of coercion was identified

Of all methods of coercion identified in 2020 active sex trafficking cases, over half (57%, 908)¹²⁷ were nonphysical, including two already mentioned in the top five: withholding pay and threats of physical abuse. Other nonphysical forms of coercion identified in a relatively high percentage of cases were brandishing weapons (25%, 89), verbal and emotional abuse (18%, 65), fraudulent job offers (16%, 58), feigned romance (15%, 55), and threats to a victim's child or family members (10%, 35).¹²⁸

In contrast, only 43% (681) of methods of coercion identified in active 2020 sex trafficking cases were physical.¹²⁹ After physical abuse, inducing or exploiting a substance dependency, and rape or sexual violence, the following physical forms of coercion appeared in the highest percentage of cases: physical isolation (24%, 86), tattooing or branding (7%, 27), and controlling or withholding a victim's access to food (6%, 23).¹³⁰

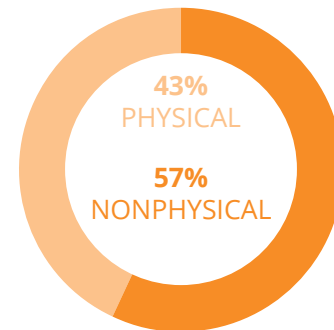
1.3.4 SOLICITATION STRATEGIES

Sex traffickers are often economically motivated, benefiting financially from compelling victims to engage in commercial sex with buyers. To solicit buyers, traffickers utilize various solicitation strategies. As mentioned above, prosecutors may charge buyers as traffickers too if they buy or attempt to buy sex from a trafficking victim.

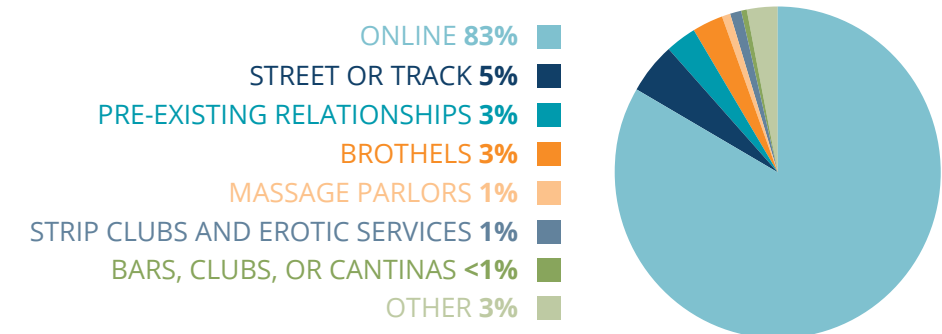
The majority (83%, 356) of 2020 active sex trafficking cases involved the internet as the primary method of solicitation.¹³¹ This high percentage is a longstanding trend. Online solicitation has dwarfed other forms of solicitation for over a decade, appearing as the primary form of solicitation in over twice as many cases as any other method each year since 2008. In fact, there has not been a more prevalent primary business model for solicitation in sex trafficking schemes prosecuted at the federal level since 2005, when the highest percentage of solicitation happened on the street or track.¹³² Street- or track-based solicitation still occurred in 2020 active cases, but at a much lower rate (5%, 21). Traffickers also solicited buyers through pre-existing relationships (3%, 13), at brothels (3%, 12), massage parlors (1%, 5), strip clubs and erotic services (1%, 5), and bars, clubs, or cantinas (less than 1%, 3).¹³³ Although these were the primary methods of solicitation that traffickers used, this list is not exhaustive as some traffickers used multiple strategies to solicit buyers. For more on how the Report determines the primary method of solicitation in a case, see page 121 in the Methodology section.

ONLINE SOLICITATION *has dwarfed other forms of solicitation for over a decade.*

PHYSICAL AND NONPHYSICAL COERCION IN 2020 ACTIVE CRIMINAL SEX TRAFFICKING CASES



SOLICITATION OF BUYERS IN 2020 ACTIVE CRIMINAL SEX TRAFFICKING CASES



Although online solicitation of buyers has been a constant for many years, the websites and apps traffickers use change considerably year over year. In 2020 new sex trafficking cases, the top platforms used for solicitation were Skip the Games (16%, 14), Mega Personals (14%, 12), Backpage (9%, 8), and Craigslist (8%, 7).¹³⁴ The eight new cases involving

Backpage are vestiges of crimes committed prior to the government shutdown of Backpage in mid-2018. Investigations stemming from Backpage used to be the primary source of federal sex trafficking prosecutions, as underscored by the fact that, from 2013 to 2017, traffickers solicited buyers on Backpage in over 100 new cases each year.

FAQ: DOES THE GOVERNMENT PROSECUTE SEX TRAFFICKING IN THE ILLICIT MESSAGE PARLOR INDUSTRY?

In March of 2021, eight women were murdered at massage parlors across Atlanta.* The tragedy drew national attention to an industry that often serves as a front for sex traffickers to solicit buyers. Although the Report does not contain data on the prevalence of sex trafficking at illicit massage parlors or “spas,” the federal government has prosecuted new cases of sex trafficking in this industry almost every year since 2004.† At least nine 2020 active sex trafficking cases involved the exploitation of victims at massage parlors as part of criminal schemes spanning 18 different states.‡ Prosecutors named 31 victims in these cases, all women and children, many of whom were foreign nationals. Often, traffickers in these cases committed visa fraud to bring victims to the United States, charging exorbitant fees to entrap victims in debt bondage. Upon arrival victims faced language barriers, physical isolation, and accumulating debt that traffickers ensured they could never pay off, preventing them from being able to exit the trafficking situation.‡

* Frances Robles, THE NEW YORK TIMES, The killings targeted an industry with a history of concerns about sex trafficking (March 18, 2021), <https://www.nytimes.com/2021/03/18/us/sex-trafficking-massage-parlors.html>.

† Based on all 16 cases filed since 2000 in which the primary method of solicitation was massage parlors

‡ The nine cases comprise five 2020 active criminal sex trafficking cases in 2020 for which massage parlors were the primary method of solicitation and four 2020 active sex trafficking cases for which massage parlors were the secondary method of solicitation. The 18 states are: Arizona, California, Connecticut, the District of Columbia, Georgia, Hawaii, Illinois, Indiana, Louisiana, Massachusetts, Minnesota, Nevada, New Hampshire, New Jersey, New York, Rhode Island, and Texas.

‡ For more on sex trafficking in the illicit spa industry, see: <https://polarisproject.org/blog/2018/06/human-trafficking-in-massage-parlors-a-deeply-manipulated-sense-of-choice/>

¹³⁴ Based on the 87 new criminal sex trafficking cases in 2020 in which the primary method of solicitation was internet-based

¹²⁷ Based on the 1,589 methods of coercion identified across all 362 active criminal sex trafficking cases in 2020 that mentioned at least one method of coercion

¹²⁸ Based on the 362 active criminal sex trafficking cases in 2020 in which at least one method of coercion was identified

¹²⁹ Based on the 1,589 methods of coercion identified across all 362 active criminal sex trafficking cases in 2020 that mentioned at least one method of coercion

¹³⁰ Based on the 362 active criminal sex trafficking cases in 2020 in which at least one method of coercion was identified

¹³¹ Based on the 427 active criminal sex trafficking cases in 2020 for which a method of solicitation was identified

¹³² In 2005, 28% (5) of new criminal sex trafficking cases involved street- or track-based solicitation compared to just 11% (2) online.

¹³³ Based on the 427 active criminal sex trafficking cases in 2020 for which a method of solicitation was identified

THE ROLE OF THE INTERNET IN SEX TRAFFICKING PROSECUTIONS

TOP INTERNET PLATFORMS USED FOR BUYER SOLICITATION IN CRIMINAL HUMAN TRAFFICKING CASES FILED SINCE 2000

Over the past two decades, human trafficking cases have increasingly referenced the use of the internet to facilitate trafficking through victim recruitment and buyer solicitation.

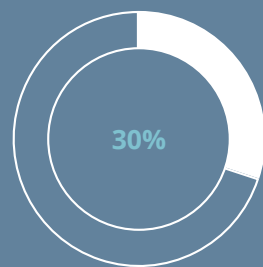
In the early years of the TVPA, most cases involved victims who were recruited into sex trafficking schemes off the street. In 2005, the government filed the first sex trafficking prosecution referencing online victim recruitment. By 2011, the internet was solidly the top location of recruitment and has been every year since. Of all victims identified in federal sex trafficking cases since 2000, 30% (535) were recruited online.* Relatedly, 23% (193) of all pre-existing relationships between defendants and victims identified over the past two decades have been social media contacts.*

In addition to facilitating the recruitment of victims, the internet is a powerful platform for soliciting buyers of commercial sex. The government filed the first sex trafficking prosecution involving online solicitation in 2001, and it has been the top method of solicitation since 2006. In fact, online solicitation was the primary strategy employed by traffickers in 81% (1,349) of all federal sex trafficking prosecutions filed from 2000 through 2020.^

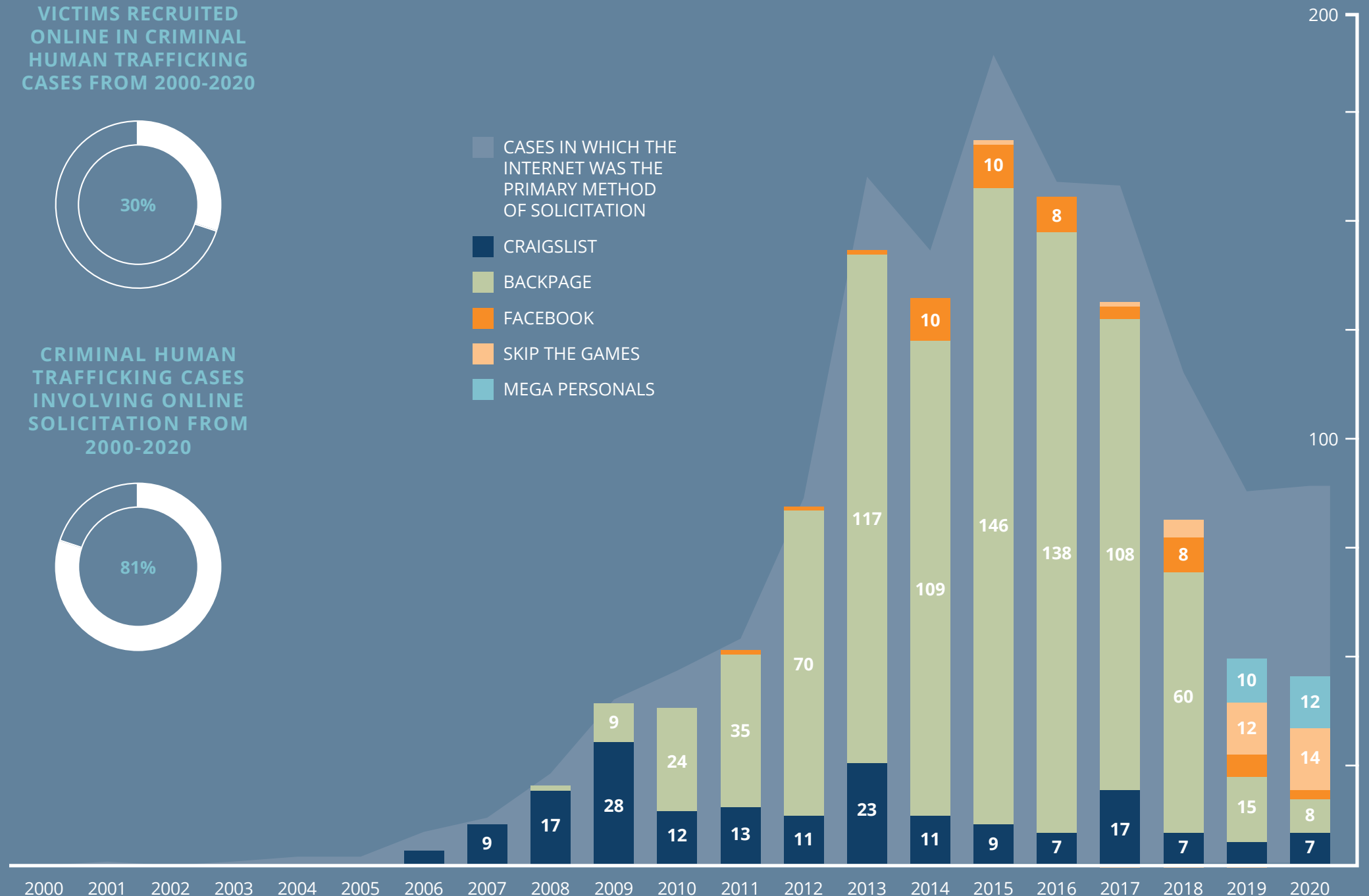
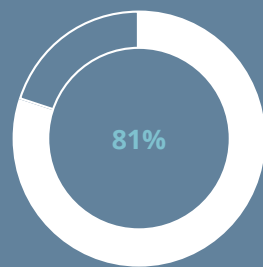
It is important to reiterate that these data do not reflect the prevalence of online solicitation in sex trafficking schemes beyond those federally prosecuted. To be sure, the internet is implicated in many sex trafficking situations, but the high numbers of federal prosecutions involving internet solicitation are equally if not more reflective of the strategies law enforcement use to investigate these crimes. From 2013 through 2017, investigations involving the website Backpage were the basis for over 100 sex trafficking prosecutions a year. The government shut down Backpage in 2018, but investigations on alternative platforms, like Facebook, Skip the Games, and Mega Personals continue to uncover many of the sex trafficking schemes prosecuted each year.

* Based on the 1,796 victims identified in criminal sex trafficking prosecutions filed from 2000 through 2020 for whom details of their recruitment were known.
 + Based on the 822 pre-existing relationships between defendants and victims detailed in public sources related to criminal sex trafficking prosecutions filed from 2000 through 2020.
 ^ Based on the 1,665 criminal sex trafficking cases for which the primary method of solicitation was known

VICTIMS RECRUITED ONLINE IN CRIMINAL HUMAN TRAFFICKING CASES FROM 2000-2020




CRIMINAL HUMAN TRAFFICKING CASES INVOLVING ONLINE SOLICITATION FROM 2000-2020



1.3.5 LOCATION & VENUE OF SEX TRAFFICKING SCHEMES

In 2020 active sex trafficking cases, prosecutors sought to hold defendants accountable for criminal conduct that occurred in all 50 states and U.S. territories except for Guam. Unsurprisingly, the fact patterns underlying the sex trafficking prosecutions mentioned the largest states—Texas (15%, 84), California (14%, 76), and New York (12%, 63)—as the location of sex trafficking and related criminal activities in the highest percentages of cases.¹³⁵ Despite common misconceptions that human trafficking necessarily involves cross-border movement, fewer than half (40%, 219) of active sex trafficking cases involved schemes spanning more than one state.¹³⁶ Even fewer cases (5%, 28) involved criminal activity abroad.¹³⁷ Court documents and other public sources named the following foreign countries as the location of sex trafficking and related crimes: the Bahamas; Canada; China; Colombia; Cuba; the Dominican Republic; El Salvador; Fiji; Honduras; India; Laos; Mexico; the Philippines; Thailand; the United Kingdom, including the British Virgin Islands; and Venezuela.¹³⁸



*Despite common misconceptions that human trafficking necessarily involves cross-border movement, **FEWER THAN HALF** of active sex trafficking cases involved schemes spanning more than one state. Even fewer cases involved criminal activity abroad.*

¹³⁵ Based on the 547 active criminal sex trafficking cases in 2020

¹³⁶ Based on the 547 active criminal sex trafficking cases in 2020

¹³⁷ The Report does not track prosecutions filed exclusively under the PROTECT Act, which criminalizes international travel for the purpose of child sex trafficking.

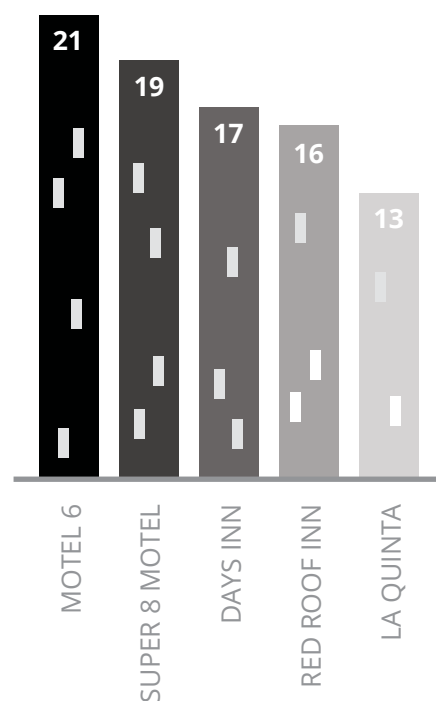
¹³⁸ Additionally, two cases involved unidentified foreign countries, one of which was in Asia.



When honing in on the specific venues where sex trafficking took place, hotels were the most common. In 77% (248) of active sex trafficking cases involving a completed sex act, a sex act occurred at a hotel.¹³⁹ The major hotel chains implicated most frequently in active sex trafficking cases were the same as in years past: Motel 6 (8%, 21), Super 8 Motel (8%, 19), Days Inn (7%, 17), Red Roof Inn (6%, 16), and La Quinta (5%, 13).¹⁴⁰ Together, these five hotel brands were the location of more than a third (34%, 86) of all hotel-based compelled sex acts in 2020 active sex trafficking cases.¹⁴¹

Beyond hotels, traffickers exploited victims at private residences (41%, 132), in vehicles (10%, 31), at brothels (4%, 12), at strip clubs (2%, 8), at truck stops (2%, 5), on the street or in alleyways (2%, 5), at spas or massage parlors (2%, 5), in fields (1%, 4), and at bars, clubs, or cantinas (1%, 4). Additionally, the following venues were mentioned less than 1% of the time, respectively: casinos (2), migrant worker camps (2), farms (2), church (1), Indian reservation (1), storage unit (1), and short-term rental, such as an Airbnb (1). Finally, there was one instance of victim being exploited for commercial sex virtually.¹⁴²

HOTELS IN 2020 ACTIVE CRIMINAL SEX TRAFFICKING CASES



¹³⁹ Based on the 322 active criminal sex trafficking cases in 2020 in which there was a completed sex act

¹⁴⁰ Based on the 248 criminal sex trafficking cases in 2020 in which a victim provided sex at a hotel. The hotels identified by name were: America's Best Value Inn, Best Western, Clarion, Comfort Inn, Crowne Plaza, Days Inn, Drury Inn, Econo Lodge, Express Inn, Extended Stay America, Fairfield Inn, Hampton Inn, Hawthorn Suites, Hilton, Holiday Inn, Homewood Inn & Suites, Howard Johnson, Hyatt, Knights Inn, La Quinta, Marriott, Microtel, Motel 6, Quality Inn, Radisson Inn, Ramada Inn, Red Carpet Inn, Red Roof Inn, Relax Inn, Rodeway Inn, Sheraton, Super 8 Motels, Traveler's Inn, Travelodge, Value Place (WoodSpring Suites), and Westin.

¹⁴¹ Based on the 254 hotel-based commercial sex acts disclosed in 2020 active criminal sex trafficking cases

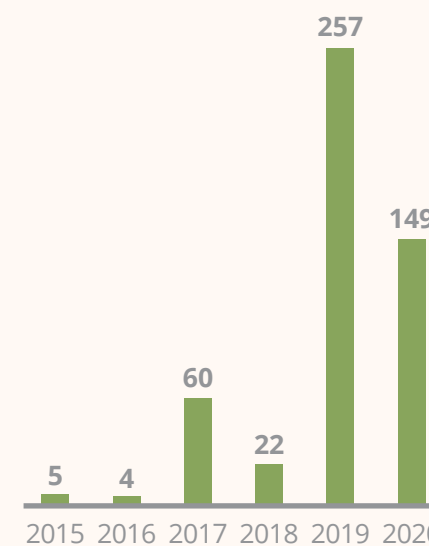
¹⁴² Based on the 322 active criminal sex trafficking cases in 2020 in which there was a completed sex act. The percentages may exceed 100% as there can be multiple locations in a case.

Civil CASE

COMPARISON

SEX TRAFFICKING LAWSUITS

In 2020, civil plaintiffs sued 149 defendants for sex trafficking, nearly half (48%, 72) of which were hotels. Although this represented a 42% decline in civil sex trafficking defendants compared to 2019,^{*} 149 was still well above the average when looking at the preceding five years.⁺ This relatively high number of new sex trafficking defendants in the civil context comes on the heels of a series of sex trafficking lawsuits against big-name hotels filed in 2019. In fact, civil plaintiffs sued nearly three times as many defendants (257) for sex trafficking in 2019 than in the preceding four years combined (91). Of the 117 hotels sued for sex trafficking in 2019, 44% (51) saw the claims against them dismissed (32 voluntarily by the plaintiffs, which is often an indication of a settlement, and 19 by the court) and 56% (66) still have pending claims against them.



^{*} From 257

⁺ 2015 (5), 2016 (4), 2017 (60), 2018 (22), 2019 (257)

1.3.6 MODES OF TRANSPORTATION

The word “trafficking” evokes the idea of movement, linked with everyday images of vehicular traffic. As previously discussed, however, movement is not a required element of human trafficking or, more specifically, sex trafficking. Nevertheless, traffickers often use various modes of transportation in the commission of their crimes, whether to recruit a victim by offering a ride, to transport a victim to meet a buyer, or for any number of other reasons. In 2020 active sex trafficking cases, defendants allegedly utilized the following modes of transportation to commit sex trafficking: private vehicles (87%, 205), airplanes (11%, 27), buses (8%, 19), rental cars (6%, 14), rideshares (5%, 11), taxis (2%, 4), trains (1%, 3), and boats (1%, 2).¹⁴³



¹⁴³ Based on the 236 active criminal sex trafficking cases in 2020 that named at least one mode of transportation. Percentages do not add up to 100% because there could be multiple modes of transportation identified in each case.



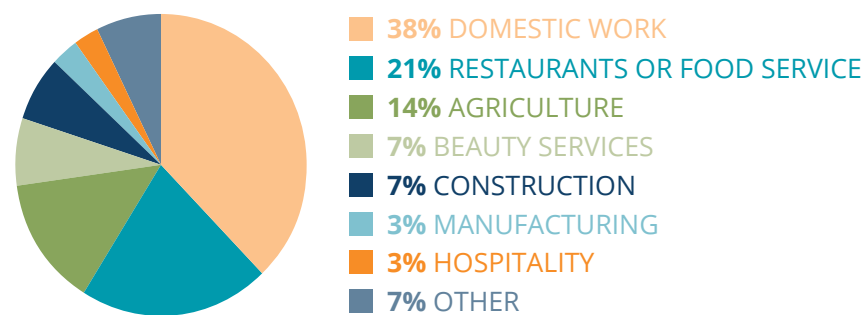
1.4 CRIMINAL FORCED LABOR SCHEMES

Forced labor is the crime of using force, threats of force, or other types of coercion to compel someone to perform labor or provide services. As previously discussed, since 2000 the government has prosecuted very few forced labor cases when compared to sex trafficking cases, and in 2020 this trend continued. Only 6% (32) of active human trafficking cases focused on holding traffickers accountable for forced labor crimes. Although the pool of cases is small, the underlying facts still reveal a wealth of information about how perpetrators of forced labor carried out their exploitative schemes.

1.4.1 INDUSTRIES

Traffickers exploit victims for forced labor in numerous industries, many of which are essential to Americans' daily lives. The pervasiveness of forced labor throughout lawful sectors of the economy sets it apart from sex trafficking, which is largely contained to the illegal market for commercial sex. In 2020 active forced labor cases, the industries where forced labor allegedly occurred were the domestic services industry (38%, 11), encompassing home-based services such as housekeeping and childcare; restaurants or other types of food services, such as catering (21%, 6); agriculture (14%, 4); beauty services (7%, 2); construction (7%, 2); manufacturing (3%, 1);¹⁴⁴ and the hospitality industry (3%, 1). Two additional forced labor cases took place outside of conventional industries: panhandling and door-to-door sales of homemade items.

INDUSTRIES IN 2020 ACTIVE CRIMINAL FORCED LABOR CASES



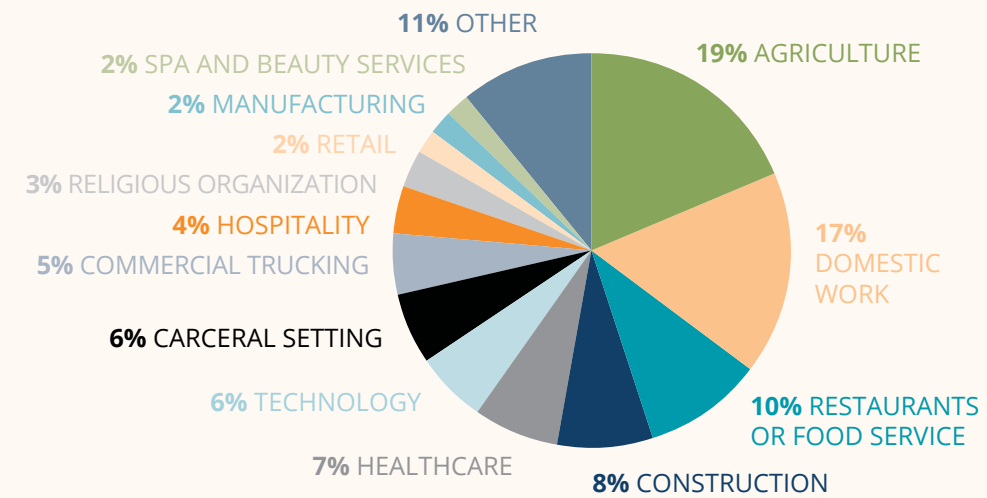
¹⁴⁴ Based on the 29 active criminal forced labor cases in 2020 for which an industry was identified

Civil CASE

COMPARISON

INDUSTRIES IN ACTIVE FORCED LABOR CASES

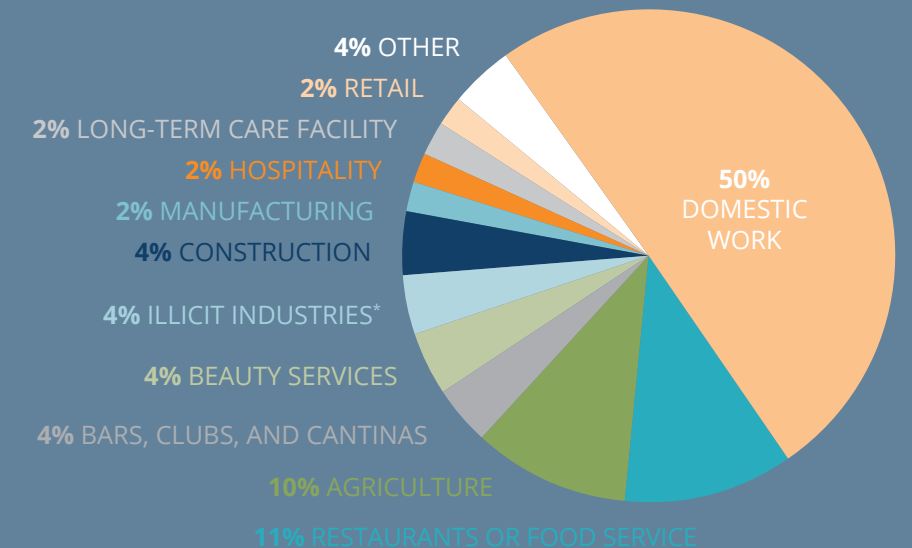
*Based on 109 civil forced labor lawsuits in 2020. The percentages exceed 100% due to rounding.



20 YEAR TRENDS

INDUSTRIES IN CRIMINAL FORCED LABOR CASES SINCE THE ENACTMENT OF THE TVPA

Half of all federal forced labor prosecutions filed since the enactment of the TVPA took place in the domestic services industry, meaning traffickers compelled victims to provide labor within a household, including services such as housekeeping and childcare. No other industry was nearly as common. The next most common sectors implicated in forced labor prosecutions were the restaurant or food service industries and the agricultural industry.

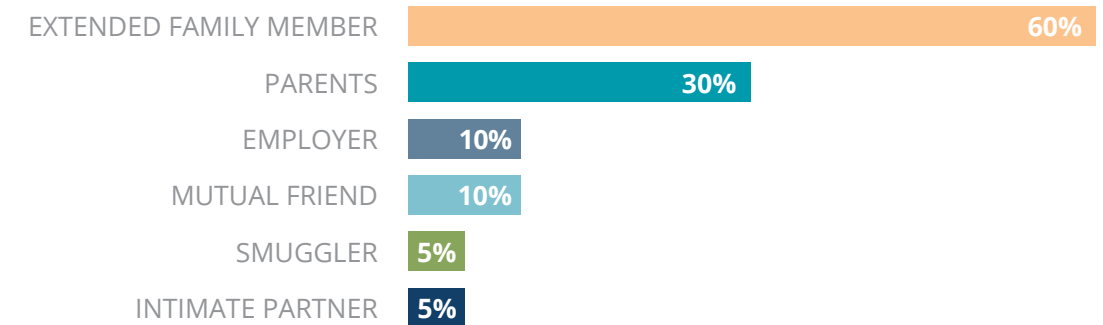


* panhandling, credit card fraud, smuggling, selling counterfeit DVDs

Based on the 126 criminal forced labor cases charged between 2000 to 2020 where the primary industry is identified. The percentages do not add up to 100% due to rounding.



VICTIMS BY TYPE OF RELATIONSHIP EXPLOITED FOR RECRUITMENT IN 2020 ACTIVE CRIMINAL FORCED LABOR CASES

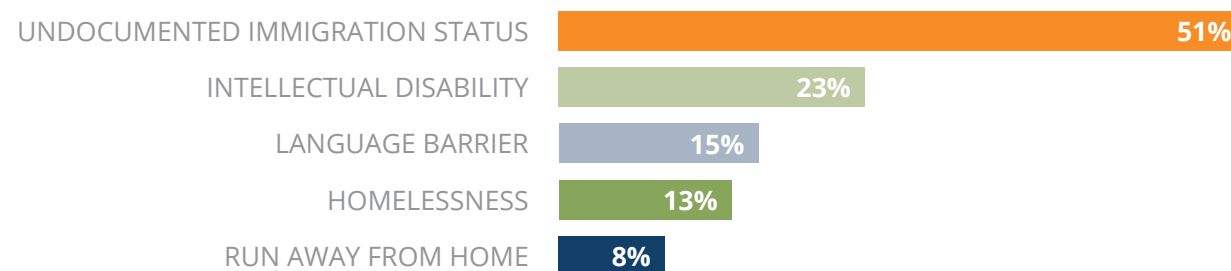


1.4.2 VICTIM RECRUITMENT

Public sources identified pre-existing vulnerabilities of some victims in forced labor cases that may have made them especially at-risk of recruitment by traffickers. These vulnerabilities differed substantially from the sex trafficking context. In forced labor cases, the top five pre-existing victim vulnerabilities in active cases were undocumented immigration status (51%, 20), intellectual disabilities (23%, 9), limited English language skills (15%, 6), homelessness (13%, 5), and having run away from home (8%, 3).¹⁴⁵

What little information is publicly available about the locations where victims were recruited for forced labor reveals that four victims were recruited at their church, two on the street, one at a party, and one online. As in sex trafficking cases, perpetrators made many promises to manipulate victims into exploitation. Forty-seven percent (55) of victims received fraudulent job offers, 28% (33) promises of shelter, 26% (31) promises of food and other resources, and at least one (1%) victim was promised a visa.¹⁴⁶ Finally, at least 17% (20) of victims were recruited by someone they knew,¹⁴⁷ such as extended family member, including partners of parents or guardians (60%, 12); parents (30%, 6); employers (10%, 2); a mutual friend (10%, 2); a smuggler (5%, 1); and an intimate partner (5%, 1)¹⁴⁸

PRE-EXISTING VULNERABILITIES OF VICTIMS IN 2020 ACTIVE CRIMINAL FORCED LABOR CASES



¹⁴⁵ Based on the 30% (39) of victims in active criminal forced labor cases in 2020 for whom at least one pre-existing vulnerability was identified. The percentages do not add up to 100% because some victims had multiple vulnerabilities.

¹⁴⁶ Based on the 117 victims in active criminal forced labor cases in 2020 for whom the details of their recruitment are known. The percentages do not add up to 100% because a single victim may be recruited in more than one way.

¹⁴⁷ Based on the 117 victims in active criminal forced labor cases in 2020 for whom the details of their recruitment are known

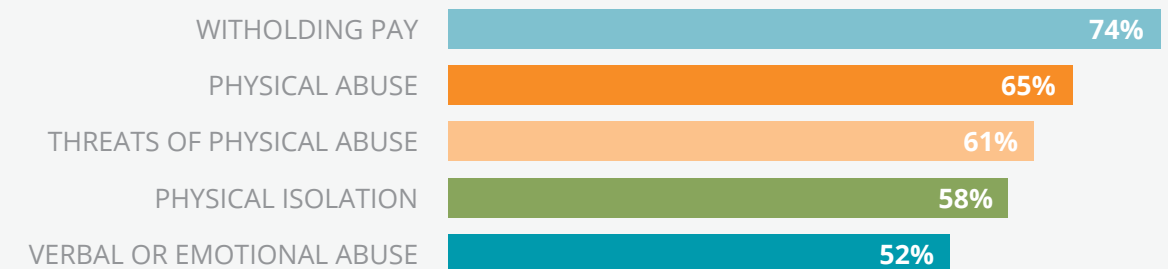
¹⁴⁸ Based on the 20 victims in active criminal forced labor cases in 2020 for whom at least one type of pre-existing relationship with their recruiter was identified. The percentages do not add up to 100% because victims may have been recruited by multiple individuals whom they knew in different ways.

1.4.3 MEANS OF COERCION

Traffickers take advantage of victim vulnerabilities both for recruitment and to design schemes sufficient to coerce their victims into exploitation. In 2020 active forced labor cases, the top five means of coercion were withholding of pay (74%, 23), physical abuse (65%, 20), threats of physical abuse (61%, 19), physical isolation (58%, 18), and verbal or emotional abuse (52%, 16).¹⁴⁹ The top means were the same in cases involving exclusively child victims.¹⁵⁰ For cases involving exclusively adult victims, withholding

immigration documents occurred in 44% (7) of cases, replacing verbal or emotional abuse as a top-five means of coercion.¹⁵¹ The five most common types of coercion are the same as in years past. Also in keeping with year-over-year trends, the percentage of cases involving physical restraint was higher in the forced labor context than in sex trafficking cases. Indeed, 16% (5) of forced labor cases involved cages, locked rooms, or barred cells, and 6% (2) involved chains or shackles.¹⁵²

TOP COERCIVE MEANS IN 2020 ACTIVE CRIMINAL FORCED LABOR CASES



¹⁴⁹ Based on the 31 active criminal forced labor cases in 2020 for which at least one method of coercion was identified

¹⁵⁰ Based on the 7 active criminal forced labor cases in 2020 involving exclusively child victims in which at least one method of coercion was identified

¹⁵¹ Based on the 16 active criminal forced labor cases in 2020 involving exclusively adult victims in which at least one method of coercion was identified

¹⁵² Based on the 31 active criminal forced labor cases in 2020 for which at least one method of coercion was identified

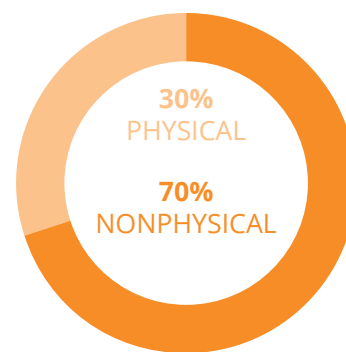
However, 70% (154) of coercion tactics in forced labor cases were nonphysical and only 30% (65) were physical,¹⁵³ representing a higher percentage of nonphysical coercion tactics than in sex trafficking cases. Three of the top five means of coercion listed above were nonphysical: withholding of pay, threats of physical abuse, and verbal or emotional abuse. After these three, the most common nonphysical coercion tactics were debt manipulation and withholding of immigration documents, each mentioned in 42% (13) of forced labor cases.¹⁵⁴ Further, there were two physical forms of coercion in the top five: physical abuse and physical isolation. After these two, public sources most frequently mentioned the physical coercion tactics of withholding medical care (19%, 6), withholding or controlling a victim's access to food (16%, 5), and cages, locked rooms, or barred cells (16%, 5).

Finally, there are several types of nonphysical coercion that disproportionately impact foreign national victims. As mentioned above, 42% (13) of active forced labor cases involved withholding of immigration documents.¹⁵⁵ Additionally, traffickers in forced labor cases threatened victims with deportation in 29% (9) of cases, and also took advantage of victims' language barriers (16%, 5) and visa-holder status (6%, 2).¹⁵⁶

1.4.4 LOCATION OF FORCED LABOR SCHEMES

As in sex trafficking schemes, the forced labor schemes in active cases most frequently involved criminal conduct in the larger and/or more populous states: Texas (22%, 7), California (19%, 6), Florida (16%, 5), Illinois (13%, 4), and New York (9%, 3).¹⁵⁷ Also similar to trends in sex trafficking cases, the criminal activities in most (69%, 22) active forced labor cases took place in only a single state, rather than multiple states. Forced labor cases, however, involved criminal conduct in foreign countries at a much higher rate than sex trafficking cases. In fact, public documents mentioned criminal conduct in foreign countries in 63% (20) of all active forced labor cases.¹⁵⁸ The countries identified were Benin, China, the Dominican Republic, Ethiopia, Guatemala, Guinea, Honduras, India, Jordan, Sri Lanka, Mexico, Nepal, the Philippines, Vietnam, and Zimbabwe.

PHYSICAL VS. NONPHYSICAL COERCION IN 2020 ACTIVE CRIMINAL FORCED LABOR CASES



*Forced labor cases involved criminal conduct in foreign countries at a much higher rate than sex trafficking cases. In fact, public documents mentioned criminal conduct in foreign countries in **63%** of all active forced labor cases.*

1.4.5 MODES OF TRANSPORTATION

Like sex trafficking, forced labor does not require or always even involve the transportation of victims. In 2020 active forced labor cases, however, public sources did reveal various modes of transportation that alleged traffickers and their accomplices used in the commission of their crimes. These modes include airplane (60%, 6), private vehicle (40%, 4), bus (20%, 2), and train (10%, 1).¹⁵⁹

¹⁵³ Based on the 219 means of coercion identified across all active criminal forced labor cases in 2020

¹⁵⁴ Based on the 31 active criminal forced labor cases in 2020 for which at least one method of coercion was identified

¹⁵⁵ Based on the 31 active criminal forced labor cases in 2020 for which at least one method of coercion was identified

¹⁵⁶ Based on the 31 active criminal forced labor cases in 2020 for which at least one method of coercion was identified

¹⁵⁷ Based on the 32 active criminal forced labor cases in 2020

¹⁵⁸ Based on the 32 active criminal forced labor cases in 2020

¹⁵⁹ Based on the 10 active criminal forced labor cases in 2020 for which at least one mode of transportation was identified

Section 2:

HUMAN TRAFFICKING PROSECUTIONS



Section 2:

HUMAN TRAFFICKING PROSECUTIONS

In addition to enhancing measures to protect victims and prevent human trafficking, the Trafficking Victims Protection Act (TVPA) also strengthened the federal government's ability to prosecute human traffickers by creating a new series of crimes on sex trafficking, forced labor, and document servitude.¹⁶⁰ Since the TVPA's enactment, the federal government has prosecuted a total of 4,132 defendants in 2,093 human trafficking cases. Although the federal government still charged 11 cases exclusively under historical slavery statutes, laws that predated the TVPA and were enacted to abolish the slave trade, most (99%, 2,082) criminal human trafficking cases charged over the past two decades were prosecuted under offenses created by the TVPA.

This second section of the Report provides a breakdown of criminal justice metrics in human trafficking prosecutions, from case referrals, investigations, and charges to convictions, sentences, and appeals. In addition, this section details where federal human trafficking cases are most commonly charged and how long they typically take to resolve.

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 are a vast underrepresentation of the total number of human trafficking investigations occurring across the United States each year. While some 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 benefitting financially from human trafficking.

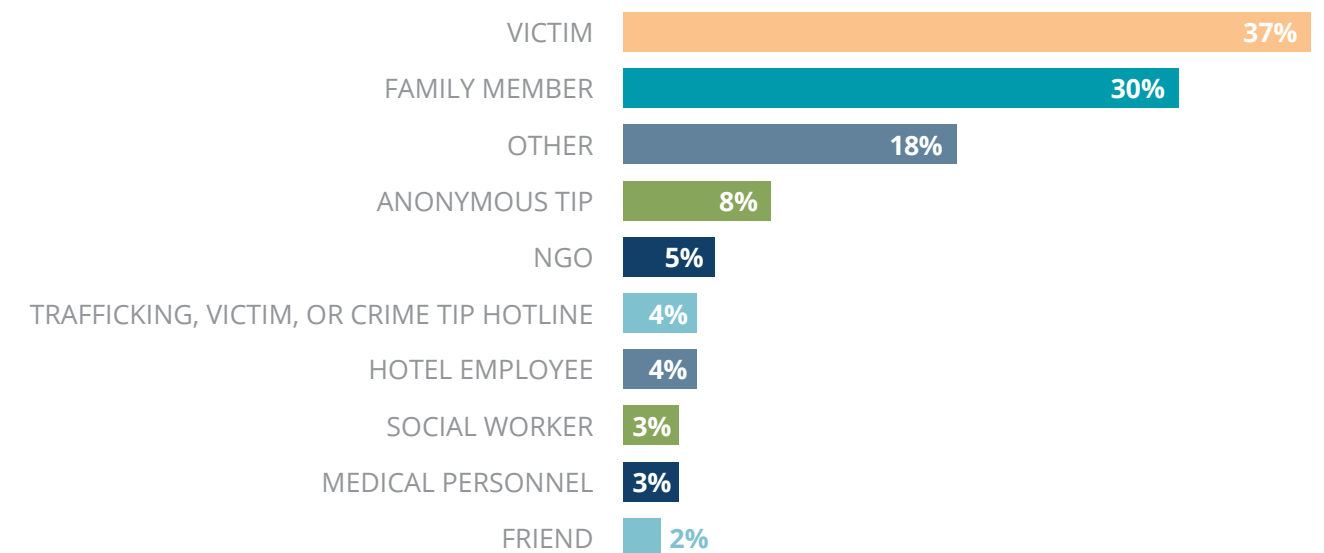
Since the TVPA's enactment, the federal government has prosecuted a total of 4,132 defendants in 2,093 human trafficking cases.

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 child, or other criminal conduct. Of the 579 human trafficking cases active in 2020, at least 28% (160) resulted from a tip or report made to law enforcement by an individual, non-governmental organization (NGO), or other entity, which initiated the investigation into the case. Self-reporting by a victim represented the most common way that a case was reported to law enforcement in 2020. Over one-third (37%, 59) of the case referrals involved a victim who contacted law enforcement for assistance, either directly or through the support of a non-profit or hotline.¹⁶¹ Family members, including parents, grandparents, and siblings, were the next most common method of referral, accounting for 30% (48) of reports to law enforcement. This includes cases where a family member suspected a human trafficking situation, as well as calls to law enforcement to help locate a missing or runaway family member. Furthermore, law enforcement began to investigate a human trafficking case following an anonymous tip in 8% (13) of active cases involving a case referral. Human trafficking cases were also reported to law enforcement: NGOs (5%, 8), human trafficking or other victim hotlines (4%, 7), hotel employees (4%, 6), social workers (3%, 4), medical personnel (3%, 4), and friends (2%, 3).

Over ONE-THIRD of the case referrals involved a victim who contacted law enforcement for assistance, either directly or through the support of a non-profit or hotline.

CASE REFERRALS TO LAW ENFORCEMENT IN 2020 ACTIVE HUMAN TRAFFICKING CASES



¹⁶⁰ See 18 U.S.C. §§ 1589–1597.

¹⁶¹ Based on the 160 active criminal cases in 2020 that identified at least one case referral



Because a wide variety of individuals made reports to law enforcement that resulted in federal human trafficking prosecutions, 18% (28) of case referrals were categorized as “other.” Referrals categorized as “other” each accounted for 1% or less of case referrals and included the following: teachers, social media platforms or websites, probation officers, neighbors, foster parents, co-workers, a babysitter, nail salon technicians and clients, commercial sex buyers, adult sex workers, hotel occupants, and phone calls made to the police by members of the public where the identity of the caller (or their relationship to the victim) was known to the police, but not included in public court documents. It is important to note that some cases involve more than one method of referral to account for multi-step referrals (e.g., a victim who contacts a human trafficking hotline run by an NGO that eventually reports the case to law enforcement), as well as situations where multiple reports to law enforcement have been made by different individuals regarding the same case (e.g., both a teacher and a neighbor contact law enforcement about the same victim).

CASE REFERRALS IN SEX TRAFFICKING CASES

Over one-quarter (28%, 151) of sex trafficking cases active in 2020 resulted from investigations that began following a report made to law enforcement. Most commonly, it was a victim who contacted law enforcement, either through the assistance of an NGO or human trafficking hotline, or by reporting directly to

law enforcement.¹⁶² A victim self-reported in 38% (57) of active sex trafficking cases.¹⁶³ This percentage jumps to 67% (20) when looking exclusively at sex trafficking cases with adult victims.¹⁶⁴ Family members, including parents, grandparents, and siblings, were the next most common method of referral, accounting for 31% (47) of case referrals in active sex trafficking cases. This includes cases where the family member reported suspected trafficking to law enforcement or an NGO, or reported a missing person or runaway child, and that report subsequently resulted in a sex trafficking prosecution. In fact, when looking at sex trafficking cases exclusively with child victims, family members were the top method of referral, accounting for 37% (33) of reports to law enforcement.¹⁶⁵ In 9% (13) of active sex trafficking cases involving a case referral, law enforcement initiated an investigation into the case based on an anonymous tip made to law enforcement about suspected criminal activity or trafficking.

Sex trafficking cases were also reported to law enforcement by NGOs (5%, 7), victim hotlines (4%, 6), hotel employees (4%, 6), medical personnel (3%, 4), and social workers (2%, 3).¹⁶⁶ Furthermore, 17% (26) of case referrals to law enforcement fell into an “other” category, which captured individuals and entities accounting for less than 1% of case referrals. This included reports to law enforcement by: teachers, social workers, social media platforms or websites, probation officers, school security officers, neighbors, friends, foster parents or other legal guardians, co-workers, hotel occupants, commercial sex buyers, adult sex workers, nail salon technicians, and other concerned citizens.

¹⁶² Based on the 547 criminal sex trafficking cases active in 2020

¹⁶³ Based on the 151 active criminal sex trafficking cases that identified at least one method of referral

¹⁶⁴ Based on the 30 active criminal adult sex trafficking cases that identified at least one method of referral

¹⁶⁵ Based on the 89 active criminal child-only sex trafficking cases that identified at least one method of referral

¹⁶⁶ Based on the 151 active criminal sex trafficking cases that identified at least one method of referral

CASE REFERRALS IN FORCED LABOR CASES

Like sex trafficking cases, over one-quarter (28%, 9) of forced labor prosecutions active in 2020 resulted from reports made to law enforcement about suspected trafficking or exploitative labor conditions.¹⁶⁷ Forced labor cases were most commonly reported to law enforcement by either the victim or by one of the victim’s co-workers, both accounting for 22% (2) of forced labor cases active in 2020.¹⁶⁸ In addition, five forced labor cases were referred to law enforcement by one of, or a combination of, the following individuals or entities: a social worker, NGO, hotline, friend, and/or family member.

2.1.2 PROACTIVE INVESTIGATIONS: STING CASES

In addition to launching investigations following tips from the public (“reactive investigations”), law enforcement agencies also employ proactive victim recovery operations to identify both victims and perpetrators of trafficking. Although there are a number of proactive investigative techniques that law enforcement can use to uncover human trafficking, the Report tracks one particular proactive strategy in sex trafficking cases, commonly called “sting” operations, where law enforcement poses as a child, a potential buyer, or a pimp, in order to target individuals facilitating or purchasing commercial sex with a victim of trafficking. Of the 547 sex trafficking cases active in 2020, at least 23% (128) stemmed, at least in part, from sting law enforcement operations.

Half (50%, 60) of the sting operations that resulted in a federal human trafficking prosecution involved a law enforcement officer posing as a potential buyer seeking to purchase commercial sex.¹⁶⁹ By posing as a buyer, law enforcement sought to target individuals who were facilitating commercial sex with children or using force, fraud, or coercion to cause an adult or a child to engage in commercial sex. In nearly all of these cases, law enforcement responded to an online advertisement for commercial sex and arranged a time to facilitate the commercial sex transaction. All of these sting operations resulted in the recovery of real trafficking victims.

¹⁶⁷ Based on the 32 forced labor prosecutions active in 2020

¹⁶⁸ Based on the nine active criminal forced labor cases that identified at least one method of referral

¹⁶⁹ Based on the 120 active criminal cases in 2020 that identified the type of sting operation





The second most common type of sting operation involved law enforcement officers posing as a child to target individuals facilitating or purchasing (or attempting to facilitate or purchase) commercial sex with children. Of the criminal cases active in 2020 that resulted from a sting operation, 28% (34) involved a law enforcement officer posing as a child.¹⁷⁰ Although these operations resulted in the prosecution of individuals attempting to facilitate or purchase commercial sex with a child, thus theoretically protecting children from being trafficked in the future, it is important to note that many of these sting law enforcement operations did not result in real child victims being recovered. In fact, over three-quarters (76%, 26) of these cases referenced only fictitious victims of trafficking.

Finally, 21% (25) of sting cases involved a law enforcement officer posing as a pimp or an individual offering to arrange a commercial sex transaction to target potential buyers.¹⁷¹ As in sting operations where law enforcement posed as children, the majority of these sting operations referenced only fictitious victims. In fact, only one active case that resulted from this type of sting operation included a real victim named in the charges. The remaining 24 cases referenced only fictitious victims.

FAQ: HOW DOES THE REPORT DETERMINE WHICH AGENCY WAS THE PRIMARY INVESTIGATIVE AGENCY IN A CASE?

The Report defines the primary investigative agency as the *federal* agency that took the lead in investigating a human trafficking case resulting in prosecution. This information is often gleaned from government press releases. The agency that initiated the investigation is considered the primary investigative agency for purposes of the Report, where public documents do not clarify which agency played the predominant role in investigating the case.

2.1.3 INVESTIGATIVE AGENCIES

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



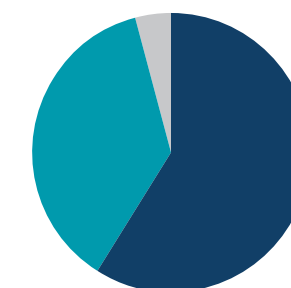
INVESTIGATIVE AGENCIES IN NEW CASES

Since 2004, the FBI has served as the primary investigative agency in the majority of new federal human trafficking cases charged each year. The same was true in 2020, when the FBI held the lead investigative role in 59% (71) of new human trafficking prosecutions filed in federal court.¹⁷² Although the FBI continued to lead the highest percentage of human trafficking investigations resulting in federal prosecution, its role declined from 2019, when the FBI served as the primary investigative agency in 72% (83) of new criminal cases.¹⁷³ In fact, this is the first time since 2003 that the FBI's role as the primary investigative agency has dropped below 60%. Following the FBI, HSI led the largest number of investigations into new human trafficking prosecutions in 2020, serving as the primary investigative agency in 37% (44) of new criminal cases. Consistent with the decline in the FBI's lead investigative role in 2020, this is the highest percentage of new human trafficking cases primarily investigated by HSI since 2003, when it served as the lead investigative agency in 60% (3) of new cases.¹⁷⁴ The remaining 4% (5) of new cases in 2020 were investigated primarily by other federal law enforcement agencies, including: the U.S. Marshals Service (3), the Drug Enforcement Agency (1), and the Secret Service (1).

Successful human trafficking investigations are typically the result of a collaborative, multi-agency approach between federal, state, and local law enforcement agencies. The vast majority (88%, 105) of the new human trafficking cases in 2020 involved multi-agency collaboration in the investigation of the case.¹⁷⁵ Most commonly, local law enforcement worked alongside federal law enforcement agencies in the investigation. Public court documents identified local law enforcement as an investigative partner in 92% (97) of new human trafficking cases in 2020.¹⁷⁶ State law enforcement agencies also actively participated in the investigation of federal human trafficking cases, partnering with federal agencies in 28% (29) of new prosecutions in 2020. Further, multiple federal agencies may also collaborate on human trafficking investigations. At least 6% (6) of new human trafficking cases in 2020 involved investigative partnerships between more than one federal law enforcement agency.

The VAST MAJORITY of new human trafficking cases in 2020 involved multi-agency collaboration in the investigation of the case.

PRIMARY INVESTIGATIVE AGENCIES IN NEW CRIMINAL HUMAN TRAFFICKING CASES IN 2020



■ 59% FBI
■ 37% HSI
■ 4% OTHER

¹⁷⁰ Based on the 120 active criminal cases in 2020 that identified the type of sting operation

¹⁷¹ Based on the 120 active criminal cases in 2020 that identified the type of sting operation. One sting case involved law enforcement posing as several different fictitious roles. Although this case was counted as one of the 120 cases that identified the type of sting operation, it was not captured within any of the sting categories discussed above, as it bridged more than one type of sting operation.

¹⁷² Based on the 120 new criminal cases in 2020 that identified the primary investigative agency

¹⁷³ Based on the 115 new criminal cases in 2019 that identified the primary investigative agency

¹⁷⁴ Based on the five new criminal cases in 2003 that identified the primary investigative agency

¹⁷⁵ Based on the 120 new criminal cases in 2020 that identified the primary investigative agency

¹⁷⁶ Based on the 105 new criminal cases in 2020 that identified at least one additional investigative agency

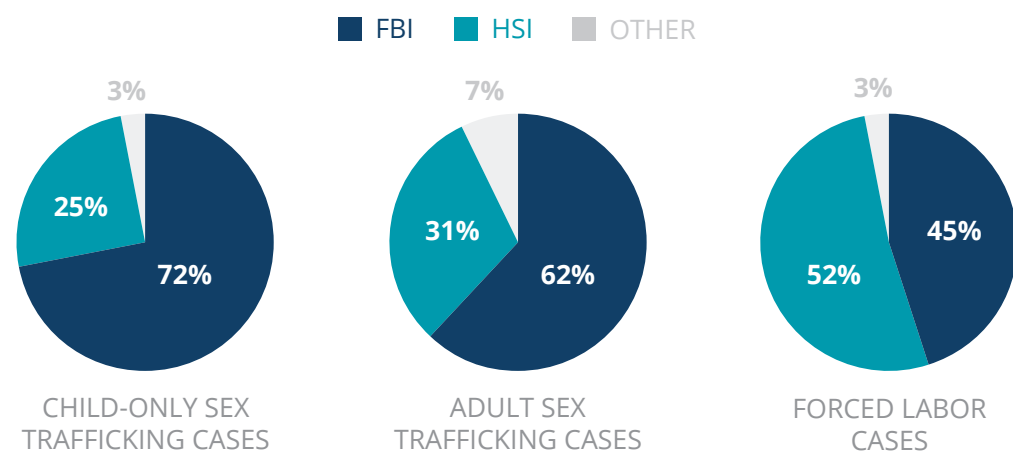


INVESTIGATIVE AGENCIES IN ACTIVE CASES

As in years past, the federal agency primarily responsible for investigating a human trafficking case varied based on the type of exploitation, as well as the age of the victims in the case. The FBI led most of the investigations into sex trafficking cases, serving as the primary investigative agency in 72% (166) of sex trafficking cases with only child victims that were active in 2020¹⁷⁷ and 62% (91) of sex trafficking cases with adult victims.¹⁷⁸ HSI was also frequently involved in the investigation of sex trafficking cases active in 2020, serving as the primary investigative agency in 25% (58) of child-only sex trafficking cases and 31% (46) of sex trafficking cases involving adults.¹⁷⁹

In comparison, HSI more commonly led forced labor investigations that resulted in prosecution, serving as the primary investigative agency in 52% (15) of forced labor cases active in 2020.¹⁸⁰ This is an increase from 2019, when HSI was the lead investigative agency in 41% (11) of active forced labor cases.¹⁸¹ The FBI served as the primary investigative agency in 45% (13) of forced labor cases active in 2020, a decline from 52% (14) in 2019. In addition, the Diplomatic Security Service was the lead investigative agency in one forced labor case active in 2020.

PRIMARY INVESTIGATIVE AGENCIES IN CRIMINAL HUMAN TRAFFICKING CASES ACTIVE IN 2020



¹⁷⁷ Based on the 232 active criminal child-only sex trafficking cases in 2020 that identified the primary investigative agency

¹⁷⁸ Based on the 147 active criminal adult sex trafficking cases in 2020 that identified the primary investigative agency

¹⁷⁹ The remaining 3% (6) of criminal child-only sex trafficking cases active in 2020 were primarily investigated by the U.S. Marshals Service and the remaining 7% (10) of adult sex trafficking cases active in 2020 were primarily investigated by: the Bureau of Alcohol, Tobacco, Firearms and Explosives (3); the Drug Enforcement Agency (3); Diplomatic Security Service (2); U.S. Marshals Service (1); and the DOJ's Department of Criminal Investigations (1).

¹⁸⁰ Based on the 29 active criminal forced labor cases in 2020 that identified the primary investigative agency

¹⁸¹ Based on the 27 active criminal forced labor cases in 2019 that identified the primary investigative agency

*The number of new defendants in 2020 represents the **LOWEST NUMBER** of defendants charged in human trafficking cases since 2012.*

2.2 NEW CRIMINAL CASES AND DEFENDANTS

Following extensive investigations, the federal government filed 165 new criminal human trafficking cases involving a total of 241 defendants in 2020. In addition, prosecutors charged 16 new defendants in human trafficking cases pending from prior years. Altogether, the federal government charged 257 new defendants in 2020, 6% (15) in forced labor cases and 94% (242) in sex trafficking cases. This breakdown reflects an even lower percentage of forced labor defendants than in 2019, when 11% (31) of new defendants were charged in forced labor cases.¹⁸²

Since the enactment of the TVPA, the federal government has prosecuted a total of 4,132 defendants in criminal human trafficking cases. 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 federal human trafficking cases. In fact, the number of new defendants in 2020 represents the lowest number of defendants charged in human trafficking cases since 2012. Whereas the number of new human trafficking cases increased 11% from 2019 to 2020, the number of new *defendants* declined 8% during the same time period, from 278 new defendants in 2019 to 257 defendants in 2020.

¹⁸² Based on the 278 new defendants charged in 2019 criminal cases



NEW DEFENDANTS IN 2020 CRIMINAL HUMAN TRAFFICKING CASES BY PRIMARY CASE TYPE



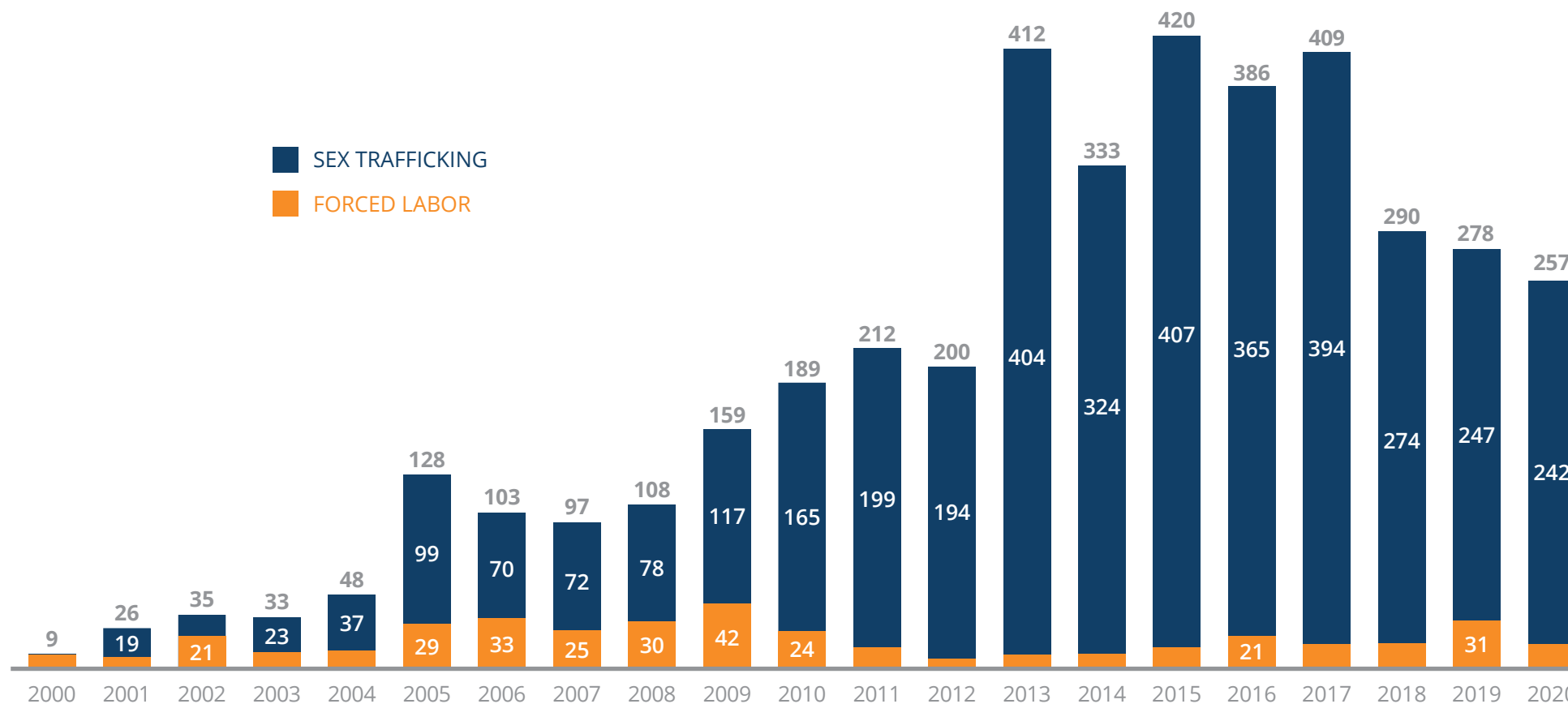
FAQ: HOW DOES THE REPORT DETERMINE WHICH DEFENDANTS TO CAPTURE WITHIN EACH HUMAN TRAFFICKING CASE?

A human trafficking case in the Report may include a single defendant or multiple related defendants (co-defendants) whom the government has charged with trafficking one or more victims. Where the facts indicate that multiple defendants were related through a commonly exploited victim or a common plan or trafficking scheme, the Report captures all of the defendants within one case, even where 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 child victim within one case number, and subsequently charged a buyer defendant for purchasing a commercial sex act from that same child victim within another case number, the Report would capture all three defendants within one human trafficking case because the facts indicated that the defendants were all involved in the same trafficking scheme.

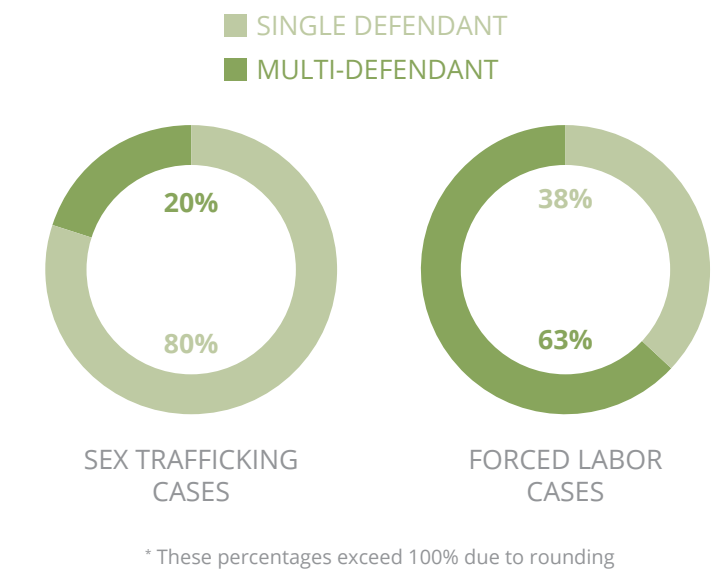
The increase in new cases, coupled with a decrease in new defendants, is the result of the federal government charging fewer multi-defendant cases in 2020. Of the 165 new cases in 2020, 78% (128) involved only one defendant. In the remaining 22% (37) of new cases, prosecutors charged multiple defendants, ranging from two to 11 defendants. The percentage of new multi-defendant cases in 2020 declined from 2019, when 34% (50) of new human trafficking cases involved multiple defendants.¹⁸³

As in years past, forced labor cases more commonly involved multiple defendants, whereas sex trafficking cases more commonly involved a single defendant.¹⁸⁴ Of the new forced labor cases charged in 2020, 63% (5) involved multiple defendants and 38% (3) involved a single defendant. In comparison, of the new sex trafficking cases charged in 2020, 80% (125) were single-defendant cases and only 20% (32) involved multiple defendants.¹⁸⁵ Prosecutors charged fewer multi-defendant sex trafficking cases in 2020 than in 2019, when 31% (43) of new sex trafficking cases involved more than one defendant. The Eastern District of Virginia charged the largest sex trafficking case in 2020, a gang-directed scheme involving a total of 11 defendants.

NEW DEFENDANTS IN HUMAN TRAFFICKING PROSECUTIONS



NEW SINGLE & MULTI-DEFENDANT CRIMINAL HUMAN TRAFFICKING CASES



¹⁸³ Based on the 148 new criminal cases charged in 2019

¹⁸⁴ Based on the eight new criminal forced labor cases filed in 2020

¹⁸⁵ Based on the 157 new criminal sex trafficking cases filed in 2020

FAQ: DOES THE GOVERNMENT PROSECUTE HUMAN TRAFFICKING CRIMES UNDER OFFENSES OUTSIDE OF CHAPTER 77?

No. A prosecutor may decide not to charge a human trafficking case under Chapter 77, even when there is an identified victim of trafficking in the case. Prosecutors make this determination based on the availability of the evidence, the defendant’s level of culpability, and the defendant’s willingness to accept responsibility for their criminal conduct. A prosecutor may elect to charge a defendant for trafficking-related conduct with crimes *outside* of Chapter 77 where the evidence needed to prove the coercion element—usually, a victim’s testimony—is unavailable for trial, thus precluding a successful Chapter 77 conviction. A prosecutor may also decline to charge a defendant under Chapter 77 where the defendant has a limited role in the trafficking enterprise, pleads guilty early on (prior to indictment), or agrees to cooperate in the investigation and prosecution of the case.

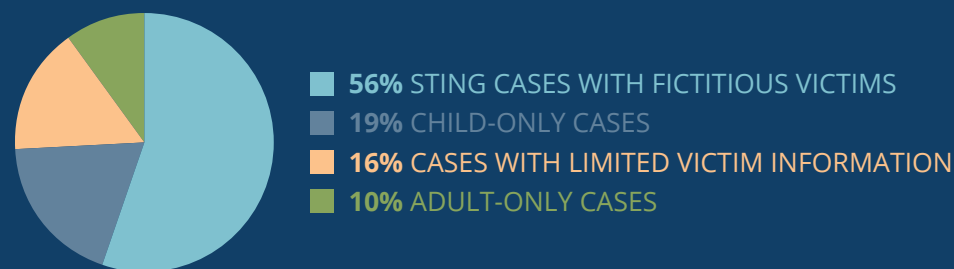
The Report attempts to capture *all* federal prosecutorial efforts to hold human traffickers accountable. Accordingly, in addition to tracking human trafficking cases charged under Chapter 77, the Report also tracks cases charged outside of Chapter 77 where a federal prosecutor confirms that there was an identified victim of trafficking in the case or where the facts in public court documents clearly indicate that the defendants used force, fraud, or coercion to compel a victim to engage in commercial sex, or if the defendant engaged a child victim in commercial sex.

In 2020, the federal government charged at least 92 additional human trafficking cases outside of Chapter 77, of which 98% (90) were sex trafficking cases and 2% (2) were forced labor cases. This is most certainly an underrepresentation of human trafficking cases charged outside of Chapter 77, as prosecutors use a broad range of alternate charges to hold human traffickers accountable, making it difficult to identify and track every case that theoretically could have been charged under Chapter 77.

Over half (56%, 50) of the new sex trafficking cases charged outside of Chapter 77 were sting cases with only fictitious victims. In addition, 19% (17) involved exclusively child victims, 10% (9) involved exclusively adult victims, and 16% (14) either did not indicate the victim’s age or did not name a victim in a particular charge in the case.*

Of the 94 federal districts, at least 39% (37) charged a human trafficking case outside of Chapter 77 in 2020. In fact, seven of these districts charged human trafficking cases exclusively outside of Chapter 77 in 2020.

NEW CRIMINAL SEX TRAFFICKING CASES CHARGED OUTSIDE OF CHAPTER 77 IN 2020



* Based on the 90 criminal sex trafficking cases charged outside Chapter 77 in 2020. Percentages add up to more than 100% due to rounding.

2.3 LOCATION OF CHARGED DEFENDANTS

Federal prosecutors may file a human trafficking case in any jurisdiction where any element of the federal crime took place. As a result, many human trafficking cases can be charged in more than one federal district because the crime may have occurred in many different locations. For example, if a trafficker recruits a victim in one state and then arranges a commercial sex for the victim 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.

In 2020, 62% (58) of the 94 federal judicial districts charged at least one new defendant in a human trafficking case under Chapter 77. As in years past, the vast majority of federal districts that charged new human trafficking cases prioritized the prosecution of sex trafficking crimes. Of the 58 districts that charged a new defendant, 88% (51) charged defendants exclusively in sex trafficking cases, 2% (1) charged defendants exclusively in a forced labor case, and 10% (6) charged defendants in both sex trafficking and forced labor cases.¹⁸⁶ In 38% (36) of districts, prosecutors failed to charge any new human trafficking defendants in 2020.

¹⁸⁶ The Western District of Louisiana was the only district to have charged exclusively a new forced labor case.



Civil CASE COMPARISON

LOCATION OF NEW CIVIL HUMAN TRAFFICKING SUITS IN 2020

Plaintiffs filed new civil human trafficking suits in 31% (29) of federal districts, which is a decline from 2019, when new civil human trafficking suits were filed in 43% (40) of federal districts. In 2020, plaintiffs filed new forced labor suits in 15 districts, new sex trafficking suits in 10 districts, and both forced labor and sex trafficking suits in four districts. The highest number of new civil suits were filed in the Southern District of New York, where plaintiffs filed eight human trafficking cases, six alleging sex trafficking and two alleging forced labor. After the Southern District of New York, plaintiffs filed the highest number of new civil human trafficking suits in 2020 in the following districts: the Southern District of Florida, the Northern District of Georgia, the Eastern District of New York, the Eastern District of Washington, the Southern District of Texas, the Northern District of Texas, the Northern District of Illinois, the Southern District of California, and the Northern District of California.



The number of federal districts to charge at least one human trafficking defendant each year steadily increased from 2000 to 2017. For the first decade following the TVPA's enactment, less than half of federal districts charged a new defendant in a human trafficking case each year. 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 78% (73) of federal districts charged at least one defendant in a human trafficking case. 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) of federal districts in 2019 and 2020. Notably, there have never been more than 11 federal districts to charge a new forced labor defendant in a single year.¹⁸⁷

In 2020, the Northern District of Texas charged 18 defendants, the highest number of new defendants prosecuted in one district. All 18 defendants were charged in sex trafficking cases, and at least eight of these defendants were in sting law enforcement operations with only fictitious victims. After the Northern District of Texas, the following districts charged the largest number of new human trafficking defendants in 2020: the Southern District of Ohio, the Eastern District of Virginia, the Northern District of Illinois, the Eastern District of Pennsylvania, the Eastern District of Wisconsin, the Central District of Illinois, the Northern District of Ohio, the Northern District of Oklahoma, and the District of South Carolina.

FAQ: DO "TOP DISTRICTS" HAVE A HIGHER PREVALENCE OF HUMAN TRAFFICKING WITHIN THEIR REGION?

Not necessarily, as the number of human trafficking prosecutions within a particular judicial district does not represent the *prevalence* of human trafficking within that district, but instead highlights federal efforts to prosecute traffickers within a specific jurisdiction. Accordingly, the district with the highest number of federal human trafficking cases does not necessarily have more instances of human trafficking than another district. Instead, the "top districts" represent those districts that have prioritized the investigation and federal prosecution of human trafficking crimes within their jurisdiction.

¹⁸⁷ 11 federal districts charged at least one forced labor defendant in 2007 and 2016.

Notably, 14% of federal districts neither charged a new defendant, nor prosecuted an active defendant, in a human trafficking case in 2020.

TOP DISTRICTS FOR CRIMINAL DEFENDANTS IN HUMAN TRAFFICKING CASES IN 2020

NEW DEFENDANTS		ACTIVE DEFENDANTS	
1	18 DEFENDANTS: Texas Northern	1	60 DEFENDANTS: Texas Southern
2	15 DEFENDANTS: Ohio Southern	2	52 DEFENDANTS: New York Southern
3	13 DEFENDANTS: Virginia Eastern	3	49 DEFENDANTS: Texas Northern
4	10 DEFENDANTS: Illinois Northern Pennsylvania Eastern Wisconsin Eastern	4	44 DEFENDANTS: California Southern
7	9 DEFENDANTS: Illinois Central	5	39 DEFENDANTS: New York Eastern
8	7 DEFENDANTS: Ohio Northern Oklahoma Northern South Carolina	6	38 DEFENDANTS: Michigan Eastern
		7	37 DEFENDANTS: Pennsylvania Eastern
		8	32 DEFENDANTS: Illinois Northern
		9	27 DEFENDANTS: Minnesota Pennsylvania Middle Virginia Eastern

Due to the complex and oftentimes lengthy nature of human trafficking prosecutions, a district's pending caseload may limit its capacity to charge any new human trafficking cases. Of the 38% (36) of districts that did not charge any new defendants in 2020, 23 handled at least one *active* defendant in a human trafficking case in 2020. Notably, 14% (13) of federal districts neither charged a new defendant nor prosecuted an active defendant in a human trafficking case in 2020.

Federal courts in 86% (81) of federal districts handled at least one active defendant in a human trafficking case in 2020. The Southern District of Texas handled the highest number of active defendants in 2020, a

total of 60 defendants in 25 cases. Of these active defendants, 95% (57) were in sex trafficking cases, all of which involved actual (not fictitious) trafficking victims, and 5% (3) were in forced labor cases.

After the Southern District of Texas, the following districts handled the highest number of active defendants in human trafficking cases in 2020: the Southern District of New York, the Northern District of Texas, the Southern District of California, the Eastern District of New York, the Eastern District of Michigan, the Eastern District of Pennsylvania, the Northern District of Illinois, the District of Minnesota, the Middle District of Pennsylvania, and the Eastern District of Virginia.

FAQ: HOW MANY FEDERAL HUMAN TRAFFICKING PROSECUTIONS ARE FILED IN EACH STATE?

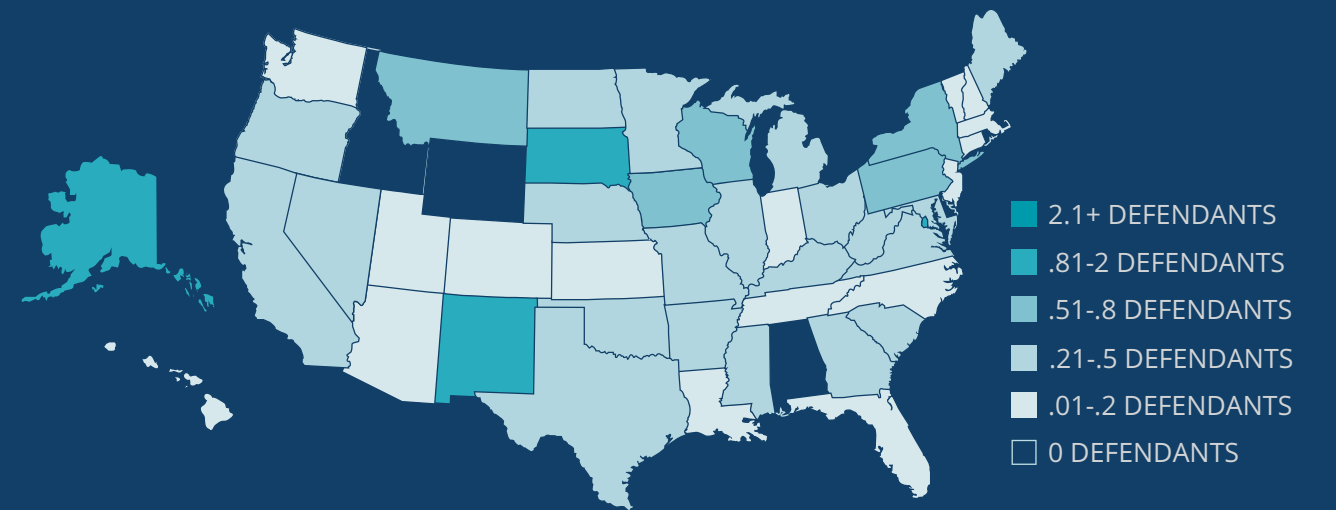
Although the Report does not track human trafficking prosecutions filed in state court, the federal data can be broken down by state to provide a snapshot of federal human trafficking cases within each state. For states with multiple federal districts, each state represents a compilation of the multiple federal districts' efforts within that state to prosecute traffickers.

In 2020, prosecutors in 35 states and U.S. territories charged at least one human trafficking defendant in federal court. Federal prosecutors charged exclusively sex trafficking defendants in 28 states and U.S. territories, exclusively forced labor defendants in one state, and both sex trafficking and forced labor defendants in six states. States with multiple federal districts handled the highest number of new defendants,

with federal prosecutors charging 29 defendants in Texas, 22 defendants in Ohio, 21 defendants in Illinois, and 15 defendants in both Florida and New York.

Federal districts in 49 states and U.S. territories handled at least one active human trafficking defendant in 2020. All 49 of these states and U.S. territories handled at least one active sex trafficking defendant. In comparison, federal courts in only 18 states handled at least one active forced labor defendant. The following states' federal districts handled the highest number of active defendants in human trafficking cases in 2020: Texas (125 active defendants), New York (111 active defendants), California (95 active defendants), Pennsylvania (66 active defendants), and Illinois (47 active defendants).

ACTIVE DEFENDANTS IN CRIMINAL HUMAN TRAFFICKING CASES PER CAPITA IN 2020 (DEFENDANTS PER 100,000 PEOPLE)



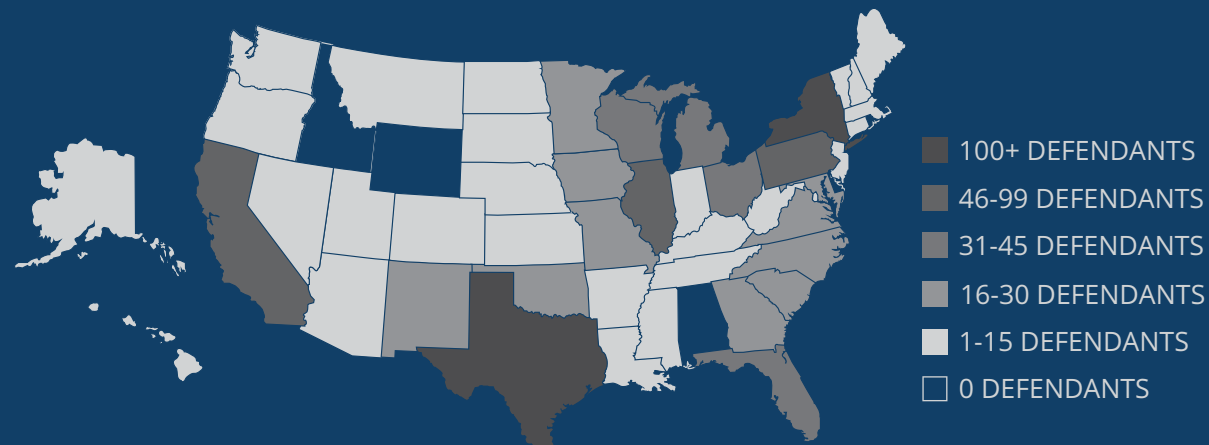
U.S. TERRITORIES



States with higher populations have multiple federal districts, which increases the federal government's capacity to charge human trafficking cases in those states. To account for the variances in state populations, the Report also analyzes the number of active defendants in human trafficking cases per capita. Federal courts in the following states and U.S. territories handled the highest number of active

defendants in human trafficking cases when taking population into account: the U.S. Virgin Islands, the Northern Mariana Islands, the District of Columbia, Alaska, and New Mexico. Interestingly, the federal district court in the U.S. Virgin Islands handled four active defendants, the same number of active defendants as in New Jersey, even though New Jersey's population is 83 times larger.

ACTIVE DEFENDANTS IN CRIMINAL HUMAN TRAFFICKING CASES IN 2020



U.S. TERRITORIES





2.3.1 SEX TRAFFICKING CASES WITH ONLY CHILD VICTIMS

More than half (53%, 50) of the federal districts charged at least one new defendant in a child-only sex trafficking case in 2020, which represents a slight increase from 2019, when 50% (47) of districts charged defendants in child-only sex trafficking cases. This includes federal districts that charged defendants in sex trafficking cases with only child victims, as well as districts that charged defendants in sting sex trafficking cases with only fictitious victims. For 60% (30) of these 50 districts, child-only sex trafficking cases were the only type of human trafficking case charged in their district in 2020. Furthermore, five of these districts charged defendants exclusively in sting sex trafficking cases with only fictitious victims: the Southern District of Illinois, the Northern District of New York, the Middle District of Pennsylvania, the District of South Dakota, and the Southern District of West Virginia.

The Southern District of Ohio charged the largest number of new defendants in child-only sex trafficking cases in 2020: a total of 15 new defendants in three cases. All 15 defendants were in cases that recovered actual child victims, not sting cases with exclusively fictitious child victims. After the Southern District of Ohio, the following districts charged the highest number of new defendants in child-only sex trafficking cases: the Northern District of Texas, the Eastern District of Virginia, the Central District of Illinois, the Eastern District of Wisconsin, the District of Nebraska, the Northern District of Texas, the Northern District of Florida, the Northern District of Oklahoma, and the District of South Carolina.¹⁸⁸

TOP DISTRICTS FOR CRIMINAL DEFENDANTS IN CHILD-ONLY SEX TRAFFICKING CASES IN 2020

NEW DEFENDANTS		ACTIVE DEFENDANTS	
1	15 DEFENDANTS: Ohio Southern	1	27 DEFENDANTS: Texas Northern
2	14 DEFENDANTS: Texas Northern	2	20 DEFENDANTS: Ohio Southern Texas Southern
3	11 DEFENDANTS: Virginia Eastern	4	18 DEFENDANTS: Florida Southern
4	8 DEFENDANTS: Illinois Central Wisconsin Eastern	5	13 DEFENDANTS: California Southern Virginia Eastern
6	6 DEFENDANTS: Texas Northern Nebraska	7	12 DEFENDANTS: California Central California Eastern Michigan Eastern New York Southern Pennsylvania Eastern Pennsylvania Middle
8	5 DEFENDANTS: Florida Northern Oklahoma Northern South Carolina		

¹⁸⁸ Nine federal districts each charged four new defendants in child-only sex trafficking cases, tying for the 10th ranking: Alaska, Arizona, California Central, California Southern, Florida Middle, Florida Southern, Michigan Eastern, Nevada, and West Virginia Southern.

16 DISTRICTS *have yet to charge a defendant in an adult sex trafficking case.*

Over three-quarters (78%, 73) of federal districts handled at least one active defendant in a child-only sex trafficking case in 2020. The Northern District of Texas handled the largest number of active defendants in child-only sex trafficking cases: a total of 27 defendants in 18 cases. Of the active defendants, 70% (19) were in 10 cases with actual child victims, and 30% (8) were in eight sting cases with only fictitious victims. After the Northern District of Texas, the following districts handled the highest number of active defendants in child-only sex trafficking cases: the Southern District of Ohio, the Southern District of Texas, the Southern District of Florida, the Southern District of California, the Eastern District of Virginia, the Central District of California, the Eastern District of California, the Eastern District of Michigan, the Southern District of New York, the Eastern District of Pennsylvania, and the Middle District of Pennsylvania.

2.3.2 SEX TRAFFICKING CASES WITH ADULT VICTIMS

Federal courts in 27% (25) of districts charged a new defendant in an adult sex trafficking case, which includes cases with exclusively adult victims, as well as cases with both adult and child victims. To put this in context, whereas 50 federal districts charged a new defendant in a child-only sex trafficking case, only 25 federal districts charged a new defendant in an adult sex trafficking case. This is due in part to the complex and challenging nature of proving force, fraud, or coercion in sex trafficking cases with adult victims. Of the 25 districts with new defendants in adult sex trafficking cases, 48% (12) charged exclusively adult-only sex trafficking cases, 28% (7) charged exclusively adult-child sex trafficking cases, and 24% (6) charged both adult-only and adult-child sex trafficking cases.

Nearly three-quarters (73%, 69) of federal districts did not charge any new defendants in adult sex trafficking cases in 2020. Notably, 23 of these districts did not charge any defendants in adult sex trafficking cases for at least five years and 16 districts have yet to charge a defendant in an adult sex trafficking case under Chapter 77 since the TVPA's enactment.¹⁸⁹

¹⁸⁹ The following 16 districts have never prosecuted a defendant in an adult sex trafficking case under Chapter 77 since the TVPA's enactment: Alabama Northern, Delaware, Idaho, Illinois Southern, Louisiana Middle, Louisiana Western, Mississippi Southern, Nebraska, New Hampshire, New York Northern, Oklahoma Eastern, Pennsylvania Western, Puerto Rico, West Virginia Northern, West Virginia Southern, and Wyoming.



TOP DISTRICTS FOR CRIMINAL DEFENDANTS IN ADULT SEX TRAFFICKING CASES IN 2020

NEW DEFENDANTS

1	7 DEFENDANTS:	Pennsylvania Eastern
2	5 DEFENDANTS:	Iowa Northern Montana Ohio Northern
5	4 DEFENDANTS:	Missouri Western New York Eastern
7	3 DEFENDANTS:	Massachusetts New York Southern Texas Eastern Texas Northern

ACTIVE DEFENDANTS

1	39 DEFENDANTS:	New York Southern
2	37 DEFENDANTS:	Texas Southern
3	30 DEFENDANTS:	New York Eastern
4	26 DEFENDANTS:	Michigan Eastern
5	23 DEFENDANTS:	Pennsylvania Eastern
6	22 DEFENDANTS:	Minnesota
7	19 DEFENDANTS:	Texas Northern
8	17 DEFENDANTS:	California Southern
9	16 DEFENDANTS:	New Mexico
10	15 DEFENDANTS:	Illinois Northern

The Eastern District of Pennsylvania charged the highest number of new defendants in adult sex trafficking cases in 2020: seven defendants. All seven defendants were charged in a single case pending from 2019, when eight other co-defendants were previously charged. Following the Eastern District of Pennsylvania, the following federal districts handled the highest number of new defendants in adult sex trafficking cases in 2020: the Southern District of Iowa, the District of Montana, the Northern District of Ohio, the Western District of Missouri, the Eastern District of New York, the District of Massachusetts, the Southern District of New York, the Eastern District of Texas, and the Northern District of Texas.

Although just over one-fourth (27%, 25) of federal districts charged a new defendant in an adult sex trafficking case in 2020, 63% (59) handled at least one active defendant in an adult sex trafficking case in 2020. The Southern District of New York handled the highest number of active defendants in adult sex trafficking cases: a total of 39 defendants in seven cases. Ten of the defendants were in adult-only cases and 29 of the defendants were in cases with both adult and child victims. After the Southern District of New York, the following districts handled the highest number of active defendants in

adult sex trafficking cases in 2020: the Southern District of Texas, the Eastern District of New York, the Eastern District of Michigan, the Eastern District of Pennsylvania, the District of Minnesota, the Northern District of Texas, the Southern District of California, the District of New Mexico, and the Northern District of Illinois.

2.3.3 FORCED LABOR CASES

Only 7% (7) of federal districts charged a new defendant in a forced labor case in 2020, which is a slight decline from 2019, when eight federal districts charged a new forced labor defendant. This means that the large majority (93%, 87) of federal districts failed to charge any new forced labor cases in 2020, which is a trend that has remained largely unchanged since the TVPA's enactment. In fact, the largest percentage of federal districts to have charged at least one new forced labor defendant in a single year is 12% (11 districts). Over the past five years, there has been a consecutive decline each year in the number of districts that have charged a new forced labor case, from 11 districts in 2016, to 10 districts in 2017, to nine districts in 2018, to eight districts in 2019, and finally to only seven districts in 2020.

THREE DISTRICTS *charged their first ever forced labor case in federal court in 2020: the Southern District of Georgia, the Western District of Louisiana, and the Northern District of Oklahoma.*

TOP DISTRICTS FOR CRIMINAL DEFENDANTS IN FORCED LABOR CASES IN 2020

NEW DEFENDANTS

1	5 DEFENDANTS:	Illinois Northern
2	3 DEFENDANTS:	Texas Southern
3	2 DEFENDANTS:	New York Western Oklahoma Northern
5	1 DEFENDANT:	Georgia Southern Louisiana Western North Carolina Western

ACTIVE DEFENDANTS

1	14 DEFENDANTS:	California Southern
2	7 DEFENDANTS:	Illinois Northern
3	5 DEFENDANTS:	California Eastern Wisconsin Eastern
5	4 DEFENDANTS:	New York Eastern
6	3 DEFENDANTS:	Texas Southern Virginia Eastern
8	2 DEFENDANTS:	Kentucky Eastern New York Western Oklahoma Northern Pennsylvania Eastern Texas Eastern Texas Northern

The Northern District of Illinois charged the highest number of new forced labor defendants in 2020: a total of five defendants in two cases. After the Northern District of Illinois, the following districts charged the highest number of new forced labor defendants in 2020: the Southern District of Texas, the Western District of New York, the Northern District of Oklahoma, the Southern District of Georgia, the Western District of Louisiana, and the Western District of North Carolina. Three of these districts charged their first ever forced labor case under the TVPA in 2020: the Southern District of Georgia, the Western District of Louisiana, and the Northern District of Oklahoma. In addition, 2020 was the first year in a decade that the Western District of New York charged a forced labor defendant.

Although only 7% (7) of districts charged a new forced labor defendant in 2020, over one-quarter (27%, 25) handled at least one active forced labor defendant. The Southern District of California handled the highest number of forced labor defendants: 14 defendants in two forced labor cases, both of which were charged in 2019. After the Southern District of California, the following federal districts handled the highest number of active defendants in forced labor cases in 2020: the Northern District of Illinois, the Eastern District of California, the Eastern District of Wisconsin, the Eastern District of New York, the Southern District of Texas, the Eastern District of Virginia, the Eastern District of Kentucky, the Western District of New York, the Northern District of Oklahoma, the Eastern District of Pennsylvania, the Eastern District of Texas, and the Northern District of Texas. Although they did not charge any new forced labor defendants in 2020, four of the federal districts with active forced labor defendants charged their first forced labor case within the past five years: the Eastern District of California, in 2016; the Eastern District of Texas, in 2017; the Eastern District of Louisiana, in 2018, and the Eastern District of Kentucky, in 2019.

20 YEAR TRENDS

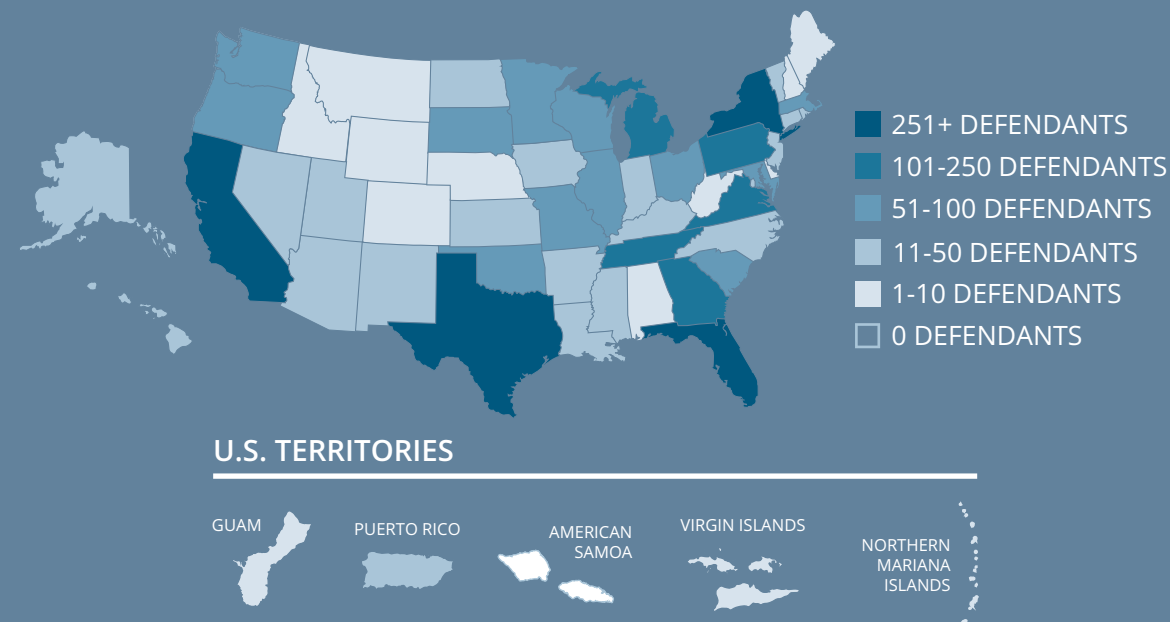
LOCATION OF FEDERAL HUMAN TRAFFICKING PROSECUTIONS

Since 2000, the federal government has charged at least one human trafficking case under Chapter 77 in 99% (93) of federal districts. While 64% (60) of federal districts prosecuted at least one human trafficking case between 2000 and 2010, 29% (27) of federal districts charged their first human trafficking case between 2011 and 2015, and 6% (6) charged their first human trafficking case within the past five years (2016 or later). Since the TVPA's enactment, the Southern District of California has prosecuted the highest number of defendants in human trafficking cases: 262 defendants in 93 cases. After the Southern District of California, the following districts prosecuted the most defendants in human trafficking cases: the Southern District of Texas (193 defendants), the Southern District of Florida (175 defendants), the Northern District of Texas (193 defendants), and the Eastern District of Virginia (139 defendants). Interestingly, though the Southern District of California prosecuted the highest number of human trafficking *defendants* over the past 20 years, the Southern District of Florida charged the most human trafficking *cases*: 109.

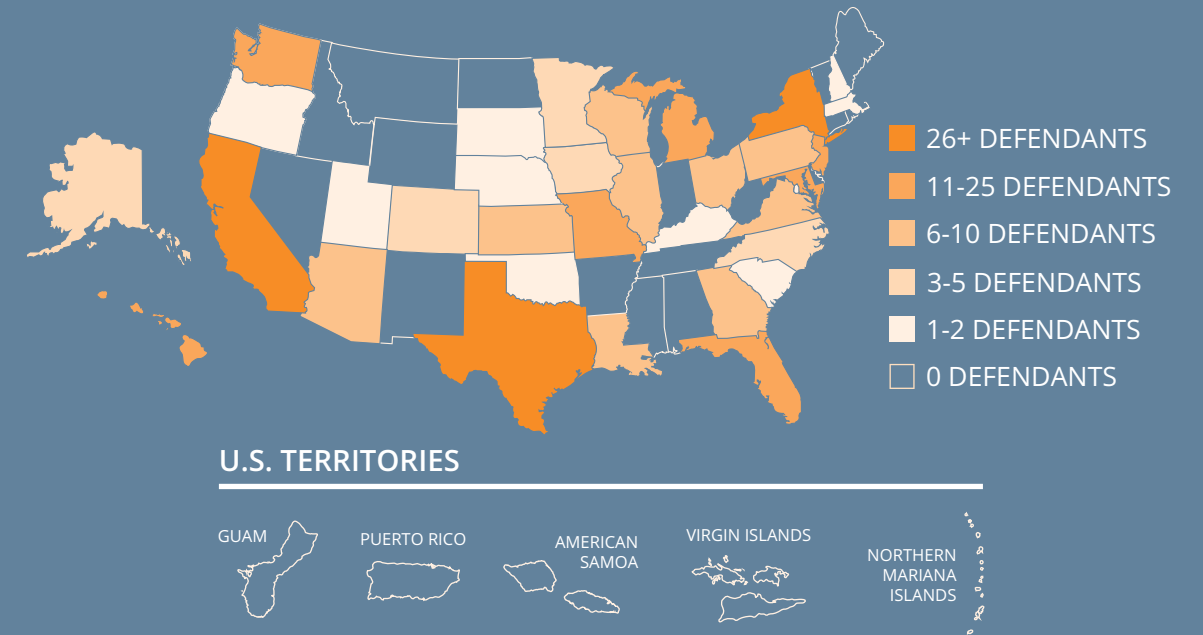
SEX TRAFFICKING CASES

Every federal district, except for the Eastern District of Oklahoma, has charged at least one defendant in a sex trafficking case under Chapter 77. Ninety federal districts handled at least one child-only sex trafficking case, and for 13% (12) of these districts, this was the only type of sex trafficking case ever prosecuted in their district. Further, one district—the District of Wyoming—handled one sting law enforcement case with only a fictitious victim, meaning that since the TVPA's enactment, this district has yet to charge any sex trafficking cases involving identified victims

SEX TRAFFICKING DEFENDANTS PROSECUTED FEDERALLY BY STATE



FORCED LABOR DEFENDANTS PROSECUTED FEDERALLY BY STATE



of human trafficking. In comparison, 83% (78) of federal districts have charged at least one adult sex trafficking case, which means that federal prosecutors in 16 districts have not yet charged an adult sex trafficking case under the TVPA.

Since the TVPA's enactment, every state and U.S. territory has charged at least one sex trafficking case under Chapter 77. The heat map to the left provides a representation of the number of sex trafficking defendants prosecuted in each state over the past two decades.

FORCED LABOR CASES

In comparison to the 99% (93) of federal districts that have handled a sex trafficking prosecution since the TVPA's enactment, only 53% (50) of districts have charged at least one forced labor case under Chapter 77, which means that the federal government has yet to charge a forced labor case in nearly half (47%, 44) of federal districts. Of the federal districts that have charged a forced labor case, 38% (19) have prosecuted only one case. Over the past two decades, the Eastern District of New York has prosecuted the highest number of forced labor cases: eight cases involving 18 defendants. However, due to one forced labor case with 19 defendants, the Western District of Texas has prosecuted the highest number of forced labor *defendants*: 23 defendants in three cases.

Since the TVPA's enactment, 34 states have charged at least one forced labor case under Chapter 77. The heat map above provides a representation of the number of forced labor defendants prosecuted in each state over the past two decades, with the following states handling the highest number of defendants: Texas (59 defendants), California (46 defendants), New York (44 defendants), Florida (25 defendants), Maryland (21 defendants), and New Jersey (21 defendants).

CHARGES AGAINST NEW DEFENDANTS IN CRIMINAL HUMAN TRAFFICKING CASES IN 2020



2.4 TYPES OF CHARGES

Human traffickers regularly engage in a wide range of criminal conduct, from trafficking-related crimes to illegal conduct involving immigration, narcotics, firearms, fraud, identity theft, and witness tampering, to name a few. Accordingly, prosecutors hold the discretion to charge defendants in human trafficking cases under numerous federal laws, including crimes under the Trafficking Victims Protection Act (TVPA), historic slavery statutes, and other federal laws that criminalize sexual exploitation, the production, distribution and/or possession of child sexual exploitation material (sometimes referred to as “child pornography”), immigration-related crimes, unlawful possession and/or use of firearms, illicit substances, and many others.

In 2020, prosecutors charged 98% (251) of the 257 new defendants with at least one human trafficking crime. The remaining 2% (6) of new defendants in human trafficking cases were charged exclusively with non-human trafficking offenses, including alien harboring under 8 U.S.C. § 1324, enticement of a minor under 18 U.S.C. § 2422(b), racketeering under 18 U.S.C. § 1952 and § 1959, and drug-related offenses.

FAQ: HOW DOES THE REPORT DEFINE A HUMAN TRAFFICKING CRIME¹⁹⁰?

The Report categorizes any offenses within Chapter 77 of the U.S. Code as a “human trafficking crime.” This includes TVPA offenses (18 U.S.C. §§ 1589–1597), as well as historical slavery statutes (18 U.S.C. §§ 1581-1588). In addition, the Report classifies the following federal statutes as human trafficking crimes, where 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).

2.4.1 NEW CHARGES IN SEX TRAFFICKING CASES

In sex trafficking cases, the government charged 242 new defendants in 2020 with a total of 874 criminal counts. The principal federal law that criminalizes sex trafficking is 18 U.S.C. § 1591, which 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 child, which does not require proof of force, fraud, or coercion, but instead, reasonable opportunity to observe, or knowledge or reckless disregard of a victim’s age. In 2020, federal prosecutors charged over three-quarters (76%, 185) of the new sex trafficking defendants with 327 counts of sex trafficking under § 1591; 70% (129) were in cases with exclusively child victims, 27% (50) were in cases with adult victims or both adult and child victims, and 2% (4) were in sting cases with fictitious victims.¹⁹⁰

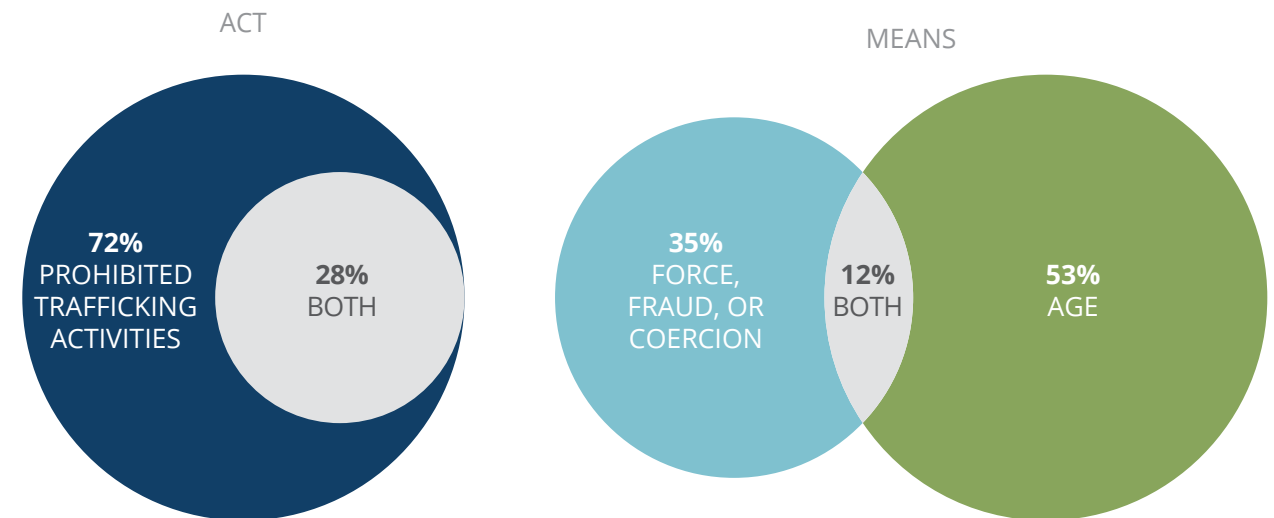
Under § 1591, it is a federal crime to knowingly recruit, entice, harbor, transport, provide, obtain, advertise, maintain, patronize, or solicit a person to engage in a commercial sex act.¹⁹¹ In addition, the statute allows the government to charge individuals or entities who financially benefit from human trafficking, where the individual or entity has knowledge about or recklessly disregards the source of their profits. The government can prosecute a defendant based on their engagement in the prohibited trafficking activities, benefiting financially, or both. Of the 327 criminal counts of § 1591, 72% (235) alleged that the defendant committed the prohibited trafficking activities and 28% (92) alleged that the defendant both engaged in prohibited trafficking activities and benefited financially from the trafficking crime. The government did not charge any defendants exclusively under § 1591 for financially benefiting from trafficking in 2020. This was the first year since 2010 that the government did not file any § 1591 charges exclusively on the basis of financially benefiting liability.

In addition, § 1591 requires the government to establish that a defendant used a certain “means” intended to cause a person to engage in commercial sex. For cases involving adult victims, the prosecutor must show that the defendant used force, fraud, or

coercion. However, in cases involving victims under the age of 18, § 1591 does not require the government to prove that the defendant used force, threats of force, fraud, or coercion, or any combination of those means. Instead, a prosecutor need show only that a defendant had knowledge, recklessly disregarded, or had the opportunity to observe that the victim was under the age of 18. In child sex trafficking cases, a prosecutor can also 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.

Of the 327 criminal counts of § 1591 charged in 2020, 35% (113) alleged the defendant’s use of force, fraud, or coercion, 53% (174) alleged the defendant’s knowledge, reckless disregard, or reasonable opportunity to observe the victim’s age, and 12% (40) alleged both. In sex trafficking cases with exclusively child victims, prosecutors filed the majority (80%, 151) of the § 1591 charges based on the defendant’s knowledge, reckless disregard, or reasonable opportunity to observe the victim’s age; however, 20% (38) of the new § 1591 charges alleged that the defendant used force, fraud, or coercion to compel a child victim to engage in commercial sex.

CRIMINAL ELEMENT BREAKDOWN OF SEX TRAFFICKING CHARGES FILED IN 2020



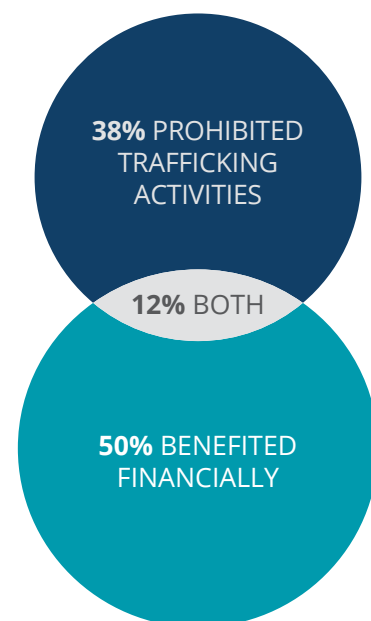
¹⁹⁰ In addition, 1% (2) of the defendants charged with 18 U.S.C. § 1591 were in cases where the age of the victim was unknown or where a victim was not named in a specific count in the charging instrument.

¹⁹¹ 18 U.S.C. § 1591(a)(1)



In addition to charging defendants with sex trafficking under § 1591, in 2020 prosecutors charged 103 defendants with conspiracy to commit sex trafficking under § 18 U.S.C. § 1594(c), 34 defendants with attempted sex trafficking under 18 U.S.C. § 1594(a), and 11 defendants with obstructing the enforcement of sex trafficking under 18 U.S.C. § 1591(d). A full list of the human trafficking charges filed against defendants in sex trafficking cases in 2020 can be found in the Appendix on page 124.

CRIMINAL ELEMENT BREAKDOWN OF FORCED LABOR CHARGES FILED IN 2020



2.4.2 NEW CHARGES IN FORCED LABOR CASES

In forced labor cases, prosecutors filed 72 criminal charges against 15 defendants in 2020. This is approximately half the number of new charges in forced labor cases in 2019, when prosecutors charged 31 defendants with 142 criminal counts. Of the 15 new defendants in forced labor cases, 93% (14) were charged with a human trafficking crime. The single defendant not charged with a human trafficking crime was charged with three counts of alien harboring under 8 U.S.C. § 1324.

The principal federal law criminalizing forced labor is 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 charged all but one new defendant in a forced labor case under § 1589. Of the 26 criminal counts of § 1589, prosecutors charged 50% (13) based on the defendant financially benefiting from forced labor, 38% (10) based on the defendant providing or obtaining labor or services, and 12% (3) based on both.

Although both the sex trafficking and forced labor statutes allow the government to prosecute defendants who benefit financially from human trafficking, historically, it has been rare for the government to do so. In fact, in 2020, the government did not charge any defendants for exclusively benefiting financially from sex trafficking. In comparison, in 2020, half (50%, 13) of the new forced labor charges were based solely on benefiting financially. This represents a significant increase from the past three years, when the government charged less than 10% of forced labor charges each year based exclusively on the defendant financially benefiting from forced labor.¹⁹²

In addition to charging defendants in forced labor cases under § 1589, prosecutors charged five new defendants with conspiracy to commit forced labor under 18 U.S.C. § 1594(b), two defendants with trafficking for peonage, slavery, involuntary servitude, or forced labor under 18 U.S.C. § 1590, and two defendants with involuntary servitude under 18 U.S.C. § 1584.

2.5 RESOLUTION OF CHARGES

In 2020, federal district courts resolved charges at the trial court level against 183 defendants in criminal human trafficking cases. Federal judges convicted 89% (163) of defendants with at least one crime; 80% (130) of the defendants pleaded guilty and 20% (33) were found guilty at trial. Charges were dismissed—either by the court or by the prosecutor—against 11% (20) of defendants resolved at the trial court level. A federal judge may dismiss charges against a defendant for a variety of reasons, including where the unfolding investigation did not uncover sufficient evidence to proceed with the charges, where a defendant agreed to cooperate with the government in testifying against other co-defendants, where a defendant was being prosecuted in another case or district, or where the defendant died during the prosecution of their case.

Although the same number of defendants had their charges dismissed in 2020 as in 2019, the *percentage* of resolved defendants that were dismissed in 2020 was much higher than in 2019, when criminal charges were dismissed against only 6% (20) of defendants resolved at the trial court level.¹⁹³ This is due to the 45% decline in number of defendants resolved in district court from 2019 to 2020. With court closures and delays in criminal proceedings due to the COVID-19 pandemic, it is unsurprising that the number of resolved defendants declined in 2020 from prior years. Future years will provide more accurate insight into whether the decline is due exclusively to the pandemic's impact on the criminal justice system or other factors, such as shifting priorities or diminished resources dedicated to trafficking-related prosecutions in U.S. Attorney's offices across the country.

FAQ: DID THE FEDERAL GOVERNMENT PROSECUTE ANY WEBSITES IN 2020 FOR FACILITATING OR FINANCIALLY BENEFITTING FROM SEX TRAFFICKING?

Yes. In June of 2020, the Northern District of Texas charged the owner of CityXGuide.com, a website that served as a leading source of online advertisements for commercial sex.* The government shut down the website and charged the owner under SESTA/FOSTA, a federal law enacted in 2018 that permits the government to prosecute websites for facilitating or financially benefiting from sex trafficking.† The law clarified that the Communications Decency Act did not provide a safe harbor for websites from prosecution related to the unlawful promotion and facilitation of commercial sex and sex trafficking. Instead, websites could be criminally charged for intentionally hosting advertisements for commercial sex. Although this case was not charged under Chapter 77, and accordingly not captured by the Report's data, it is an important case to highlight due to the fact that 83% (356) of active sex trafficking cases in 2020 involved the online solicitation of buyers.‡ Notably, this was the first case where the federal government charged a website owner under SESTA/FOSTA.

* United States v. Martono (3:20-cr-00274)

† Stop Enabling Sex Trafficking Act (SESTA)/Fighting Online Sex Trafficking Act (FOSTA), 18 U.S.C. § 2421A

‡ Based on the 427 active criminal sex trafficking cases that identified the primary method of solicitation

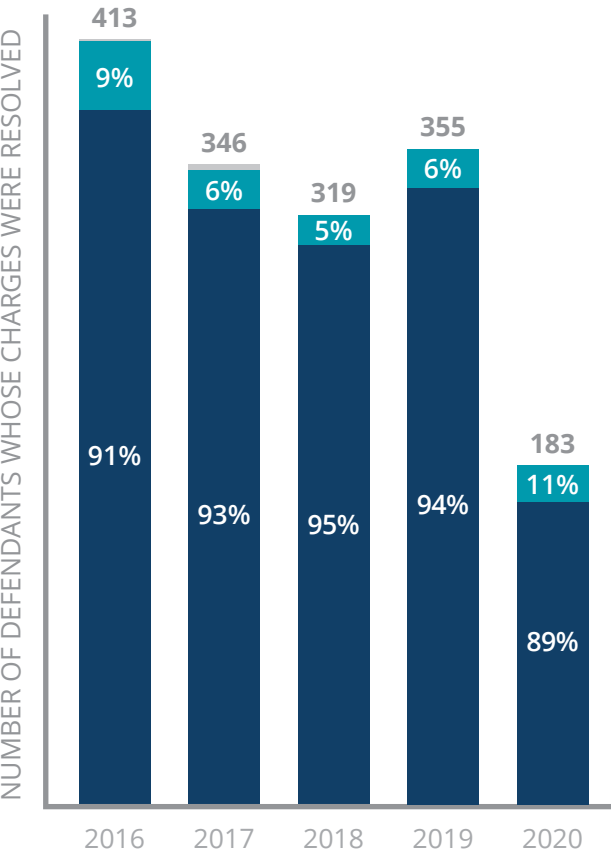
¹⁹² The federal government based the following percentage of new § 1589 charges exclusively on benefiting financially from forced labor: 7% (1) in 2017, 8% (1) in 2018, and 6% (3) in 2019.

¹⁹³ Based on the 335 criminal defendants resolved at the trial court level in 2019



5-YEAR CONVICTION RATE TRENDS

■ ACQUITTED ■ DISMISSED ■ CONVICTED



In addition to the decline in the number of defendants convicted in human trafficking cases, there was also a drop in the overall conviction rate in 2020. Since 2013, the conviction rate in human trafficking cases has ranged from 91% to 96%, meaning that of the defendants charged in human trafficking cases, federal judges convicted at least 91% of the defendants of at least one crime. In 2020, the conviction rate dropped below 90% for the first time in eight years, with federal courts convicting 89% (163) of defendants resolved at the district court level. As with the decline in defendants resolved in district court in 2020, it is possible that the COVID-19 pandemic impacted the conviction rate in 2020 due to court closures and delays in proceedings. The last time the conviction rate for defendants in human trafficking cases dropped below 90% was in 2012, when trial courts convicted only 82% (158) of defendants in human trafficking cases.

FAQ: WHAT DOES IT MEAN FOR A DEFENDANT TO BE RESOLVED AT THE TRIAL COURT LEVEL?

The Report considers a defendant to be resolved at the trial court level once the federal district court, which is the trial court, has entered the final judgment against the defendant. The final judgment sets forth the crimes of which the defendant has been convicted, as well as the defendant's sentence, including the term of imprisonment, term of supervised release, and other fines or restitution that the court is ordering the defendant to pay.

The Report provides year-over-year comparisons on convictions and sentences according to the year that the defendant's final judgment was entered. For some defendants, the district court enters the final judgment in the same year that the defendant pleaded guilty or was found guilty at trial. However, this is not always the case. Where a federal court enters the final judgment in a year different from the year that the defendant pleaded guilty or was found guilty at trial, the Report counts the defendant's conviction in the year that the final judgment was entered, not the year of the plea agreement or trial.

In 2020, Federal courts convicted the **LOWEST NUMBER** of defendants in human trafficking cases since 2012.

In accordance with the overall decline in number of defendants resolved in district court, the number of defendants convicted in a human trafficking case in 2020 declined 51%, from 335 defendants convicted in 2019 to 163 defendants in 2020. In fact, in 2020, federal courts convicted the lowest number of defendants in human trafficking cases since 2012. All of the defendants convicted in 2020 were individuals, not entities. Although the TVPA allows the federal government to prosecute entity defendants for their facilitation of or financially benefitting from human trafficking, federal courts did not convict any entity defendants in 2020. In fact, federal courts have never convicted an entity defendant under the TVPA. Notably, two entity defendants went to trial in 2020 for engaging in prohibited trafficking activities and financially profiting from a sex trafficking enterprise. In October, a jury in the Middle District of Pennsylvania found both defendants guilty, one of sex trafficking under 18 U.S.C. § 1591 and conspiracy to commit sex trafficking under 18 U.S.C. § 1594(c), and both for conduct related to the management of a drug premise under 21 U.S.C. § 856(a)(2). Because the defendants were still pending sentencing at the conclusion of 2020, HTI will capture these convictions in the 2021 Report, after the final judgments against the defendants are entered.

Civil CASE COMPARISON

DEFENDANT RESOLUTIONS

Federal courts resolved civil human trafficking claims against 260 defendants in 2020. One-quarter (25%, 64) of the civil defendants were resolved by entering into settlement agreements with the plaintiffs, meaning that the parties reached a resolution about the human trafficking claims prior to trial. Many settlement agreements in human trafficking cases are confidential, which prevents the parties from disclosing the nature or terms of the settlement. Federal courts entered default judgments—a ruling that is granted by the court when a defendant fails to respond to the claims filed against them—against 2% (5) of civil defendants resolved in 2020. Default judgments ranged from \$247,050 to \$270,503. As in 2019, nearly three-quarters (73%, 191) of civil defendants resolved in 2020 were dismissed, 78 by the court and 113 voluntarily by the plaintiffs. It was more common for sex trafficking claims to be dismissed than forced labor claims. Of the civil defendants resolved in 2020, 86% (130) of defendants in sex trafficking suits were dismissed in comparison to 56% (61) of defendants in forced labor suits. As parties may enter into settlement agreements that are not disclosed on the docket, it is possible that some plaintiffs voluntarily dismissed human trafficking claims against defendants due to the parties reaching resolution on their own.



*For the first time since 2009, federal courts convicted a **HIGHER NUMBER** of defendants in adult sex trafficking cases than child-only sex trafficking cases.*

2.5.1 RESOLUTIONS BY CASE TYPE

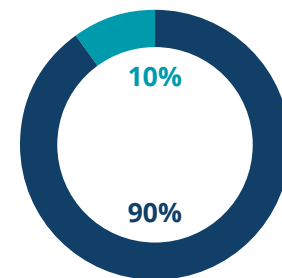
As in year's past, the conviction rate for defendants in human trafficking cases varied based on the type of exploitation in the case. Historically, defendants in sex trafficking cases have faced a higher conviction rate than defendants in forced labor cases. The same was true in 2020, when federal courts convicted 90% (154) of sex trafficking defendants and only 82% (9) of forced labor defendants.

SEX TRAFFICKING CONVICTIONS

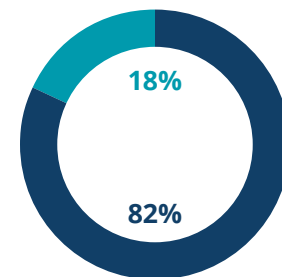
In 2020, federal courts convicted 154 defendants in sex trafficking cases, 81% (124) by plea agreement and 19% (30) at trial. The number of sex trafficking defendants convicted in 2020 declined 52% from 2019, when federal courts convicted 321 defendants in sex trafficking cases. Of the sex trafficking defendants convicted in 2020, 43% (66) were in child-only sex trafficking cases, 47% (73) were in adult sex trafficking cases, and 9% (14) were in sting cases with only fictitious victims.¹⁹⁴ For the past decade, federal courts have convicted more defendants in child-only sex trafficking cases each year than defendants in sex trafficking cases with adult victims. However, in 2020, for the first time since 2009, federal courts convicted a higher number of defendants in adult sex trafficking cases than defendants in child-only sex trafficking cases. Although federal courts convicted more defendants in adult sex trafficking cases, the conviction rate was higher for defendants in child-only sex trafficking cases. Federal judges convicted 94% (66) of defendants in child-only sex trafficking cases and 87% (73) of defendants in adult sex trafficking cases.

CONVICTION RATES FOR DEFENDANTS IN HUMAN TRAFFICKING CASES

■ CONVICTED ■ DISMISSED



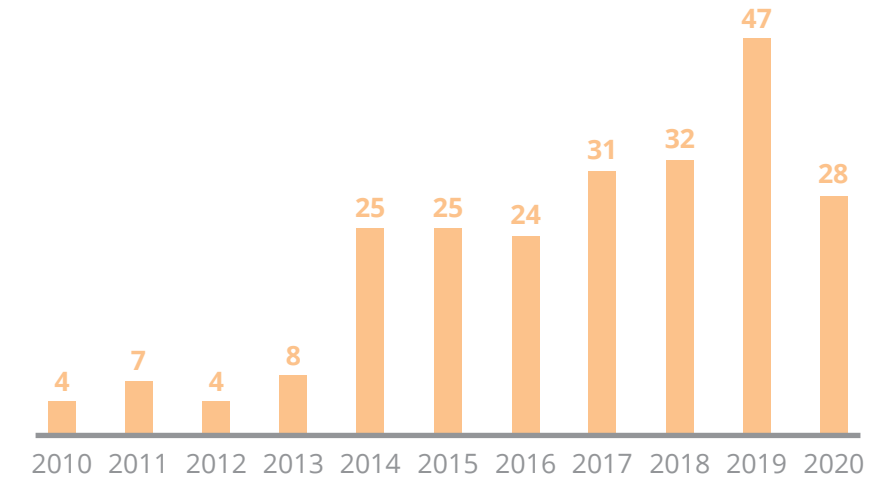
SEX TRAFFICKING



FORCED LABOR

¹⁹⁴ One defendant was in a non-sting case where none of the charges included an identified victim of trafficking.

BUYER DEFENDANTS CONVICTED FROM 2010 TO 2020



Over the past decade, there has been an increase in efforts to curb the demand for commercial sex through the prosecution of buyer defendants—those who purchase or attempt to purchase sex with a trafficking victim—under Chapter 77. In 2020, buyer defendants faced the highest conviction rate of all defendants in sex trafficking cases: 97% (28).¹⁹⁵ This is a slightly higher conviction rate than in 2019, when 96% (47) of buyer defendants were convicted.¹⁹⁶ Of the buyer defendants convicted in 2020, 43% (12) were convicted for attempting to purchase commercial sex in a sting case, where law enforcement officers posed as a fictitious victim. The remaining 57% (16) of buyer defendants were convicted for attempting to purchase—or in fact purchasing—commercial sex with an actual victim. Similar to the overall decline in number of human trafficking defendants convicted in 2020, the number of buyer defendants convicted in 2020 dropped 40% from 2019, when federal courts convicted 47 defendants for purchasing, or attempting to purchase, commercial sex from a trafficking victim. This decline is not reflective of the past decade, where efforts to prosecute buyer defendants have generally trended upward, from four convicted buyer defendants in 2010 to 25 convicted buyer defendants in 2015 to 47 convicted buyer defendants in 2019.

FORCED LABOR CONVICTIONS

In 2020, federal judges convicted 82% (9) of defendants in forced labor cases, 67% (6) by plea agreement and 33% (3) at trial. Although this is the same conviction rate as in 2019, the *number* of defendants convicted in forced labor cases dropped 36%, from 14 in 2019 to 9 in 2020. Federal courts dismissed charges against two defendants in forced labor cases in 2020. Over the past two decades, there has been minimal progress in efforts to prosecute and convict forced labor defendants. In fact, federal courts convicted the same number of forced labor defendants in 2020 as in 2005. Annually, 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.

*Federal courts convicted the **SAME NUMBER** of forced labor defendants in 2020 as in 2005.*

¹⁹⁵ Based on the 29 criminal buyer defendants resolved at the trial court level in 2020

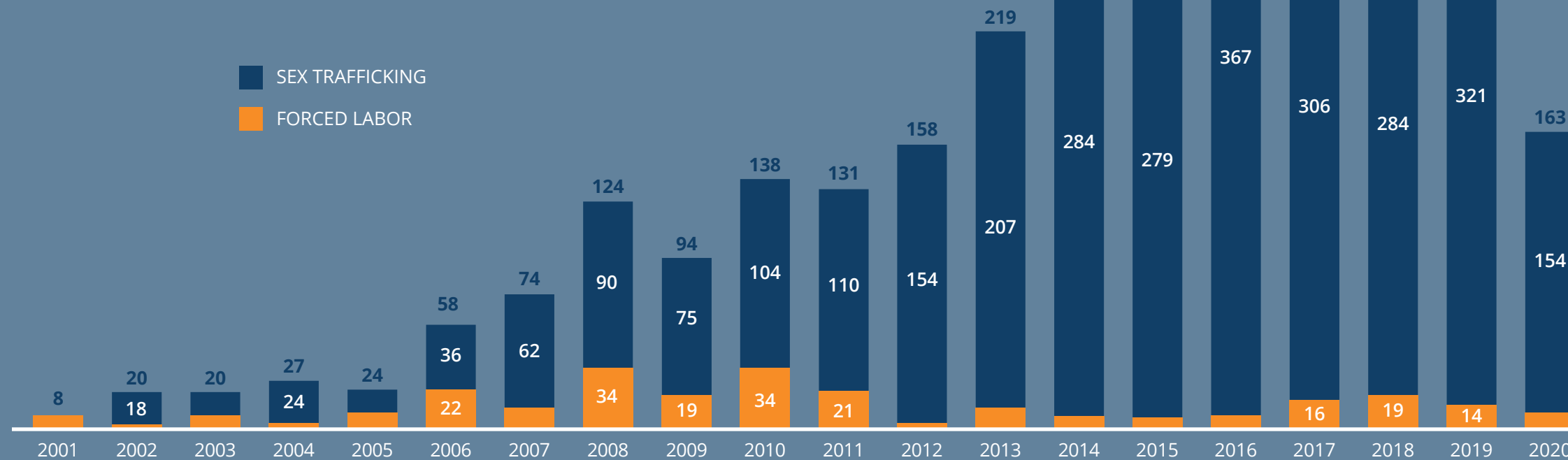
¹⁹⁶ Based on the 49 criminal buyer defendants resolved at the trial court level in 2019

20 YEAR TRENDS

HUMAN TRAFFICKING CONVICTIONS

Since the TVPA's enactment in 2000, federal courts have convicted a total of 3,169 defendants in human trafficking cases. For the first few years following the TVPA's enactment, federal courts convicted fewer than 50 defendants in human trafficking cases each year. Over time, however, the number of human trafficking convictions each year has steadily increased, and since 2010, federal courts have convicted at least 100 defendants each year for human trafficking crimes or other criminal conduct in human trafficking cases. The highest number of defendants convicted in a single year was in 2016, when federal courts convicted 375 defendants.

DEFENDANTS CONVICTED IN HUMAN TRAFFICKING CASES FROM 2001 TO 2020



Of the 3,169 defendants convicted over the past two decades, 92% (2,902) were convicted for crimes committed in sex trafficking cases, which is consistent with the overall disparity between sex trafficking and forced labor prosecutions. Efforts to prosecute and convict sex traffickers and their criminal accomplices have increased significantly over the past 20 years. In fact, more sex trafficking defendants were convicted in 2019 alone than were convicted altogether during the first seven years following the TVPA's enactment (from 2001 to 2007). Federal courts convicted the highest number of defendants in sex trafficking cases in 2016, when 367 defendants were convicted in a single year.

In comparison to sex trafficking convictions, only 8% (267) of the defendants convicted over the past two decades were in forced labor cases. Whereas efforts to prosecute and convict sex trafficking crimes have significantly increased since the TVPA's enactment, there has been little to no change in the number of forced labor convictions over the past two decades. In fact, federal courts convicted nine defendants in forced labor cases in 2020, which is only one more than the eight forced labor defendants convicted in 2001. The highest number of forced labor defendants convicted in a single year was 34 defendants, which occurred in both 2008 and 2010. Since 2012, federal courts have convicted fewer than 20 forced labor defendants each year.



2.5.2 COUNTS OF CONVICTION

In 2020, federal courts convicted 163 defendants with 417 criminal counts of conviction. Federal judges convicted 70% (114) with at least one human trafficking crime, which represents a slight increase from 2019, when federal courts convicted 65% (217) of guilty defendants with a human trafficking crime.¹⁹⁷ The remaining 30% (49) of defendants convicted in 2020 were convicted only of non-human-trafficking crimes, including, *inter alia*: Mann Act offenses, the production, distribution and/or possession of child sexual exploitation material (sometimes referred to as “child pornography”), money laundering, alien harboring, witness tampering, and visa fraud. A full list of non-human-trafficking counts of conviction can be found in the Appendix on page 124.

SEX TRAFFICKING COUNTS OF CONVICTION

Of defendants convicted in sex trafficking cases in 2020, 93% (143) were charged with at least one human trafficking crime.¹⁹⁸ Federal courts subsequently convicted 75% (107) of those defendants with a human trafficking crime. The remaining 25% (36) of the defendants were charged with, but not convicted, of a human trafficking crime; 35 defendants pled down to only non-human trafficking crimes and one defendant was found guilty of only non-human-trafficking offenses at trial.

Furthermore, 71% (109) of the convicted sex trafficking defendants were charged with at least one sex trafficking count under 18 U.S.C. § 1591. Of those defendants, federal courts subsequently convicted 63% (69) of at least one count of § 1591. For the 40 defendants charged with, but not convicted of, § 1591, 93% (37) entered into plea agreements, with 15 defendants who pled guilty to other human trafficking crimes and 22 who pled guilty to only non-human trafficking crimes.¹⁹⁹

In addition to criminal convictions under § 1591, federal courts also convicted sex trafficking defendants of a host of other human trafficking crimes, including conspiracy to commit sex trafficking under 18 U.S.C. § 1594(c) (36 defendants); attempted sex trafficking under 18 U.S.C. § 1594(a) (8 defendants); and conspiracy to commit sex trafficking under the general conspiracy statute, 18 U.S.C. § 371 (7 defendants). A full list of criminal human trafficking counts of convictions can be found in the Appendix on page 124. Furthermore, federal courts also convicted sex trafficking defendants of 208 non-human-trafficking counts of conviction. The most common non-human-trafficking convictions in sex trafficking cases included, *inter alia*, the following offenses: Mann Act (18 U.S.C. §§ 2421–2423); the production, distribution and/or possession of child sexual exploitation material (18 U.S.C. §§ 2251–2252); Racketeering (18 U.S.C. § 1952); Money Laundering (18 U.S.C. § 1956); and drug related offenses. A full list of non-human-trafficking convictions can be found in the Appendix on page 127.

¹⁹⁷ Based on the 335 criminal defendants convicted in 2019

¹⁹⁸ Based on the 154 sex trafficking defendants convicted in 2020

¹⁹⁹ There were three additional defendants who were charged with, but not convicted of, § 1591 at trial. Federal courts found two of these defendants guilty of other human trafficking crimes and one defendant guilty of only non-human-trafficking crimes.

FORCED LABOR COUNTS OF CONVICTION

As in 2019, every forced labor defendant convicted in 2020 was initially charged with at least one human trafficking crime. Of the nine forced labor defendants convicted in 2020, 78% (7) were convicted of a human trafficking crime: 57% (4) by plea agreement and 43% (3) at trial. The remaining 22% (2) of the convicted forced labor defendants pled guilty to lesser, non-human-trafficking offenses.

Of the nine defendants convicted in forced labor cases in 2020, 89% (8) were charged with at least one forced labor count under 18 U.S.C. § 1589. Of those defendants, 75% (6) were subsequently convicted of at least one count of § 1589, half (3) by plea agreement and half (3) following trial. Of the two defendants charged with, but not convicted of, § 1589, both pled down to alien harboring under 8 U.S.C. § 1324.

2.6 CRIMINAL SENTENCES

The TVPA provides a statutory framework for determining appropriate and uniform sentences for convicted traffickers by imposing mandatory minimum prison sentences, requiring courts to order victim restitution, and ordering sex offender registration for certain offenses. The U.S. 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 or 15 years. A sex trafficking conviction involving a child 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.²⁰⁰ A sex trafficking conviction involving a child 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.²⁰¹ Forced labor convictions, by comparison, 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.

²⁰⁰ 18 U.S.C. § 1591(b)(1)

²⁰¹ 18 U.S.C. § 1591(b)(2)





Federal courts generally order defendants convicted in human trafficking cases to a term of imprisonment, even if the defendant was not convicted of a human trafficking crime. Of the 163 defendants convicted in 2020, federal courts sentenced 98% (160) to a term of imprisonment, ranging from two months to life in prison.²⁰² This represents an increase from 2019, when federal courts sentenced 94% (314) of convicted defendants to time in prison.²⁰³ On average, federal courts sentenced defendants convicted in human trafficking cases in 2020 to 156 months (13 years) in prison, which is the highest average sentence imposed in human trafficking cases since the enactment of the TVPA.²⁰⁴ Defendants who entered into plea agreements received an average sentence of 134 months (11 years, 2 months) in prison, whereas defendants found guilty following trial faced an average of 260 months' (21 years, 8 months) imprisonment.

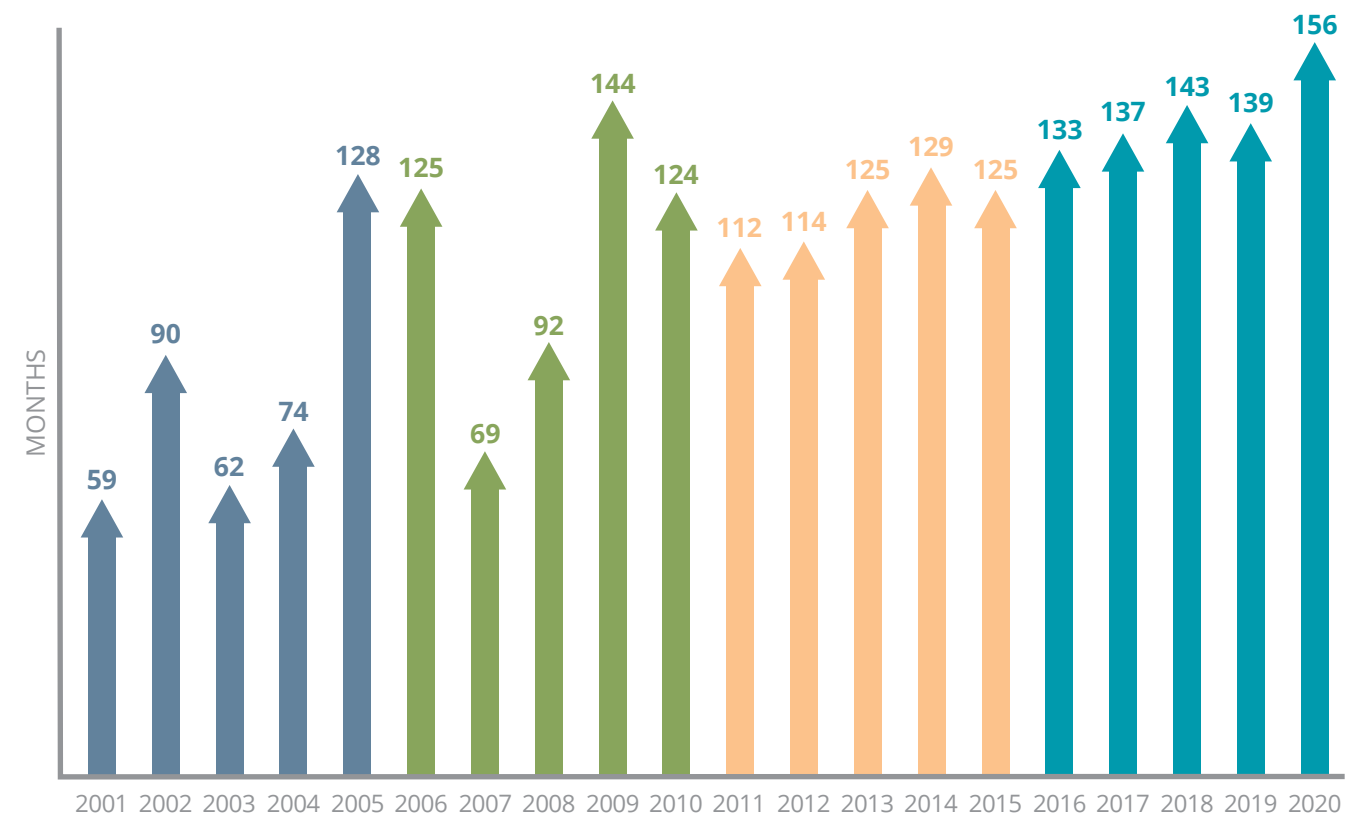
Federal judges declined to sentence 2% (3) defendants convicted in human trafficking cases to time in prison, even though two of the defendants were convicted of a human trafficking crime.²⁰⁵ Though not sentenced to a term of imprisonment, federal courts ordered each of the defendants to a three-year term of supervised release, one of the defendants to pay an approximately \$5,000 fine, and two of the defendants to pay victim restitution in the amounts of \$31,000 and \$150,000.

*On average, federal courts sentenced defendants convicted in human trafficking cases in 2020 to **156 MONTHS** in prison, which is the highest average sentence imposed in human trafficking cases since the enactment of the TVPA.*

*In 2020, federal courts imposed the longest average sentence against defendants in human trafficking cases since the TVPA's enactment: **13 YEARS.***

Since the TVPA's enactment, federal courts have steadily increased the severity of sentences imposed in human trafficking cases. 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. Since 2009, the average sentence for defendants in human trafficking cases has exceeded 10 years, with the exception of 2011 and 2012, when the average sentence was slightly less. In 2020, federal courts imposed the longest average sentence against defendants in human trafficking cases since the TVPA's enactment: 13 years (156 months). This increase is likely due to the higher percentage of convicted defendants resolved following trial in 2020, as defendants found guilty at trial generally receive a more severe sentence than those who plead guilty to fewer or less severe crimes.

AVERAGE SENTENCES FOR DEFENDANTS CONVICTED IN HUMAN TRAFFICKING CASES



²⁰² Though federal courts sentenced 157 defendants in 2020, the following sentencing information reflects the 163 defendants whose final judgments were entered by the court in 2020, as the final judgment provides the most comprehensive and accurate sentencing information.

²⁰³ Based on 335 criminal defendants convicted in 2019

²⁰⁴ When calculating the average sentence in human trafficking cases, the Report excludes sentences greater than 600 months (50 years).

²⁰⁵ Of the three convicted defendants that federal judges did not sentence to a term of imprisonment, one was in a sex trafficking case and pled guilty to conspiracy to commit sex trafficking under 18 U.S.C. § 371. The other two defendants were in forced labor cases; one pled guilty to unlawful conduct with respect to immigration documents under 18 U.S.C. § 1597 and the other pled guilty to alien harboring under 8 U.S.C. § 1324.



IMPRISONMENT OF DEFENDANTS IN SEX TRAFFICKING CASES

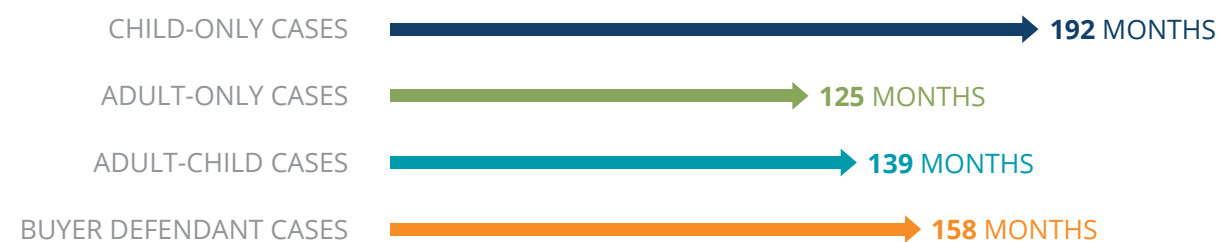
Federal courts sentenced all but one defendant convicted in a sex trafficking case in 2020 to a term of imprisonment, ranging from two months to life in prison. As prescribed by law, the average sentence imposed in sex trafficking cases varied based on the age of the victims exploited by the defendant. In 2020, defendants convicted in child-only sex trafficking cases faced the most severe sentence, an average of 192 months (16 years). This differs from recent years, when courts have imposed a more severe sentence, on average, for defendants in adult sex trafficking cases than for defendants in child-only sex trafficking cases. In 2020, defendants convicted in adult-only cases faced an average sentence of 125 months (10 years, five months), and defendants convicted in cases with both adult and child victims faced an average sentence of 139 months (11 years, 7 months).

Sentences for buyer defendants ranged from 46 months (3 years, 10 months) to 348 months (29 years), with an average term of imprisonment

of 158 months (13 years, 2 months). As would be expected, buyer defendants convicted in cases with actual victims faced a longer sentence, on average, than buyer defendants convicted in sting cases with exclusively fictitious victims. Federal courts sentenced buyer defendants in cases with actual victims to 192 months (16 years) in prison, on average. Buyer defendants in cases with only fictitious victims faced a less severe, but still substantial, sentence of 117 months (9 years, 9 months) in prison, on average.

In 2020, federal courts sentenced six defendants in sex trafficking cases to life in prison. Four of the defendants were convicted of exploiting exclusively child victims, and the other two defendants were convicted in cases with at least one adult victim. Although the number of defendants sentenced to life imprisonment in 2020 represents a slight decline from 2019, when federal courts sentenced seven defendants to life in prison, the percentage of convicted defendants sentenced to life in prison doubled, from 2% in 2019 to 4% in 2020.²⁰⁶

AVERAGE TERM OF IMPRISONMENT FOR DEFENDANTS IN SEX TRAFFICKING CASES IN 2020



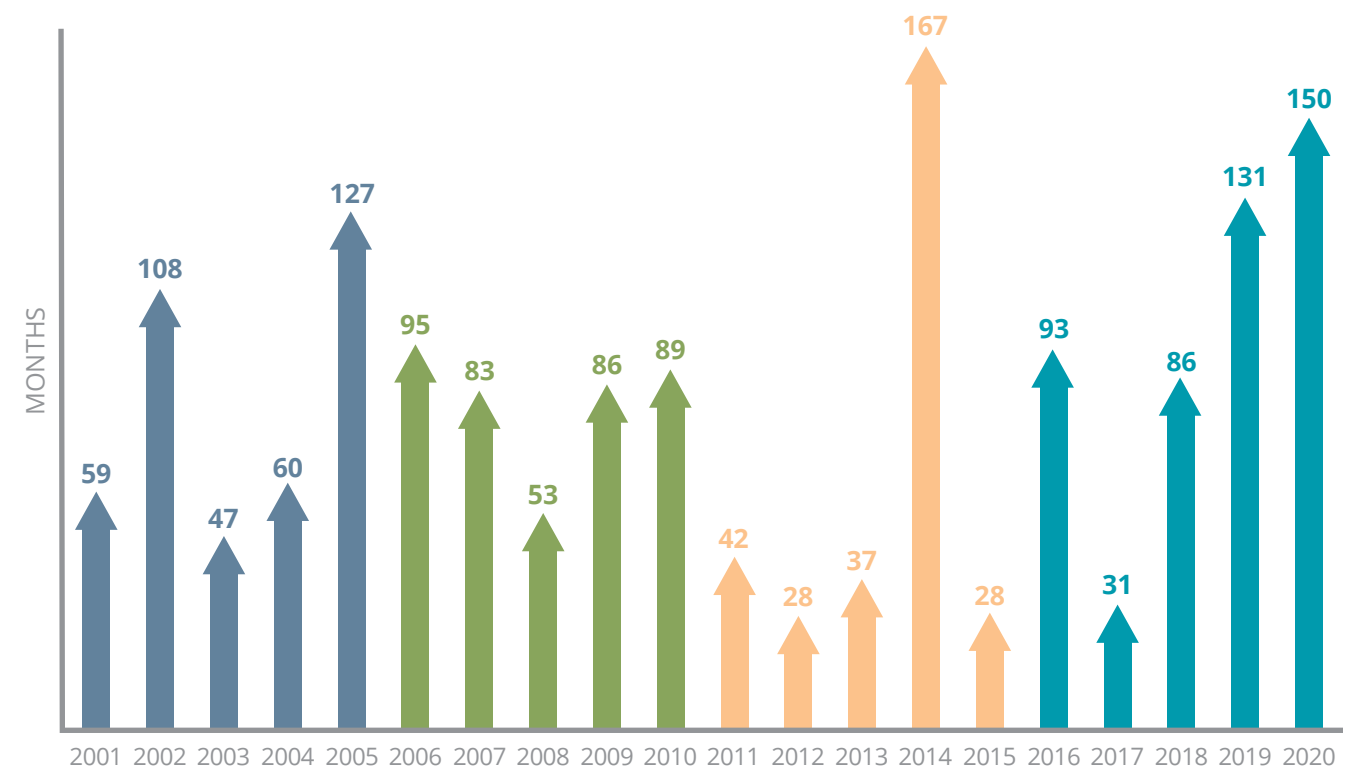
²⁰⁶ These percentages are based on the total number of convicted defendants sentenced to a term of imprisonment: 314 in 2019 and 160 in 2020.

IMPRISONMENT OF DEFENDANTS IN FORCED LABOR CASES

Federal courts sentenced 78% (7) of convicted forced labor defendants to a term of imprisonment, ranging from 37 months (3 years, 1 month) to 360 months (30 years).²⁰⁷ Even though the TVPA does not impose a mandatory minimum sentence for defendants convicted of forced labor, as it does for defendants convicted of sex trafficking, federal courts ordered sentences for forced labor defendants that were comparable to those ordered against sex trafficking defendants. In 2020, federal courts imposed an average sentence of 150 months (12 years, 6 months) for defendants in forced labor cases, which is just six months shy of the average sentence imposed against defendants in sex trafficking cases 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). The overall average sentence, when considering every forced labor sentence since the TVPA's enactment, is 79 months (6 years, 7 months). Over the past four years, the average sentence imposed against defendants convicted in forced labor cases has trended upward each year, from 31 months in 2017, to 86 months in 2018, to 131 months in 2019, to 150 months in 2020. However, as illustrated by the average sentences in forced labor cases over the past two decades, we anticipate that the average sentence will continue to fluctuate greatly due to the limited number of forced labor convictions, in conjunction with the highly fact-dependent nature of sentencing.

AVERAGE SENTENCES FOR DEFENDANTS CONVICTED IN FORCED LABOR CASES



²⁰⁷ Based on the nine criminal defendants in forced labor cases convicted in 2020.



2.6.2 MONETARY PENALTIES

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

FINES

Federal courts ordered only 11 defendants convicted in human trafficking cases to pay a fine in 2020. Though the number of defendants ordered to pay a fine in 2020 is comparable to 2019, when federal courts ordered 10 defendants to pay a fine, the *percentage* of convicted defendants ordered to pay a fine more than doubled, from 3% (10) of convicted defendants in 2019 to 7% (11) in 2020.²⁰⁸ Since the TVPA's enactment, the number of defendants ordered to pay a fine has fluctuated greatly, from one defendant to 36 defendants in a single year.

As in years past, federal judges were more likely to order fines in forced labor cases than in sex trafficking cases. Only 6% (9) of convicted sex trafficking defendants were ordered to pay a fine in 2020.²⁰⁹ In comparison, federal judges ordered 22% (2) of convicted forced labor defendants to pay a fine.²¹⁰ Fines ranged from \$500 to \$1,750,000, with the highest fine in 2020 being significantly higher than the highest fine in 2019 (\$50,000).

Of the 11 defendants ordered to pay a fine in 2020, federal judges sentenced 91% (10) to a term of imprisonment in addition to the payment of the fine. In lieu of being sentenced to a term of imprisonment, a federal judge ordered one defendant, who pleaded guilty to unlawful conduct with respect to immigration documents under 18 U.S.C. § 1597, to pay a \$4,472 fine, as well as \$31,000 in victim restitution. Federal courts ordered four defendants, including the defendant previously mentioned, to pay both a fine and restitution in 2020.

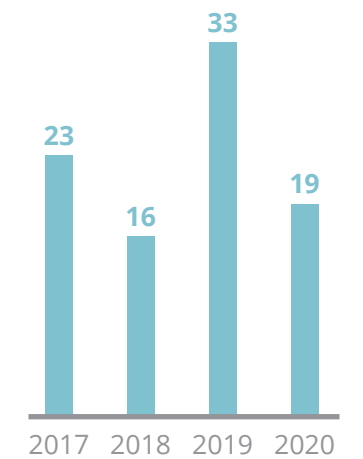
JVTA SPECIAL ASSESSMENT

The 2015 Justice for Victims of Trafficking Act (JVTA) included a provision that required 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 Victims Fund."²¹¹ 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.²¹²

In 2020, federal courts ordered 12% (19) of defendants convicted in human trafficking cases to pay the JVTA Special Assessment.²¹³ Although fewer defendants were ordered to pay the JVTA Special Assessment in 2020, in accordance with the overall decline in convictions, federal judges ordered a slightly higher *percentage* of convicted defendants to pay the JVTA Special Assessment in 2020 than in 2019, when federal judges ordered 10% (33) of convicted defendants to pay the JVTA Special Assessment.²¹⁴ Over the past four years, the number of defendants ordered to pay the JVTA Special Assessment has fluctuated, from 23 defendants in 2017, to 16 defendants in 2018, to 33 defendants in 2019, to 19 defendants in 2020.

Although the JVTA Special Assessment applies to defendants convicted of any crime under Chapter 77, including both sex trafficking and forced labor, federal judges ordered sex trafficking defendants to pay the JVTA Special Assessment much more frequently than forced labor defendants. Of the 19 defendants ordered to pay the JVTA Special Assessment in 2020, all 19 were in sex trafficking cases. In fact, of the 92 defendants who federal courts have ordered to pay the JVTA Special Assessment since it was established, 98% (90) were in sex trafficking cases and only 2% (2) were in forced labor cases. Of the 19 sex trafficking defendants ordered to pay the JVTA special assessment fee in 2020, 42% (8) were in child-only cases, 37% (7) were in adult-child cases, 11% (2) were in adult-only cases, and 11% (2) were in buyer cases with only fictitious victims.

NUMBER OF DEFENDANTS ORDERED TO PAY THE JVTA SPECIAL ASSESSMENT



2.6.3 VICTIM RESTITUTION

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

The TVPA mandates that federal judges order defendants convicted of a crime under Chapter 77 to pay victim restitution.²¹⁵ Even when a defendant in a human trafficking case is not convicted of a crime under Chapter 77, a federal judge can still 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 the 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.



²⁰⁸ Based on the 335 and 163 criminal defendants convicted in 2019 and 2020, respectively

²⁰⁹ Based on the 154 criminal defendants in sex trafficking cases convicted in 2020

²¹⁰ Based on the nine criminal defendants in forced labor cases convicted in 2020

²¹¹ The \$5,000 special assessment under 18 U.S.C. § 3014 applies to defendants convicted under Chapter 77.

²¹² 18 U.S.C. § 3014(b)

²¹³ Based on the 163 criminal defendants convicted in human trafficking cases in 2020

²¹⁴ Based on the 335 criminal defendants convicted in human trafficking cases in 2019

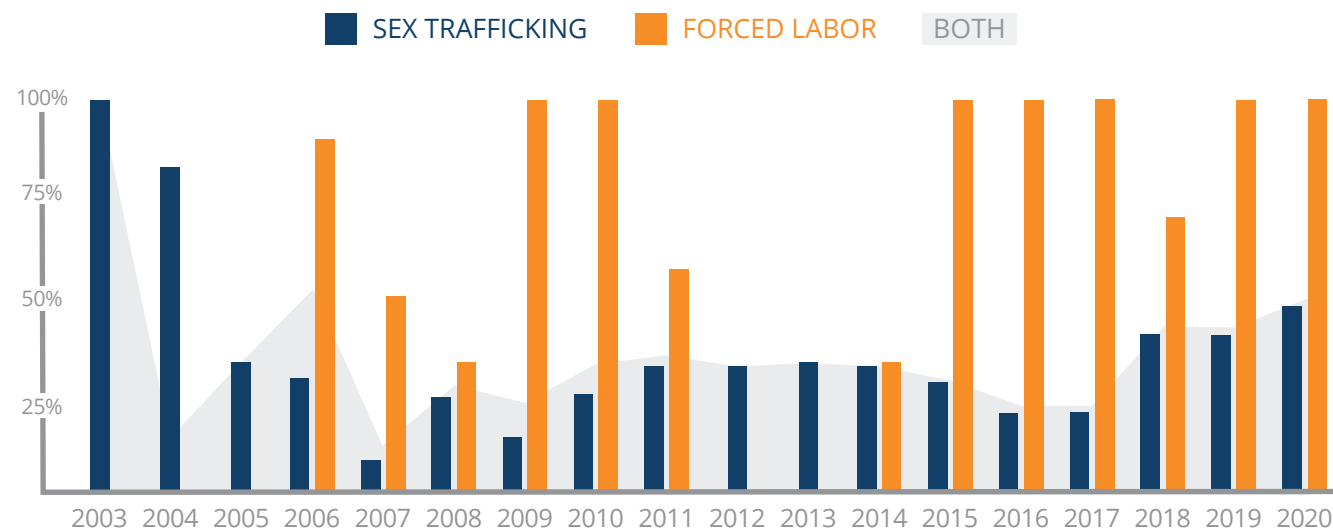
²¹⁵ 18 U.S.C. § 1593

RESTITUTION BY DEFENDANT

In 2020, federal courts ordered 64 defendants to pay victim restitution. Consistent with the overall decline in defendants convicted in human trafficking cases in 2020, the number of defendants ordered to pay victim restitution also declined, from 101 defendants in 2019 to 64 defendants in 2020. However, the *percentage* of defendants ordered to pay restitution increased, from 34% (101) in 2019 to 43% (64) in 2020.²¹⁶ In fact, federal courts ordered the highest percentage of defendants to pay victim restitution in 2020 since 2005, when 45% (5) of convicted defendants were ordered to pay restitution.²¹⁷ 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 45% of convicted defendants to pay victim restitution each year, despite its critical importance to victim rehabilitation. In fact, the percentage of defendants ordered to pay victim restitution each year was below 35% for 17 years of the past two decades.

Even when restitution was mandated by law, federal courts still only ordered half (50%, 51) of the defendants convicted of a Chapter 77 crime in 2020 to pay victim restitution.²¹⁸ Although this percentage remains low, it is important to note the progress that has been made over the past five years regarding the percentage of defendants ordered to pay mandatory restitution, from 25% in 2016 and 2017, to 42% in 2018 and 2019, to 50% in 2020. This is only the third time since the TVPA's enactment that mandatory restitution rates were at or above 50%. Generally, over the past two decades, federal courts have ordered 35% or fewer of defendants convicted of crimes triggering mandatory restitution to pay victim restitution each year.

PERCENTAGE OF HUMAN TRAFFICKING DEFENDANTS ORDERED TO PAY MANDATORY RESTITUTION



²¹⁶ These percentages are based on the 298 defendants in 2019 and 148 defendants in 2020 who were convicted in cases involving at least one identified victim of human trafficking who was named in a trafficking-related charge in the charging instrument. Restitution percentages do not include defendants convicted in cases where there was no victim named in the charging instrument or where there was only a fictitious victim involved as part of a sting operation by law enforcement. Even though it is possible for federal courts to order defendants in those cases to pay restitution to the court, it is uncommon and thus excluded from restitution calculations for purposes of the Report. Furthermore, these amounts reference the amount of restitution each defendant is ordered to pay in the case and do not break down how much restitution was ordered to be paid to each victim, as that information can sometimes be difficult to glean from public documents.

²¹⁷ This percentage is based on the 11 criminal defendants in 2005 who were convicted in cases involving at least one identified victim of human trafficking who was named in a trafficking-related charge in the charging instrument.

²¹⁸ Based on the 101 defendants convicted of a Chapter 77 crime in 2020

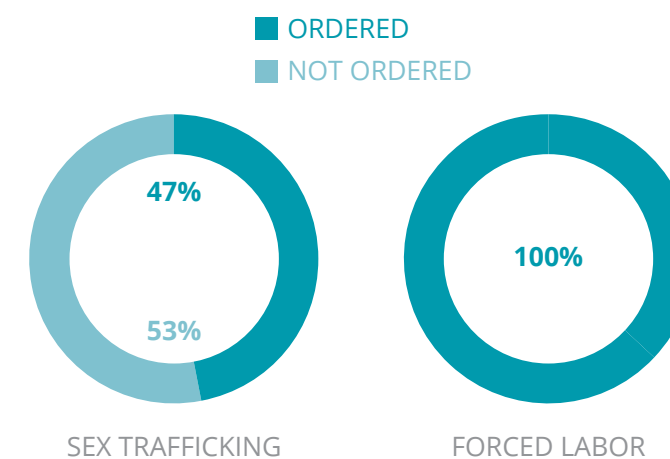
Federal courts have ordered 100% of forced labor defendants to pay mandatory restitution for four of the past five years.

Federal courts more commonly order mandatory restitution in forced labor cases than in sex trafficking cases. In 2020, federal courts ordered 100% (7) of forced labor defendants to pay mandatory restitution. In comparison, federal courts ordered only 47% (44) of sex trafficking defendants to pay mandatory restitution.²¹⁹ This is consistent with prior years. In fact, federal courts have ordered 100% of forced labor defendants to pay mandatory restitution for four of the past five years. In comparison, during that same time frame, federal courts never ordered more than 50% of sex trafficking defendants to pay mandatory restitution in a single year.

RESTITUTION BY CASE

Federal judges ordered victim restitution in 46 human trafficking cases with 150 named victims in 2020. The amount of victim restitution ordered per case ranged from \$40 to \$3,100,917, averaging \$320,831 per human trafficking case. The average amount of restitution per case in 2020 nearly doubled from 2019, when federal courts ordered an average of \$182,691 in victim restitution per case.

MANDATORY RESTITUTION BY PRIMARY CASE TYPE IN 2020



²¹⁹ Based on 94 criminal sex trafficking defendants convicted of crimes that triggered mandatory restitution





*Though 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.*

2.7 CRIMINAL APPEALS

Upon conviction at the trial court level, a defendant may appeal the conviction or sentence to a federal appellate court, seeking the appellate court's reversal of the trial court's decision. In 2020, 201 defendants convicted in human trafficking cases went "inactive" for purposes of the Report, meaning that federal courts resolved every charge against the defendant and the defendant's time to directly appeal the lower court's decision expired or was exhausted. Nearly half (45%, 90) of the convicted defendants who went inactive in 2020 had appealed their conviction and/or sentence to an appellate court. The remaining 55% (111) of convicted defendants who went inactive in 2020 declined to appeal the lower court's decision. The percentage of convicted defendants who filed a direct appeal increased from 2019, when only 25% (75) of convicted defendants directly appealed their conviction and/or sentence.²²¹ Defendants convicted in sex trafficking cases were more likely to appeal their convictions than defendants in forced labor cases. Whereas nearly half (46%, 88) of sex trafficking defendants appealed their conviction and/or sentence, only one-quarter (25%, 2) of forced labor defendants filed a direct appeal.²²²

Though 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, which is consistent with prior years. In forced labor cases, victim restitution ranged from \$15,657 to \$1,200,208, with an average restitution amount of \$224,585 per case in 2020. In comparison, in sex trafficking cases, victim restitution ranged from \$40 to \$3,100,917, with an average restitution amount of \$338,106 per case.

In total, federal courts ordered a total of \$14,758,226 in victim restitution in 2020, which is the highest amount of victim restitution ordered in human trafficking cases in a single year since the TVPA's enactment. Although the total amount of restitution is similar to 2019, when federal courts ordered a total of \$14,432,585 in victim restitution, the amount of restitution per case increased dramatically in 2020, as federal courts ordered victim restitution in only 46 human trafficking cases in 2020 compared to 79 cases in 2019.²²⁰

²²⁰ For purposes of restitution, the year is determined by when a federal court entered a final judgment against the defendant ordered to pay restitution. If two defendants in a case were ordered to pay restitution, and their final judgments were entered in separate years, then the case would be counted in two separate years for purposes of restitution by case.

²²¹ Based on 304 criminal defendants resolved in 2019 following conviction

²²² Based on 193 criminal sex trafficking defendants and eight criminal forced labor who went inactive in 2020

2.7.1 APPELLATE COURT APPEALS

Federal law allows parties to a criminal prosecution to appeal the trial court's decision to an appellate court, typically by arguing that the trial court made procedural errors or that the judge erred in its interpretation or application of the law. 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.²²³

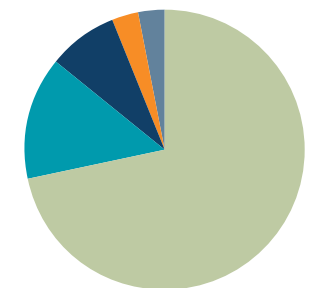
NEW APPEALS

In 2020, 50 defendants convicted in human trafficking cases appealed their conviction and/or sentence to a federal appellate court by filing a notice of appeal. Of the defendants who appealed, 92% (46) were convicted in sex trafficking cases and 8% (4) were convicted in forced labor cases. The highest number of appeals were filed in the Eighth Circuit Court of Appeals, which covers federal districts in Arkansas, Iowa, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota, where 10 defendants filed a notice of appeal. The Eighth Circuit handled the highest number of appeals in human trafficking cases in 2019 as well.

APPELLATE COURT RESOLUTIONS

Appellate courts resolved a total of 86 appeals from defendants in human trafficking cases in 2020, 97% (83) in sex trafficking cases and 3% (3) in forced labor cases. In 71% (61) of the appeals, the appellate court affirmed the conviction and/or sentence imposed by the trial court. An appellate court reversed and remanded the lower court's decision in only 12% (10) of the appeals; three of the appeals were reversed and remanded in full, and seven 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 17% (15) of the appeals were dismissed, 12 by the appellate court and three voluntarily by the defendant.

2020 APPELLATE COURT DECISIONS IN HUMAN TRAFFICKING CASES*



- 71% AFFIRMED
- 14% DISMISSED BY COURT
- 8% AFFIRMED/ REVERSED IN PART
- 3% REVERSED/ REMANDED
- 3% VOLUNTARILY DISMISSED

* Percentages do not add up to 100% due to rounding

FAQ: WHICH APPEALS DOES THE REPORT CAPTURE?

The Report tracks only *direct* appeals filed by the defendant within the timeframe established in Rule 4 of the Federal Rules of Appellate Procedure. This includes appeals filed to the Federal Appellate Courts, as well as petitions to the U.S. Supreme Court, so long as the appeal is filed within the appropriate time frame. The Report does not track interlocutory appeals (appeals filed prior to the final judgment), nor collateral appeals (filed after the time that the defendant's time to file a direct appeal has expired), 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.

²²³ Federal Rule of Appellate Procedure 4(b)(1)(A)(i)

2.7.2 SUPREME COURT APPEALS

If a defendant is not satisfied with the appellate court's decision, the defendant 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 2020, 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 82% (14) of these defendants in 2020. In addition, the Supreme Court denied certiorari in five human trafficking cases pending from 2019. Three writs of certiorari filed in 2020 remained pending before the Supreme Court at the conclusion of the year.

FAQ: HOW DOES THE REPORT CALCULATE THE LENGTH OF RESOLUTION?

The Report determines the "length of resolution" for each defendant by tracking the number of months between the date that the government initially charged the defendant and the date that the defendant's appeal is resolved or time to directly appeal the lower court's decision expires. A defendant's length of resolution is impacted by a variety of factors, including how the defendant's charges are resolved (by plea, trial, or dismissal), the type of trafficking or other charges in the case, and whether the defendant appeals their conviction or sentence. It is important to note that the length of resolution calculated by the Report does not include the time that it took to investigate the case prior to charging.

2.8 LENGTH OF RESOLUTION FOR CRIMINAL DEFENDANTS

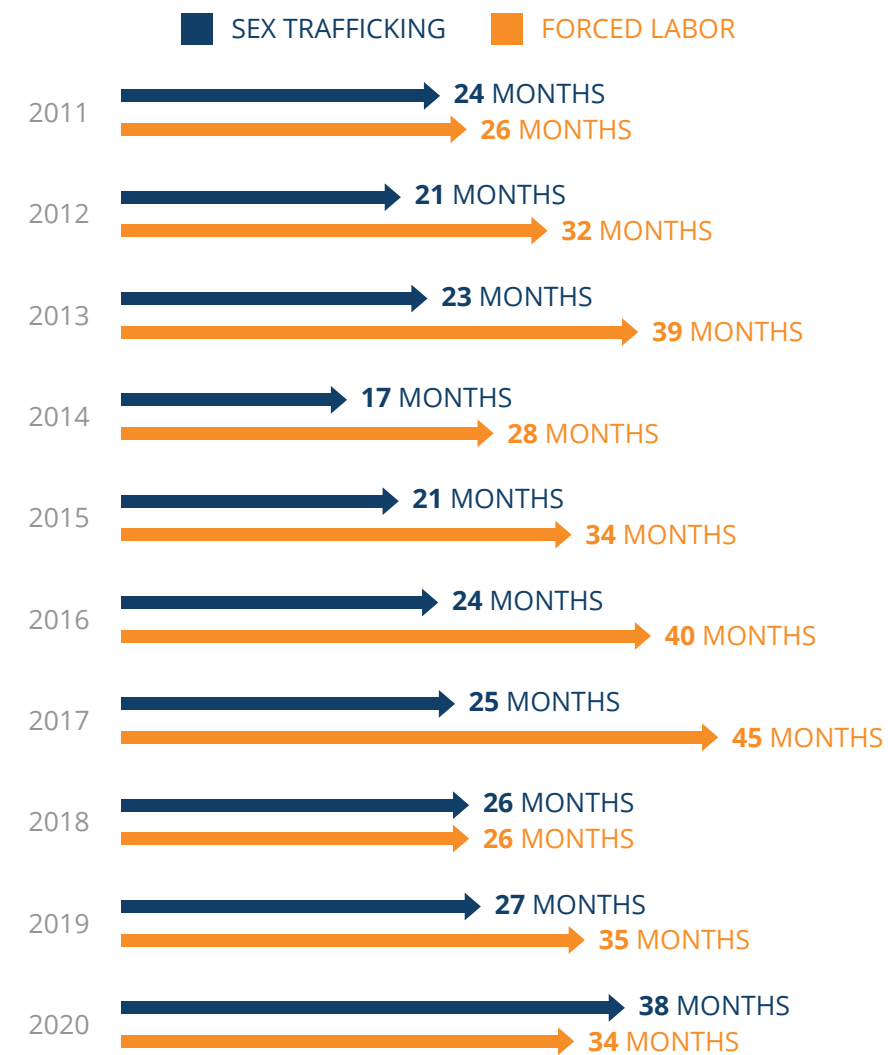
Due to the often complex nature of human trafficking prosecutions, it commonly takes federal courts several years to resolve charges against defendants in human trafficking cases, particularly when a defendant goes to trial. In 2020, it took an average of three years and two months for charges against a defendant in a human trafficking case to be resolved. This is nearly a year longer than the average length of time that it took a federal court to resolve charges against a human trafficking defendant in 2019, when the average length of resolution for a defendant in a human trafficking case was two years and three months. The shortest amount of time that it took a federal court to resolve a defendant's charges in 2020 was one month and the longest time was 18 years and two months.²²⁴

When looking at every defendant resolved in a human trafficking case since the TVPA's enactment, the average length of time that it took a federal court to resolve each defendant's charges was two years. However, for the past five years, it has taken federal courts a minimum of two years, on average, to resolve charges against defendants in human trafficking cases.

The length of resolution for human trafficking defendants varied based on how the defendant's charges were resolved. As expected, defendants who entered into a plea agreement had their charges resolved more quickly than defendants who went to trial. In 2020, federal courts took an average of two and a half years to resolve charges against defendants who pled guilty. In comparison, defendants found guilty following trial saw their charges resolved in four years and four months, on average, which is nearly double the length of time as defendants who entered into plea agreements.

²²⁴ In 2020, the Northern District of Georgia dismissed charges against three defendants from a sex trafficking case filed in 2002. One of the defendants was prosecuted in Mexico and the other two defendants are fugitives, also believed to be in Mexico.

AVERAGE LENGTH OF RESOLUTION FOR DEFENDANTS BY PRIMARY CASE TYPE



The length of resolution for defendants in human trafficking cases also varied based on the type of trafficking. Although historically it has taken federal courts longer to resolve charges against forced labor defendants than sex trafficking defendants, this was not true in 2020, when the average length of resolution for sex trafficking defendants was four months longer than forced labor defendants.²²⁵ In 2020, federal courts resolved forced labor defendants in an average of two years and 10 months. In comparison, federal courts resolved sex trafficking defendants in an average of three years and two months. Whereas the average length of resolution for forced labor defendants in 2020 was similar to that of 2019, the average length of resolution for sex trafficking defendants increased by almost a year, from two years and three months in 2019 to three years and two months in 2020. This is due in part to three sex trafficking defendants who took from seven and a half years to 13 and a half years to resolve, skewing the average length of resolution for sex trafficking defendants in 2020.

²²⁵ Since the TVPA's enactment, the average length of resolution for defendants in forced labor cases has exceeded the average length of resolution for defendants in sex trafficking cases in every year except 2008, 2010, 2018, and 2020.



METHODOLOGY AND TERMINOLOGY



METHODOLOGY

SCOPE OF THE 2020 FEDERAL HUMAN TRAFFICKING REPORT

The 2020 Federal Human Trafficking Report (2020 Report) provides an exhaustive overview of human trafficking cases that the federal government has filed since the enactment of Trafficking Victim's Protection Act in 2000 (TVPA). Through an objective presentation of data, the 2020 Report highlights key findings and emerging trends in federal efforts to prosecute human traffickers over the past two decades. The 2020 Report includes all federal human trafficking cases where the government charged at least one defendant in the case with a crime under Chapter 77 of the U.S. Code, which includes the following offenses:

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

Further, the Human Trafficking Institute (HTI) recognizes that many human trafficking cases present legal and evidentiary challenges that preclude proving the elements of Chapter 77 crimes beyond a reasonable doubt. To account for these cases, the 2020 Report includes a separate FAQ box on page 74 about federal efforts to prosecute human traffickers outside of Chapter 77. This feature box captures human trafficking cases charged outside of Chapter 77 where there is substantial evidence of coercion, commercial sex with a child, or an identified victim of trafficking.

The 2020 Report supplements its analysis of human trafficking prosecutions with information from civil human trafficking lawsuits, which are featured throughout the 2020 Report in "Civil Case Comparison" boxes. In the civil context, the Report only captures cases where the plaintiff has alleged at least one offense within Chapter 77 against at least one defendant in the civil suit.

LIMITATIONS OF THE 2020 FEDERAL HUMAN TRAFFICKING REPORT

The 2020 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 2020 Report provides a snapshot of how traffickers operate domestically, the findings and trends throughout the Report reflect the U.S. government's priorities and practices in prosecuting human trafficking crimes. Accordingly, the data are not intended—and should not be used—to convey a complete picture of the scope of human trafficking in the United States. For example, the 2020 Report found that 94% of federal human trafficking prosecutions active in 2020 were sex trafficking cases. This percentage is a reflection of the U.S. government prioritizing the prosecution of sex traffickers—not an indication that 94% of human trafficking conduct in the United States involves commercial sexual exploitation. Further, the

2020 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.

NEW DATA FOR THE 2020 FEDERAL HUMAN TRAFFICKING REPORT

To mark the 20th anniversary of the TVPA, the 2020 Report provides data from every human trafficking case prosecuted in federal court since the TVPA's enactment. This allows HTI to report on how federal efforts to prosecute human traffickers have evolved over the past two decades, as well as to identify the gaps that still exist.

In addition to expanding the scope of data within the 2020 Report, HTI captured additional new data points for each federal human trafficking case active in 2020. Where available in public sources, the following new data points are included in the 2020 Report:

- The manner by which a human trafficking case was referred to law enforcement;
- The number and type of sting law enforcement operations that resulted in federal sex trafficking prosecutions;
- Whether criminal conduct in each human trafficking case took place within one state or across multiple states;
- The modes of transportation involved in the commission of the human trafficking crimes;
- Websites and social media platforms used for victim recruitment;
- Types of relationships exploited for victim recruitment;
- The number of foreign national victims identified in human trafficking prosecutions; and
- Whether a foreign national victim was trafficked into the United States, after entering the United States, or abroad.

IDENTIFICATION OF FEDERAL HUMAN TRAFFICKING CASES

To publish the 2020 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, Westlaw, and Bloomberg, and reviewing new stories and press releases published by the federal government. In addition, HTI provided the list of human trafficking prosecutions that it identified to the federal government to solicit feedback on any additional human trafficking cases not identified by HTI in prior searches.

PACER

Utilizing the Federal Government's Public Access to Court Electronic Records (PACER), HTI searched the individual pages of 93²²⁶ federal judicial districts to identify cases involving crimes within Chapter 77 of the U.S. Code, 18 U.S.C. §§ 1581 to 1597. The individual list of each of the offenses within Chapter 77 is included earlier in the Methodology's section on the "Scope of the 2020 Federal Human Trafficking Report" on page 112.

In addition to searching PACER for cases charged under Chapter 77, HTI also searched the 93 federal district pages on PACER to identify human trafficking cases charged under the following Mann Act offenses:

- 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).

²²⁶ Although there are 94 federal judicial 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 for any human trafficking prosecutions filed in its district each year. The Clerk of Court identified two human trafficking cases charged in the Northern District of Georgia in 2020.

In determining whether to include a criminal case charged exclusively under the Mann Act, HTI considered whether the government, based on the facts alleged in public court documents, could ultimately have charged the defendant with a Chapter 77 offense. To make this determination, HTI reviewed the case to determine whether the facts indicated that the defendant compelled an adult victim to engage in commercial sex through force, fraud, or coercion, or, in cases involving child victims, that there was evidence of an exchange of value. HTI also included cases charged exclusively under the Mann Act if federal prosecutors confirmed there was an identified victim of trafficking in the case. HTI does not track cases charged exclusively under the Protect Act; however, the 2020 Report does track Protect Act offenses if they are charged alongside of another human trafficking offense. HTI identified 82% (211) of the new 2020 criminal human trafficking cases, including those charged outside of Chapter 77, on PACER. In addition, HTI identified one civil human trafficking suit filed in 2020 on PACER.

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 U.S. Attorney's Offices, as well as the following federal bureaus:

- 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.

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 2020 Report identified cases through press releases that discussed coerced labor, commercial sex, or transportation of a child for commercial sex. HTI identified 6% (16) of the new 2020 human trafficking prosecutions through its review of government press releases and news stories.

WESTLAW & BLOOMBERG

HTI also conducts 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 searches Westlaw and Bloomberg for any court documents, filings, decisions, or appeals involving human trafficking. HTI identified five new 2020 human trafficking cases on Westlaw, three of which were civil human trafficking suits and two of which were criminal human trafficking prosecutions charged outside of Chapter 77. Further, HTI identified 87% (46) of the civil human trafficking suits filed in 2020 on Bloomberg.

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 2020, 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 U.S. Attorney's Offices, with a list of all of the human trafficking cases charged in their district in 2020. Further, HTI emailed federal prosecutors who handled five or more active human trafficking prosecutions in 2020 with a list of new criminal cases identified in their districts. HTI identified 10% (26) of new 2020 criminal human trafficking cases through consultation with federal prosecutors, 10 of which involved charges under Chapter 77 and 16 of which were charged outside of Chapter 77.

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 three additional civil human trafficking suits filed in 2020 through HTLC's civil case database.

LATE CASE ADDITIONS

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, 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 alleged a Chapter 77 offense that was not alleged at the time the case was filed. Further, criminal cases filed by complaint or information may not appear in HTI's search results until a defendant is indicted. Thus, if the government charged a defendant by complaint in 2019, but did not indict the defendant until 2020, the case would likely not be added to HTI's database until 2020 unless a federal prosecutor identified the case to HTI. Human trafficking cases charged outside of Chapter 77 are also sometimes added in subsequent years due to prosecutors identifying these cases for HTI beyond the deadline for inclusion or when new court filings clarify a case now qualifies 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. HTI timestamps a case based on the year in which the first charging instrument was filed—not the year the case was added to the database.

The 2020 Report captured 27 human trafficking cases—five of which were civil and 22 of which were criminal—that were filed prior to 2020, but not captured in previous Report publications. Of the 22 late criminal human trafficking case additions, 73% (16) were cases charged outside of Chapter 77. For the eight late

criminal case additions involving Chapter 77 crimes, three involved the government charging Chapter 77 crimes in superseding charging instruments and five did not appear in prior search results due to the case previously being sealed or delays in the case appearing in search results on PACER.

COLLECTION OF FEDERAL HUMAN TRAFFICKING CASE DATA

HTI employed a team of seven attorneys and eight law students to review the public court documents, press releases, and news stories about each of the federal human trafficking cases. To identify key data points about each human trafficking case, including data about the human trafficking scheme, defendants, charges, victims, and appeals, HTI analyzed the following public court documents, where available: charging instruments, including indictments, complaints, and informations; key motions and briefs; plea agreements; verdict forms, sentencing memoranda; judgments; restitution orders; and appellate filings and decisions. HTI does not review transcripts from court hearings or trials. HTI entered the human trafficking case data into a Salesforce database designed expressly for the annual publication of the Report.

HUMAN TRAFFICKING CASES

A human trafficking "case" within the 2020 Report may include a single defendant or multiple related defendants (co-defendants) whom the government has charged with trafficking one or more victims. Where the facts indicate that multiple defendants were related through a commonly exploited victim or a common plan or trafficking scheme, HTI captures all of 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 child victim within one case number, and subsequently charged a buyer defendant for purchasing a commercial sex act from the same child victim within another case number, the Report would capture all three defendants within one human trafficking case so long as the facts indicate 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 already become inactive, the Report does not merge the defendants into one human trafficking case. Even though the defendants were related through a common human trafficking scheme, they would be captured as two separate human trafficking cases within the Report.

CIVIL & CRIMINAL CASES

The Report classifies every case as “criminal” or “civil.” Cases are “criminal” if the government charged a defendant with a federal crime through the filing of complaint, information or indictment. Cases are “civil” if a plaintiff filed a complaint in federal court against a defendant.

NEW & ACTIVE CASES

The 2020 Report considers a human trafficking case to be “new” if the case was filed in federal court between January 1, 2020 and December 31, 2020. In criminal cases, a case is categorized as “new” according to the year when the government charged the first defendant in the case. In civil suits, a case is categorized as “new” according to the year that a plaintiff files the first complaint with allegations of human trafficking.

The Report considers a criminal case to be “active” if the government has filed charges in federal court and at least one defendant in the case is still awaiting trial or sentencing, or if at least one defendant still has the option to file a direct appeal. Similarly, the Report considers a civil case to be “active” if a plaintiff has filed a complaint in federal court and at least one defendant is still awaiting a final judgment or still has the opportunity to file a direct appeal. If a case is removed from state court to federal court,

the active date is the date that the case was removed to federal court, not the date that the case was filed in state court.

The Report classifies a case as “inactive” where there are no charges or claims against any defendant left to be resolved and when the time for all defendants to directly appeal the final judgment or order of the court has expired. To put it another way, a case becomes “inactive” when the last defendant's time for filing a notice of direct appeal has expired. The Report relies on Rules 4 and 26 of the Federal Rules of Appellate Procedure (“FRAP”) to calculate the date that the defendant's time for filing a notice of direct appeal has 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 judgement or the order being appealed; or (ii) the filing of the government's notice of appeal.” For a criminal case in which 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 14 days beyond the judgment date.

In a civil case, 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 has been filed, or where the appeal is filed by an inmate confined in an institution. These timing exemptions are 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 30 days beyond the judgment date.

For a criminal or civil case where one or more defendants has appealed the district court's judgment, and the Appellate Court has issued its decision on appeal, the case becomes inactive when the defendant's time to appeal the Appellate Court's decision to the Supreme Court has 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 a civil or 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, the case is deemed inactive upon the date that the time to file the petition of certiorari has expired.

In a criminal or civil human trafficking case, once there are no pending charges or claims against any defendant to be resolved and after the time for all defendants to appeal the final judgment or order of the court has expired, the case becomes 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.

If a plaintiff files a complaint with a cause of action under Chapter 77 and subsequently removes the Chapter 77 claim in an amended complaint, the Report includes the civil human trafficking suit, but marks it as “inactive” on the date that the amended complaint is filed. The case is coded as being voluntarily dismissed by the plaintiff.

PRIMARY CASE TYPE: SEX TRAFFICKING & FORCED LABOR

The Report classifies every case as a “sex trafficking” case or “forced labor” case based on the underlying facts in the case rather than the criminal charges. If the facts included in public court documents,

news stories, and press releases indicate that the defendants compelled or coerced the victims to provide labor or services, the case is classified as “forced labor.” Conversely, if the facts included in public court documents, news stories, and press releases indicate that the defendants compelled or coerced the victims to engage in a commercial sex act, the case is classified as “sex trafficking,” even if the government charged § 1589 rather than § 1591.

In the majority of human trafficking cases in the Report, the binary classification is clear and sufficient, as the facts or charges involved defendants compelling or coercing victims to perform either labor/services, or sex, not both. However, eight criminal cases active in 2020 involved both sex trafficking and forced labor charges. For these cases, HTI conducted a thorough review of the court docket and related materials to determine if the trafficking operation was primarily a sex trafficking or forced labor enterprise. The Report concludes that six of the eight cases were primarily sex trafficking with associated forced labor charges, and two of the cases were primarily forced labor with corresponding sex trafficking charges.

DEFENDANTS IN HUMAN TRAFFICKING CASES

CRIMINAL DEFENDANTS

In general, the Report captures every defendant in a federal criminal human trafficking case, regardless of whether the government charged each defendant in the case with a human trafficking crime. By including all defendants in the case, the Report aims to capture the most accurate picture of human trafficking cases that are prosecuted in federal courts. The Report does not include defendants whom prosecutors charged by complaint or information but never ultimately indicted.

NEW & ACTIVE DEFENDANTS

When the Report presents data on “2020 new defendants,” it captures defendants that the government initially charged in 2020, even if the human trafficking case itself was filed in a previous year. When the Report refers to “2020 active

defendants in human trafficking cases,” it considers all defendants whom the government charged in or before 2020 and whose time to file a direct appeal did not expire in or before 2020. In contrast, when the Report refers to “defendants in 2020 active cases,” it captures all defendants prosecuted in a case that remains active in 2020, even if the government charged them prior to 2020 and their time to appeal expired before 2020 (i.e., they were never 2020 active defendants).

A defendant’s “active” date is the date they were initially charged, and a defendant’s inactive date is the date all of the charges against the defendant are resolved and, if applicable, the defendant’s window to directly appeal has expired. For rare situations in which there is at least six months of unexplained inactivity on a defendant’s docket, the Report considers the defendant inactive as of the date of the last activity on the docket. Project attorneys will continue to monitor these dockets on an annual basis in case new information becomes available.

IMPORTANT DATES FOR CRIMINAL DEFENDANTS

For each defendant, the Report tracks important dates in the criminal justice process, such as the date the government filed the initial charging instrument, the date that the defendant pled guilty or went to trial, the date that the district court entered the final judgment, and the date the defendant’s time to directly appeal expires.

The Report calculates a defendant’s length of resolution as the number of months (i.e., 30 days) from a defendant’s active date to a defendant’s inactive date. This differs from the 2017 Report, when the length of resolution was based on the entire case rather than each individual defendant.

When determining dates, the Report generally relies on the file stamp date in the court docket, unless the court docket indicates that the event occurred on a different date. When the docket reveals that an event occurred on a date different from the file stamp date, the Report relies on the date that the event in fact occurred.

MANNER RESOLVED, PUNISHMENT, & RESTITUTION

The Report also captures the manner in which the district court resolved the charges against each defendant: by dismissal, plea agreement, or trial. If the defendant was convicted, the Report tracks each defendant’s sentence, including term of imprisonment, if any; amount of fine, if imposed; and information about special assessments or victim restitution, if ordered. Where a defendant is convicted in two separate cases of separate charges related to different human trafficking enterprises, the defendant may be double counted in the number of convictions.

The Report tracks the total length of imprisonment to which a defendant in a human trafficking case is sentenced, not only the term of imprisonment ordered for human trafficking convictions. For purposes of this Report, supervised release is not considered a term of imprisonment, unless the defendant was detained prior to trial. When calculating average terms of imprisonment, the Report excludes sentences exceeding 600 months (50 years). In 2020, one defendant was sentenced to more than 50 years in prison, with a sentence of 1,440 months (120 years). From 2000 to 2019, three defendants were sentenced to more than 50 years in prison, with sentences ranging from 720 months (60 years) to 1,200 months (100 years).

DEFENDANT’S PROFILE

When known, the Report includes 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 classifies the defendant’s gender according to the gender specified in public court documents or press releases. Where public sources identify the relationship that the defendant had with the victim prior to exploitation, the Report captures these data.

DEFENDANTS IN “ANCILLARY” HUMAN TRAFFICKING CASES

In cases where human trafficking is an ancillary matter in the federal criminal case, the Report

captures only defendants whom the government charged with a human trafficking crime. The Report categorizes human trafficking as an “ancillary” matter where it is clear that the primary purpose of the criminal enterprise was not human trafficking. For example, if a federal case is primarily about health care fraud, and the government charged only one of 10 defendants with a human trafficking crime and the remaining nine defendants with non-human-trafficking-related offenses, the Report would consider human trafficking to be an “ancillary” matter in the case. The Report would capture information about the defendant that the government charged with a human trafficking crime but would not include the other defendants who were unrelated to the trafficking crime(s).

Alternatively, if a federal case charged only one of 10 defendants with a human trafficking crime and the remaining nine defendants with non-human-trafficking offenses related to the human trafficking scheme (e.g., if one defendant was charged with sex trafficking for arranging for 30 women to be smuggled into the United States and compelling them to provide commercial sex at a massage parlor, while the other nine defendants were charged with alien harboring and money laundering), revealing that the case was primarily about human trafficking, the Report would not consider human trafficking to be an “ancillary” matter. Accordingly, the Report would capture information about all of the defendants the government charged.

Of the criminal human trafficking cases charged from 2000 to 2020, the Report found that human trafficking was an ancillary matter in 13 cases, three of which were forced labor cases and 10 of which were sex trafficking cases. It is important to note that in cases where trafficking is an ancillary matter, the case becomes “inactive” when the charges against the defendant charged with a trafficking crime are resolved, even where charges may still be pending against the other defendants.

CIVIL DEFENDANTS

For civil human trafficking cases, the Report includes only defendants against whom plaintiffs have alleged Chapter 77 offenses. Where it is a defendant in a civil suit that 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 tracks important dates in the civil process, such as the date the plaintiffs filed the suit, and the date of resolution, whether by dismissal, trial, or settlement. When determining dates, the Report generally relies on the file stamp date in the court docket, unless the court docket indicates that the event occurred on a different date. When the docket reveals that an event occurred on a date different from the file stamp date, the Report relies on the date that the event in fact occurred. For cases where the district court entered a judgment or default judgment, the Report discloses the amount of the judgment.

HUMAN TRAFFICKING & NON-HUMAN TRAFFICKING CHARGES

The Report captures each charge that the government filed against each defendant, including both human trafficking charges and non-human-trafficking charges. The Report relies 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 indicates the government reduced a defendant’s human trafficking charges as part of a plea agreement. In order to accurately reflect that the defendant pled down from a human trafficking charge, in this situation, the Report relies on the last-in-time charging instrument that contains a human trafficking charge.

HUMAN TRAFFICKING CHARGES

The Report categorizes any charge filed against a defendant under the following criminal statutes as a “human trafficking” crime:

- 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 or 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); and
- 18 U.S.C. § 1962 (RICO to Human Trafficking).

This list encompasses all of the Chapter 77 offenses, as well as attempt, conspiracy, ITAR, and RICO charges where the predicate 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:

alien harboring (8 U.S.C. 1324); Mann Act (18 U.S.C. §§ 2421–2423); child sexual abuse material (18 U.S.C. § 2251–2252); conspiracy (18 U.S.C. § 371); ITAR (18 U.S.C. § 1952); and RICO (18 U.S.C. § 1962) where the predicate offense is outside of Chapter 77.

NUMBER OF CHARGES

In general, the number of “charges” that the Report captures for a defendant equals the total number of charges included in the final charging instrument against the defendant. Where the government files a superseding information that includes additional charges for the sole purpose of a plea agreement, the Report also captures the charges from the charging instrument immediately preceding the superseding information. In doing so, the Report aims 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 includes all charges that the government brought against the defendant involved in the trafficking enterprise. This includes both human trafficking and non-human trafficking charges.

HUMAN TRAFFICKING VICTIMS

VICTIMS IN CRIMINAL CASES

The Report captures only publicly available information about victims that the government identified by the name, initials, or pseudonym within one or more human trafficking charge or related charges listed in the charging instruments. For these victims, the Report tracks the victim’s gender, age, and nationality, as well as particular vulnerabilities that the defendant may have targeted and the manner in which the victim was recruited. For the first year, the 2020 Report provides data on the nationality of victims, as well as 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 that the government identifies in specific offenses 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.

HUMAN TRAFFICKING APPEALS

Where a defendant has filed a notice of appeal in a criminal case, the Report tracks the timing and result of the appeal. The Report tracks only direct appeals that follow a final judgment in the case that are filed within the timeline set out in Rule 4 of the Federal Rules of Appellate Procedure. The Report captures information about direct appeals to an appellate court, as well as direct appeals to the U.S. Supreme Court. The Report does not track interlocutory appeals. Furthermore, the Report does 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 habeas corpus petition under 28 U.S.C. § 2241.

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 engages in a comprehensive review process of each human trafficking case entered into the database. Every case in the database is reviewed by at least two different project attorneys or law students. Once a project attorney enters information

about a case into the database, a different project attorney is tasked with reviewing each field using the primary sources to confirm each entry is correct. The project attorneys raise questions and anomalies to the Report’s Primary Authors for decisions. In addition, the project attorneys review the database through various topical troubleshooting reports to detect any blank fields or unusual entries.

IDENTIFYING KEY FINDINGS & EMERGING TRENDS

HTI provides a rigorous review of the data in federal human trafficking cases to identify key findings and emerging trends each year. In addition, prior to drafting the Report, HTI collaborates with key anti-trafficking stakeholders to preview the preliminary findings from the data and discuss themes and trends to include in the final Report publication. For the 2020 Report, HTI provided virtual briefings on the 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. Further, HTI collaborated with Polaris and members of the U.S. Advisory Council on Human Trafficking about emerging trends and Report terminology. HTI incorporated the recommendations and feedback from the preliminary findings briefings into the 2020 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 tracks the primary method that defendants in sex trafficking cases use to solicit buyers. The method of solicitation is determined by how or where a defendant locates buyers, including the following strategies:

- **Brothels:** When a trafficker solicits buyers of commercial sex through an illegal establishment where in-house commercial sex is offered to customers.
- **Erotic Services:** When a trafficker solicits buyers of commercial sex through a formal business with the primary purpose of supplying buyers with commercial sex or romantic companionship. This includes any time a potential victim provides commercial sex on an “out-call” basis. The victim may meet potential buyers at various types of locations (e.g., hotels, private residences, etc.).
- **Internet:** When a trafficker solicits buyers of commercial sex through an online website or social media platform.
- **Massage Parlor:** When a trafficker solicits buyers of commercial sex at a business that offers, or claims to offer, legitimate spa services. This includes legal massage parlors, as well as illicit massage parlors that claim to offer legitimate spa services but whose true purpose is to offer commercial sex to customers.
- **Pre-existing Relationship:** When a trafficker solicits buyers of commercial sex among individuals they already know. An example of the pre-existing relationship method of solicitation would be a drug dealer who begins selling victims for commercial sex to his customers in addition to drugs.

- **Street-based Commercial Sex:** When a trafficker expects 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 solicits or expects a victim to solicit buyers or initiate commercial sex at a strip club.
- **Truck Stop:** When a trafficker solicits or expects a victim to solicit buyers or initiate commercial sex at a truck stop.

INDUSTRIES IN FORCED LABOR CASES

The Report tracks the primary industry in forced labor cases, which is defined by the predominant type of labor or services that the defendant compels a victim to provide. Federal human trafficking cases involve victims exploited for labor or services in the following industries:

- **Agriculture:** When a trafficker compels 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 compels a victim to provide labor or services at an establishment that serves alcohol or drinks as its primary business purpose.
- **Construction:** When a trafficker compels 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 compels a victim to work for a family or household performing tasks such as cleaning or childcare, often living on site.

- **Beauty Services:** When a trafficker compels a victim to work at a business, the primary purpose of which is providing health or beauty services, such as manicures, haircuts, facials, and/or waxing.
- **Hospitality:** When a trafficker compels 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.
- **Manufacturing:** When a trafficker compels 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.
- **Restaurant or Food Industries:** When a trafficker compels a victim to work at a venue, the primary purpose of which is selling prepared food. This includes fast food restaurants, sit-down restaurants, and food or ice cream trucks.

METHODS OF COERCION

The 2020 Report categorizes every method of coercion as either physical or nonphysical. Physical coercion includes any method that involves bodily contact, physical restraint, or physical isolation, as well as conduct that impacts the victim’s physical health.²²⁷

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
- Physical abuse
- Physical isolation
- Rape or sexual violence

- Sleep deprivation
- Tattoos or branding
- Withholding medical care

Nonphysical coercion includes any method that involves threats, fraud or conduct that impacts 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 romance
- 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

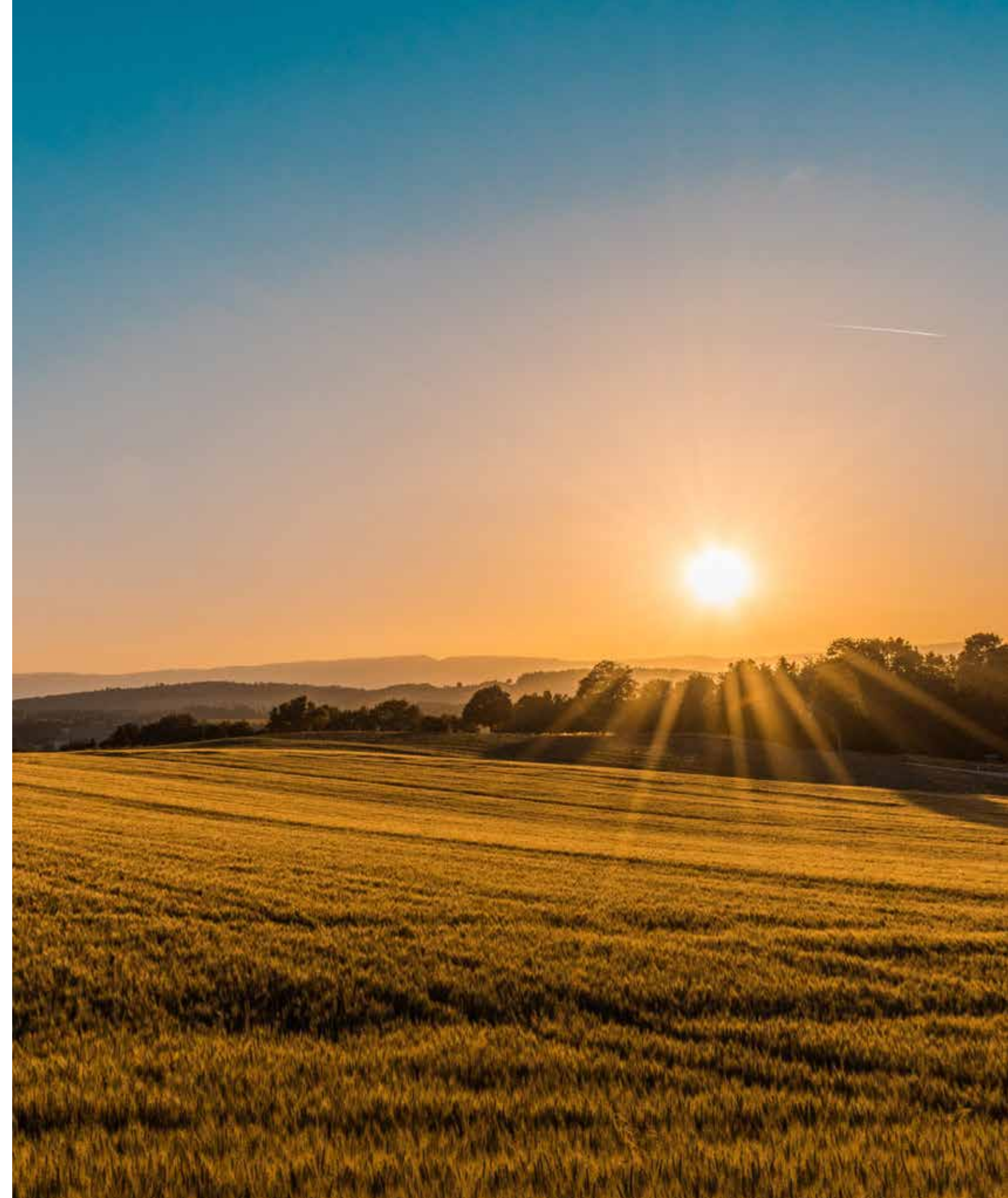
²²⁷ Although HTI recognizes that nonphysical coercion can cause trauma that physiologically impacts a victim’s health, for clarity in reporting, the 2020 Report does not categorize coercion of this nature as conduct impacting the victim’s physical health.

ADDITIONAL TERMINOLOGY

- **Adult:** Any person who is 18 years of age or older.
- **Child:** Any person who is under the age of 18.
- **District Court:** The district court is categorized by the district of the trial court currently handling the case or the district court that ultimately resolved the charges in the case.
- **Life Imprisonment:** A sentence of imprisonment for the defendant to remain in prison for the rest of their natural life. The Report captures life sentences that a 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 is 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 includes case filings that HTI purchased from PACER or documents that HTI retrieved from subscription legal databases.

- **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 2020.
- **Sting Case:** A deceptive law enforcement operation used to catch a person committing a crime. This includes cases in which law enforcement respond 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 2020

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CHARGED	COUNTS CHARGED
18 U.S.C. § 1591: Sex Trafficking	185	327
18 U.S.C. § 1594(c): Sex Trafficking Conspiracy	103	114
18 U.S.C. § 1594(a): Attempted Sex Trafficking	34	35
18 U.S.C. § 1591(d): Obstructing Enforcement of Sex Trafficking Offense	11	11
18 U.S.C. § 1962: RICO to Commit Trafficking Offense	2	2
18 U.S.C. § 1594(b): Forced Labor Conspiracy	1	1
18 U.S.C. § 1590: Trafficking for Peonage, Slavery, Involuntary Servitude, or Forced Labor	1	1
18 U.S.C. § 1589: Forced Labor	1	1

HUMAN TRAFFICKING CHARGES FILED AGAINST NEW DEFENDANTS IN FORCED LABOR CASES IN 2020

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CHARGED	COUNTS CHARGED
18 U.S.C. § 1589: Forced Labor	14	26
18 U.S.C. § 1594(b): Forced Labor Conspiracy	5	5
18 U.S.C. § 1590: Trafficking for Peonage, Slavery, Involuntary Servitude, or Forced Labor	2	2
18 U.S.C. § 1584: Involuntary Servitude	2	2

HUMAN TRAFFICKING CONVICTIONS IN SEX TRAFFICKING CASES IN 2020

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CONVICTED	COUNTS OF CONVICTION
18 U.S.C. § 1591: Sex Trafficking	69	124
18 U.S.C. § 1594(c): Sex Trafficking Conspiracy	36	37
18 U.S.C. § 1594(a): Attempted Sex Trafficking	8	11
18 U.S.C. § 371: Conspiracy to Commit Human Trafficking	7	10
18 U.S.C. § 1962: RICO to Commit Trafficking Offense	3	3
18 U.S.C. § 1952: ITAR to Commit Trafficking Offense	2	2
18 U.S.C. § 1594(b): Forced Labor Conspiracy	1	1
18 U.S.C. § 1591(d): Obstructing Enforcement of Sex Trafficking Offense	1	1

NON-HUMAN-TRAFFICKING CONVICTIONS IN SEX TRAFFICKING CASES IN 2020

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CONVICTED	COUNTS OF CONVICTION
18 U.S.C. §§ 2421-2423: Mann Act	29	50
18 U.S.C. §§ 2251-2252A: Child Pornography	17	68
Drug-Related Offense	17	29
18 U.S.C. § 1952: ITAR to non-human-trafficking offense	10	20
18 U.S.C. § 1956: Laundering of monetary instruments	8	8
18 U.S.C. § 371: Conspiracy to commit non-human-trafficking offense	8	8
18 U.S.C. § 1512: Witness Tampering	4	4
18 U.S.C. § 1962: RICO to non-human-trafficking offense	3	3
18 U.S.C. § 2260A: Penalties for Registered Sex Offenders	2	2
18 U.S.C. § 1201: Kidnapping	2	2
18 U.S.C. § 924(c): Possession of a Firearm (Crime of Violence)	2	2
18 U.S.C. § 922(g): Felon in Possession of Firearm	2	2
18 U.S.C. § 1951: Interference with commerce by threats or violence	1	2
18 U.S.C. § 1546: Visa Fraud	1	3
18 U.S.C. § 1349: Attempt and conspiracy	1	1
18 U.S.C. § 1028: Fraudulent activity regarding identification documents	1	1
18 U.S.C. § 1001: Statements or entries generally	1	1
8 U.S.C. § 1326: Reentry of removed aliens	1	1
8 U.S.C. § 1324: Alien Harboring	1	1

HUMAN TRAFFICKING CONVICTIONS IN FORCED LABOR CASES IN 2020

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CONVICTED	COUNTS OF CONVICTION
18 U.S.C. § 1589: Forced Labor	6	10
18 U.S.C. § 1594(b): Forced Labor Conspiracy	2	2
18 U.S.C. § 1597: Immigration Documents	1	1

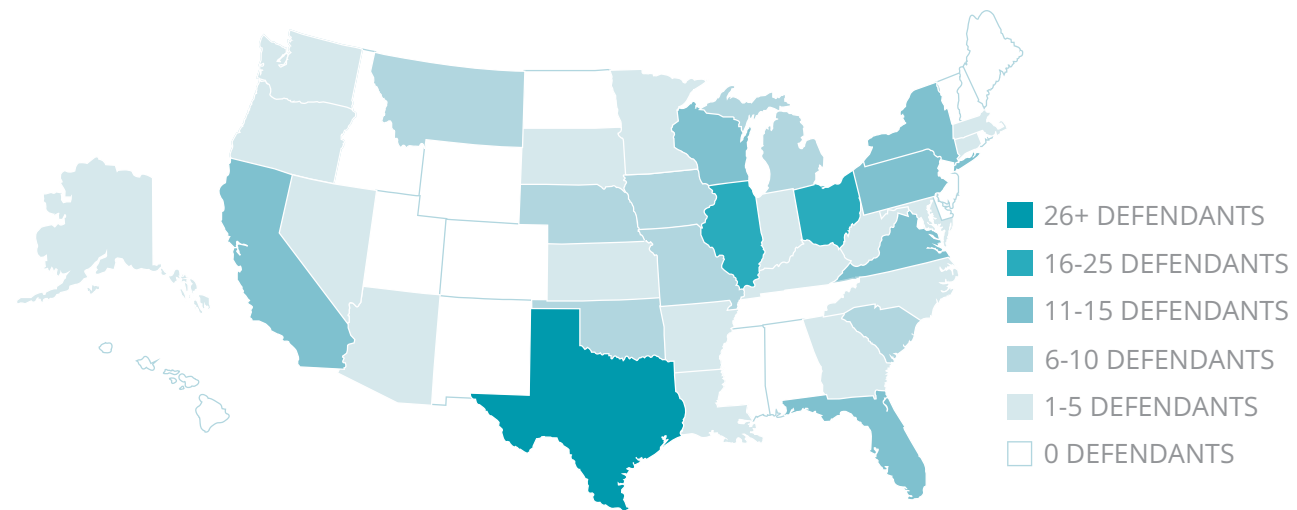
NON-HUMAN-TRAFFICKING CONVICTIONS IN FORCED LABOR CASES IN 2020

HUMAN TRAFFICKING OFFENSE	DEFENDANTS CONVICTED	COUNTS OF CONVICTION
8 U.S.C. § 1324: Alien Harboring	4	5
18 U.S.C. § 1351: Fraud in Foreign Labor Contracting	1	1
8 U.S.C. § 1325: Improper Entry by Alien	1	1



MAPS OF FEDERAL HUMAN TRAFFICKING CASES BY STATE

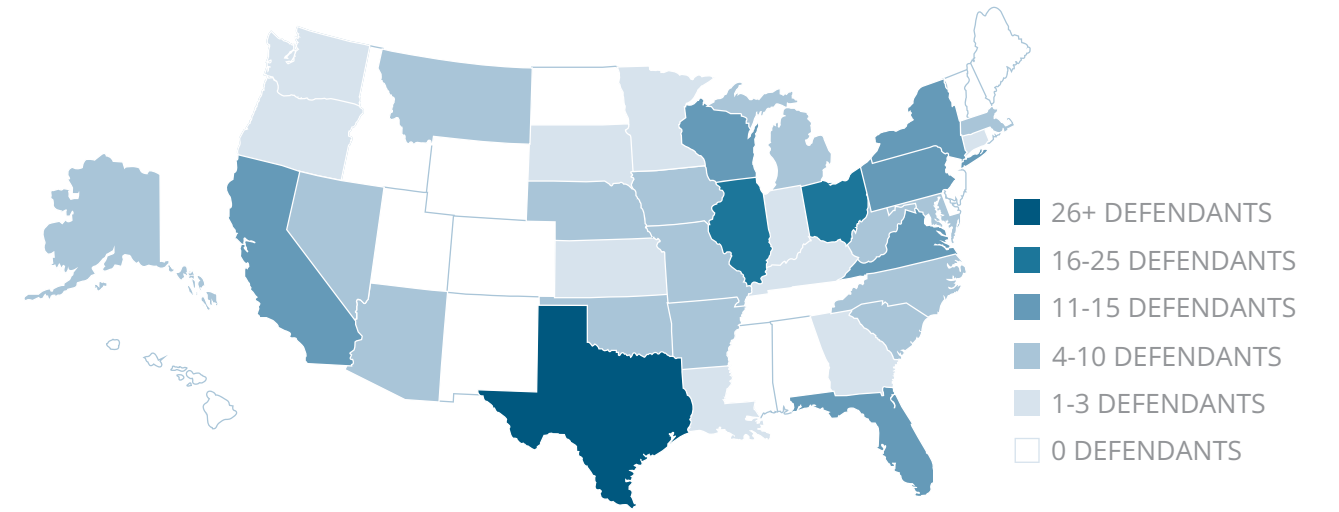
NEW DEFENDANTS IN CRIMINAL HUMAN TRAFFICKING CASES IN 2020



U.S. TERRITORIES



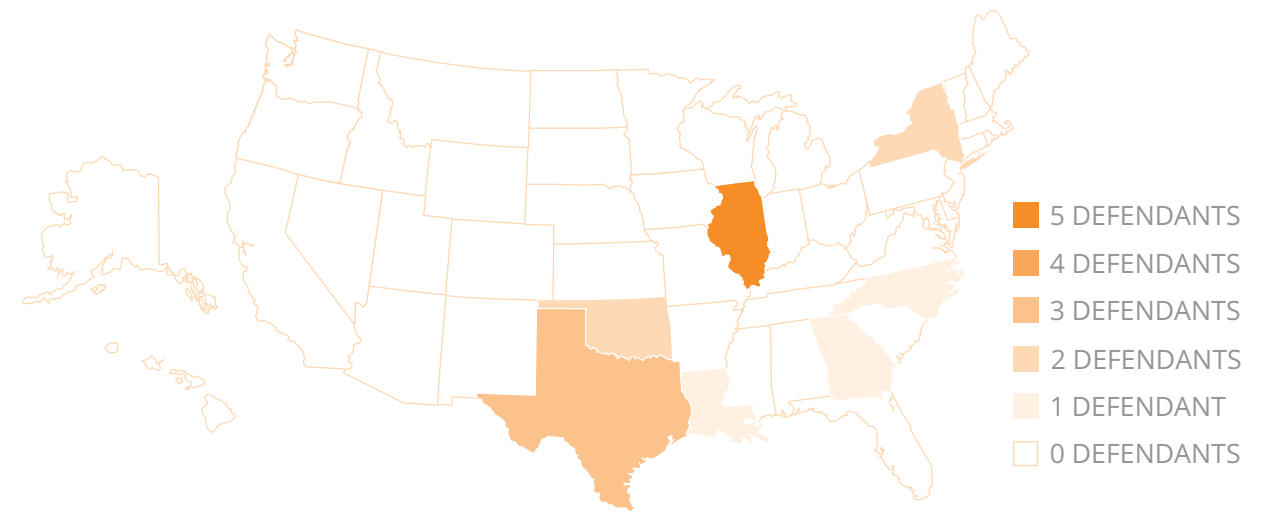
NEW DEFENDANTS IN CRIMINAL SEX TRAFFICKING CASES IN 2020



U.S. TERRITORIES



NEW DEFENDANTS IN CRIMINAL FORCED LABOR CASES IN 2020

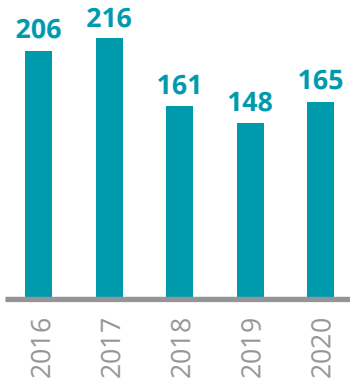


U.S. TERRITORIES

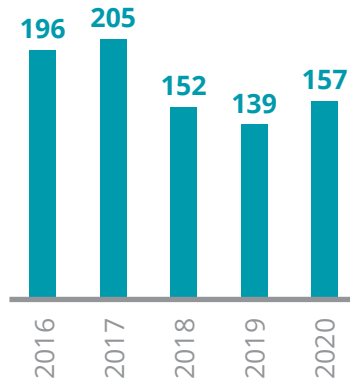


YEAR-OVER-YEAR CHARTS

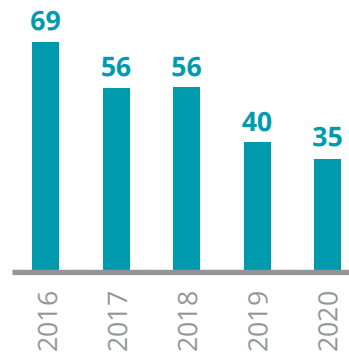
NEW CRIMINAL HUMAN TRAFFICKING CASES



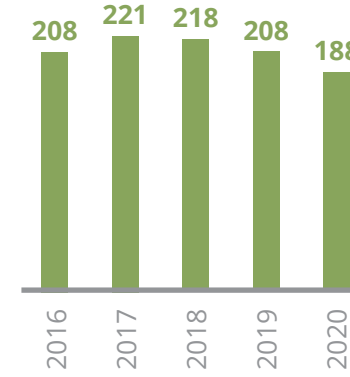
NEW CRIMINAL SEX TRAFFICKING CASES



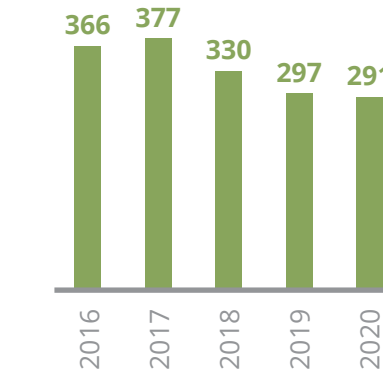
NEW CRIMINAL SEX TRAFFICKING CASES WITH ADULT VICTIMS



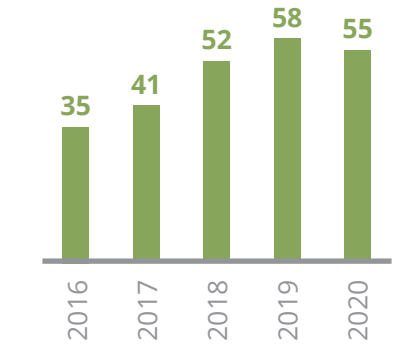
ACTIVE CRIMINAL SEX TRAFFICKING CASES WITH ADULT VICTIMS



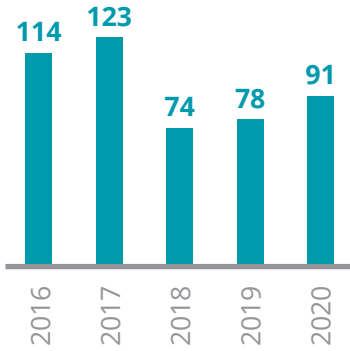
ACTIVE CRIMINAL SEX TRAFFICKING CASES WITH CHILD VICTIMS ONLY



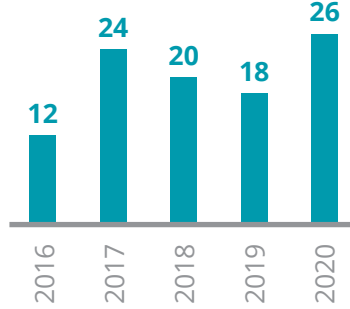
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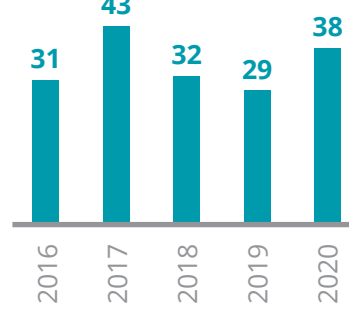
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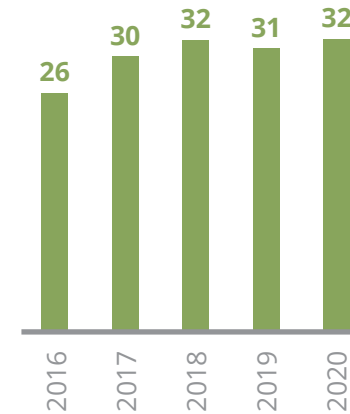
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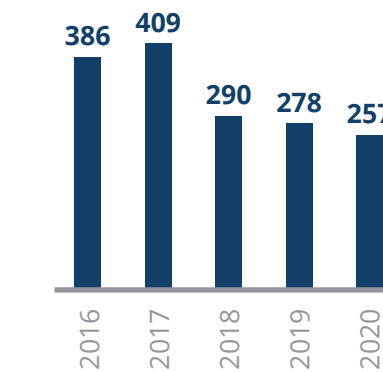
NEW CRIMINAL SEX TRAFFICKING CASES WITH BUYER DEFENDANTS



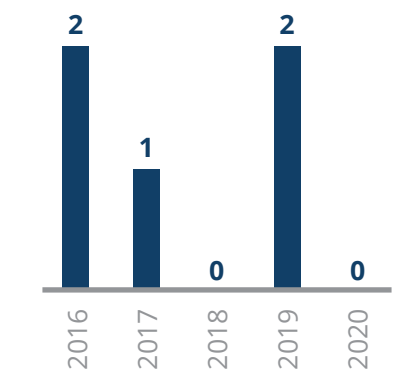
ACTIVE CRIMINAL FORCED LABOR CASES



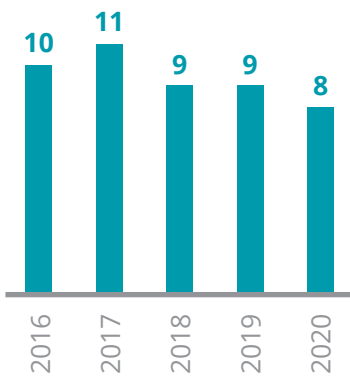
NEW DEFENDANTS IN CRIMINAL HUMAN TRAFFICKING CASES



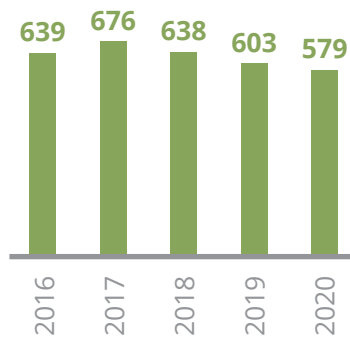
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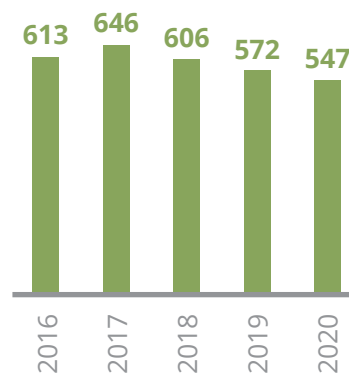
NEW CRIMINAL FORCED LABOR CASES



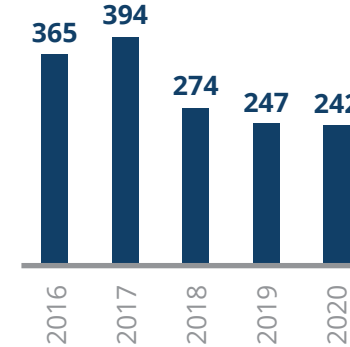
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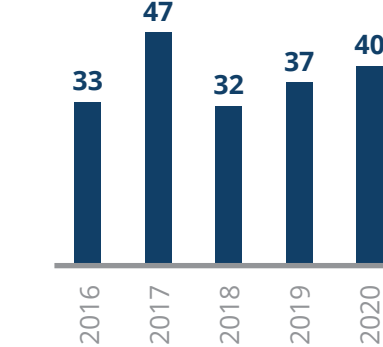
ACTIVE CRIMINAL SEX TRAFFICKING CASES



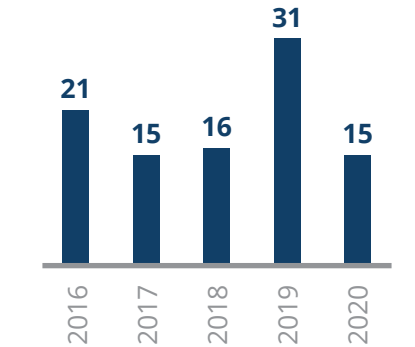
NEW CRIMINAL DEFENDANTS IN SEX TRAFFICKING CASES



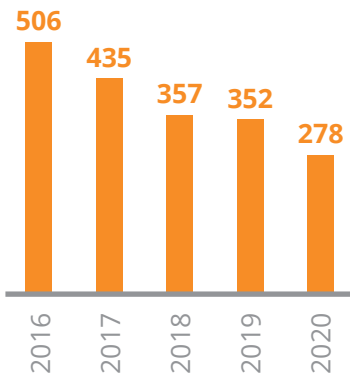
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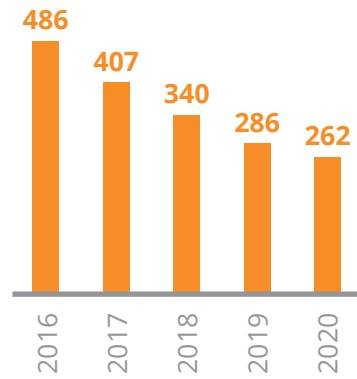
NEW CRIMINAL DEFENDANTS IN FORCED LABOR CASES



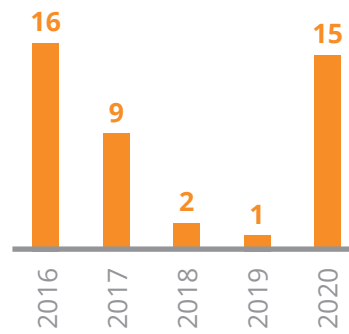
VICTIMS IDENTIFIED IN NEW CRIMINAL HUMAN TRAFFICKING CASES



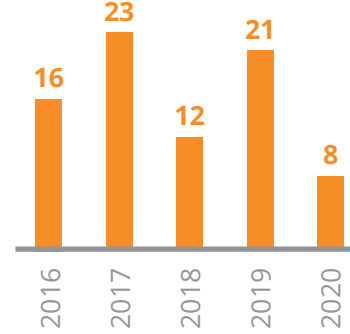
VICTIMS IDENTIFIED IN NEW CRIMINAL SEX TRAFFICKING CASES



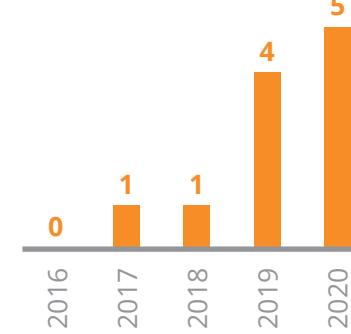
MALE VICTIMS IDENTIFIED IN NEW CRIMINAL SEX TRAFFICKING CASES



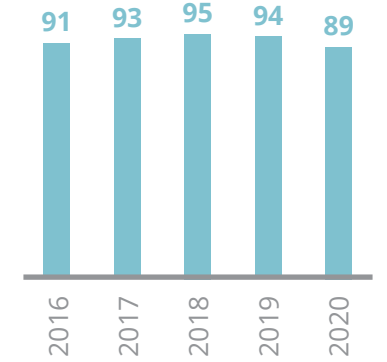
ADULT VICTIMS IDENTIFIED IN NEW CRIMINAL FORCED LABOR CASES



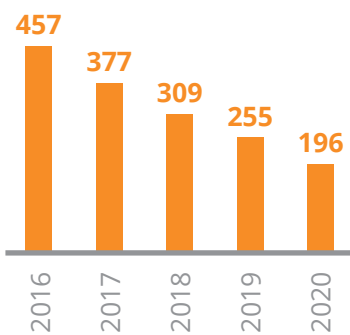
CHILD VICTIMS IDENTIFIED IN NEW CRIMINAL FORCED LABOR CASES



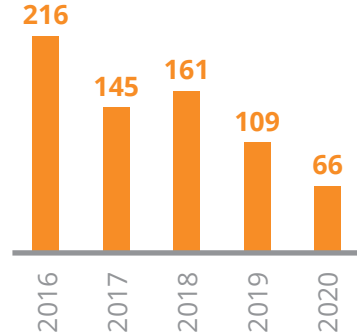
CONVICTION RATE IN HUMAN TRAFFICKING CASES (%)



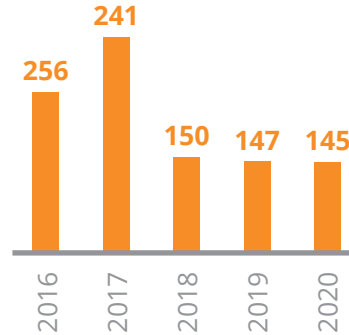
FEMALE VICTIMS IDENTIFIED IN NEW CRIMINAL SEX TRAFFICKING CASES



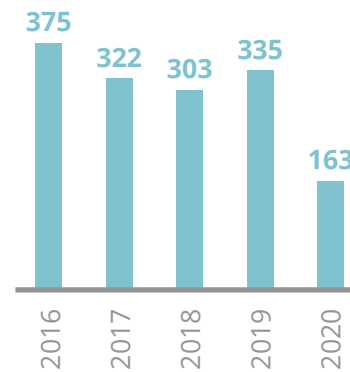
ADULT VICTIMS IDENTIFIED IN NEW CRIMINAL SEX TRAFFICKING CASES



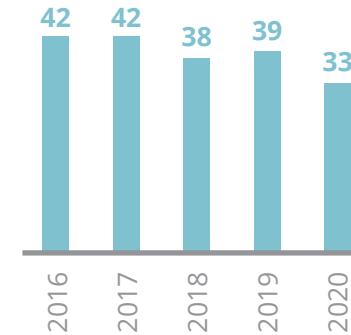
CHILD VICTIMS IDENTIFIED IN NEW CRIMINAL SEX TRAFFICKING CASES



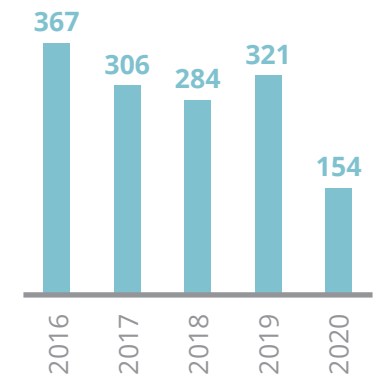
DEFENDANTS CONVICTED IN HUMAN TRAFFICKING CASES



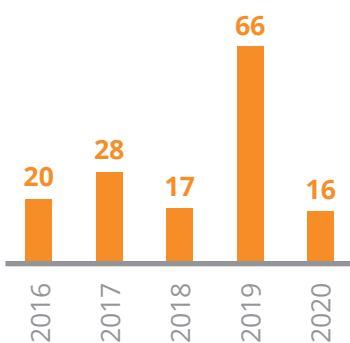
DEFENDANTS CONVICTED IN HUMAN TRAFFICKING CASES BY TRIAL



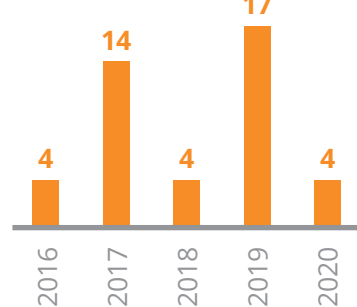
DEFENDANTS CONVICTED IN SEX TRAFFICKING CASES



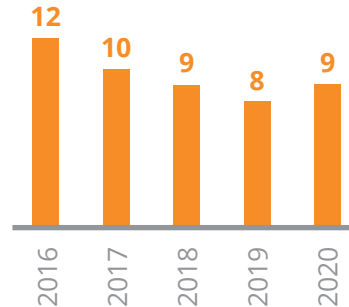
VICTIMS IDENTIFIED IN NEW CRIMINAL FORCED LABOR CASES



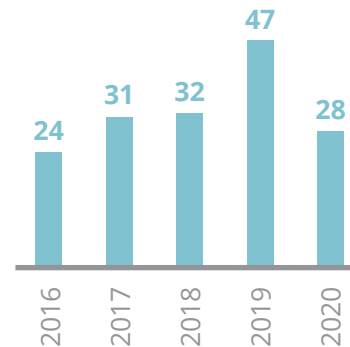
MALE VICTIMS IDENTIFIED IN NEW CRIMINAL FORCED LABOR CASES



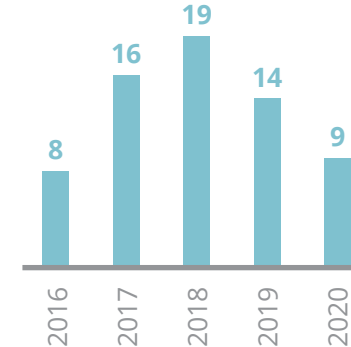
FEMALE VICTIMS IDENTIFIED IN NEW CRIMINAL FORCED LABOR CASES



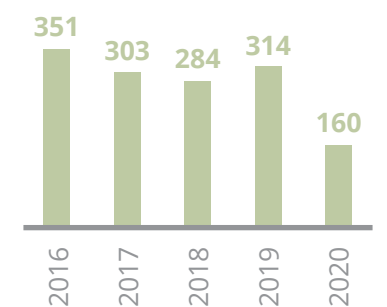
BUYER DEFENDANTS CONVICTED IN SEX TRAFFICKING CASES



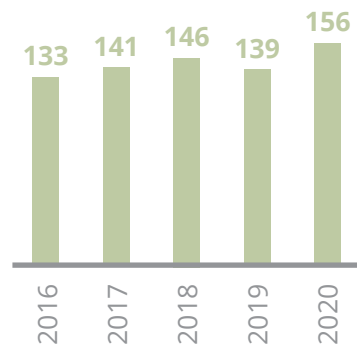
DEFENDANTS CONVICTED IN FORCED LABOR CASES



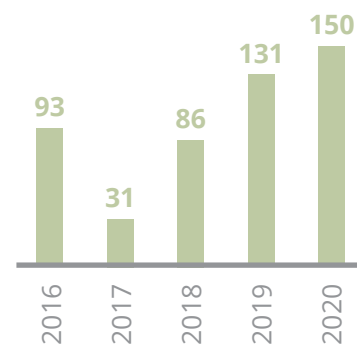
DEFENDANTS IN HUMAN TRAFFICKING CASES SENTENCED TO TERM OF IMPRISONMENT



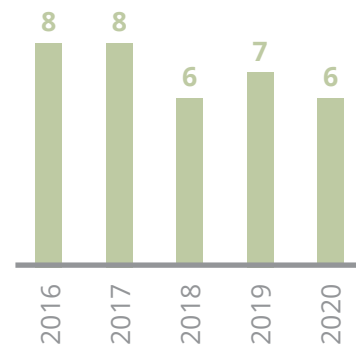
AVERAGE LENGTH OF SENTENCE FOR SEX TRAFFICKING DEFENDANT (MONTHS)



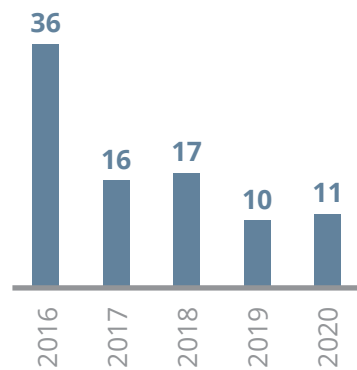
AVERAGE LENGTH OF SENTENCE FOR FORCED LABOR DEFENDANT (MONTHS)



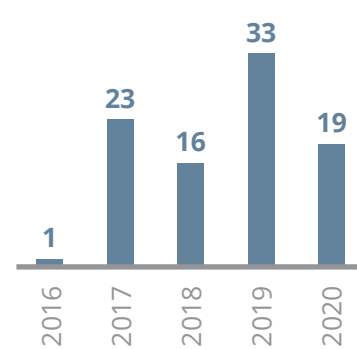
HUMAN TRAFFICKING DEFENDANTS SENTENCED TO LIFE IN PRISON



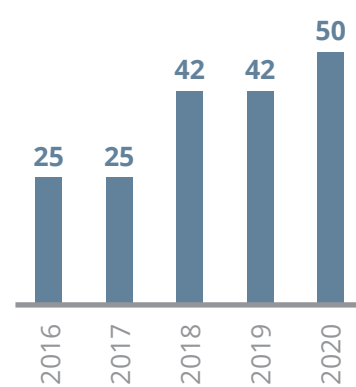
HUMAN TRAFFICKING DEFENDANTS ORDERED TO PAY A FINE



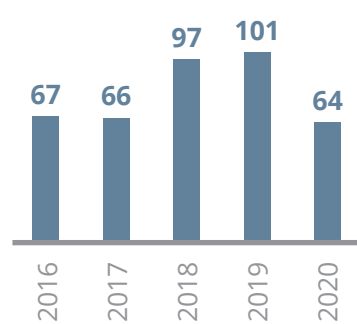
HUMAN TRAFFICKING DEFENDANTS ORDERED TO PAY \$5,000 JVTVA ASSESSMENT



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 2020

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	0	0	0	0	0
Alabama Northern	0	0	0	0	1
Alabama Southern	0	0	0	0	0
Alaska	4	4	0	0	0
Arizona	3	4	0	0	1
Arkansas Eastern	4	4	0	0	0
Arkansas Western	0	0	0	0	0
California Central	3	5	0	0	2
California Eastern	1	1	0	0	0
California Northern	2	2	0	0	0
California Southern	3	4	0	0	1
Colorado	0	0	0	0	2
Connecticut	1	2	0	0	0
Delaware	0	0	0	0	0
District of Columbia	0	0	0	0	0
Florida Middle	5	5	0	0	0
Florida Northern	3	5	0	0	9
Florida Southern	4	5	0	0	3
Georgia Middle	0	0	0	0	0
Georgia Northern	1	1	0	0	1
Georgia Southern	1	1	1	1	0
Guam	0	0	0	0	0
Hawaii	0	0	0	0	0
Idaho	0	0	0	0	0
Illinois Central	8	9	0	0	9
Illinois Northern	4	5	2	5	1
Illinois Southern	2	2	0	0	17
Indiana Northern	1	1	0	0	0
Indiana Southern	1	2	0	0	0
Iowa Northern	0	0	0	0	0
Iowa Southern	5	6	0	0	2
Kansas	3	3	0	0	0
Kentucky Eastern	1	1	0	0	0
Kentucky Western	1	1	0	0	0
Louisiana Eastern	0	0	0	0	1
Louisiana Middle	0	0	0	0	0
Louisiana Western	0	0	1	1	0
Maine	0	0	0	0	0

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	4	4	0	0	0
Massachusetts	4	5	0	0	1
Michigan Eastern	5	6	0	0	1
Michigan Western	0	0	0	0	0
Minnesota	1	1	0	0	0
Mississippi Northern	0	0	0	0	0
Mississippi Southern	0	0	0	0	1
Missouri Eastern	2	2	0	0	2
Missouri Western	2	6	0	0	0
Montana	2	6	0	0	0
Nebraska	2	6	0	0	3
Nevada	4	4	0	0	1
New Hampshire	0	0	0	0	0
New Jersey	0	0	0	0	1
New Mexico	0	0	0	0	0
New York Eastern	2	4	0	0	1
New York Northern	1	1	0	0	3
New York Southern	4	6	0	0	2
New York Western	2	2	1	2	0
North Carolina Eastern	1	1	0	0	0
North Carolina Middle	0	0	0	0	0
North Carolina Western	3	3	1	1	1
North Dakota	0	0	0	0	0
Northern Mariana Islands	0	0	0	0	0
Ohio Northern	5	7	0	0	1
Ohio Southern	3	15	0	0	3
Oklahoma Eastern	0	0	0	0	0
Oklahoma Northern	3	5	1	2	0
Oklahoma Western	2	3	0	0	0
Oregon	1	1	0	0	0
Pennsylvania Eastern	1	10	0	0	0
Pennsylvania Middle	3	3	0	0	0
Pennsylvania Western	0	0	0	0	0
Puerto Rico	1	1	0	0	3
Rhode Island	0	0	0	0	1
South Carolina	2	7	0	0	0
South Dakota	2	2	0	0	1
Tennessee Eastern	0	0	0	0	1
Tennessee Middle	0	0	0	0	2
Tennessee Western	0	0	0	0	0
Texas Eastern	2	4	0	0	0
Texas Northern	14	18	0	0	4
Texas Southern	1	1	1	3	0

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	2	3	0	0	4
Utah	0	0	0	0	0
Vermont	0	0	0	0	0
Virginia Eastern	2	13	0	0	1
Virginia Western	0	0	0	0	0
Virgin Islands	0	0	0	0	1
Washington Eastern	1	1	0	0	0
Washington Western	2	2	0	0	2
West Virginia Northern	0	0	0	0	0
West Virginia Southern	4	4	0	0	1
Wisconsin Eastern	4	10	0	0	0
Wisconsin Western	2	2	0	0	0
Wyoming	0	0	0	0	0
TOTAL	157	242	8	15	92

ACTIVE CASES, ACTIVE DEFENDANTS, & CONVICTIONS IN 2020

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	0	0	0	0	0	0
Alabama Northern	0	0	0	0	0	0
Alabama Southern	0	0	0	0	0	0
Alaska	9	9	0	0	0	0
Arizona	7	8	0	0	1	0
Arkansas Eastern	8	9	0	0	0	0
Arkansas Western	0	0	0	0	0	0
California Central	8	16	0	0	1	0
California Eastern	13	17	3	5	3	2
California Northern	8	12	1	1	4	0
California Southern	16	30	2	14	6	0
Colorado	1	1	0	0	0	0
Connecticut	3	4	0	0	0	0
Delaware	0	0	0	0	0	0
District of Columbia	7	12	0	0	0	0
Florida Middle	11	12	1	1	1	0
Florida Northern	4	6	0	0	1	0
Florida Southern	17	24	1	1	4	1
Georgia Middle	3	4	0	0	0	0
Georgia Northern	9	17	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
Georgia Southern	2	2	1	1	1	0
Guam	0	0	0	0	0	0
Hawaii	2	2	0	0	0	0
Idaho	0	0	0	0	0	0
Illinois Central	10	13	0	0	2	0
Illinois Northern	18	25	4	7	1	0
Illinois Southern	2	2	0	0	0	0
Indiana Northern	3	3	0	0	1	0
Indiana Southern	4	7	0	0	3	0
Iowa Northern	1	1	0	0	1	0
Iowa Southern	9	19	0	0	6	0
Kansas	4	4	0	0	0	0
Kentucky Eastern	4	9	1	2	1	2
Kentucky Western	4	4	0	0	1	0
Louisiana Eastern	1	1	1	1	0	0
Louisiana Middle	0	0	0	0	0	0
Louisiana Western	1	1	1	1	0	0
Maine	2	3	0	0	1	0
Maryland	16	21	1	1	2	1
Massachusetts	8	9	0	0	2	0
Michigan Eastern	18	38	0	0	5	0
Michigan Western	1	1	0	0	0	0
Minnesota	6	26	1	1	9	0
Mississippi Northern	2	2	0	0	0	0
Mississippi Southern	3	5	0	0	0	0
Missouri Eastern	7	8	0	0	1	0
Missouri Western	9	13	0	0	3	0
Montana	3	7	0	0	0	0
Nebraska	3	7	0	0	1	0
Nevada	9	11	0	0	0	0
New Hampshire	1	1	0	0	0	0
New Jersey	1	3	1	1	0	1
New Mexico	5	24	0	0	2	0
New York Eastern	15	35	2	4	5	0
New York Northern	2	2	0	0	0	0
New York Southern	14	52	0	0	13	0
New York Western	13	16	1	2	4	0
North Carolina Eastern	8	11	0	0	2	0
North Carolina Middle	0	0	0	0	0	0
North Carolina Western	6	6	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	14	1	1	0	1
Ohio Southern	6	20	0	0	1	0
Oklahoma Eastern	0	0	0	0	0	0
Oklahoma Northern	4	6	1	2	1	0
Oklahoma Western	6	11	0	0	2	0
Oregon	9	13	0	0	1	0
Pennsylvania Eastern	14	35	1	2	5	0
Pennsylvania Middle	12	27	0	0	9	0
Pennsylvania Western	1	2	0	0	1	0
Puerto Rico	7	7	0	0	1	0
Rhode Island	0	0	0	0	0	0
South Carolina	7	15	1	1	0	0
South Dakota	8	8	0	0	4	0
Tennessee Eastern	2	2	0	0	1	0
Tennessee Middle	3	3	0	0	1	0
Tennessee Western	2	2	0	0	1	0
Texas Eastern	5	9	1	2	4	1
Texas Northern	28	47	1	2	3	0
Texas Southern	24	57	1	3	9	0
Texas Western	4	5	0	0	1	0
Utah	1	2	0	0	0	0
Vermont	1	1	0	0	1	0
Virginia Eastern	7	24	1	3	5	0
Virginia Western	1	1	0	0	1	0
Virgin Islands	3	4	0	0	0	0
Washington Eastern	8	9	0	0	5	0
Washington Western	4	4	0	0	0	0
West Virginia Northern	0	0	0	0	0	0
West Virginia Southern	6	6	0	0	2	0
Wisconsin Eastern	11	21	1	5	5	0
Wisconsin Western	8	9	0	0	0	0
Wyoming	0	0	0	0	0	0
TOTAL	547	942	32	65	154	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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