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INVESTIGATION
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REPORT ON
HUMAN TRAFFICKING



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MS Statewide Human Trafficking Coordinator

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Table of Contents

Executive Summary.....	3
Introduction	3
Summary of the Issue	4
Statement of the Problem.....	4
Human Trafficking Initiatives	6
Grants	6
Task Force	7
Data Collection.....	8
Types of Activities Reported	8
Efforts to Combat Human Trafficking	9
Impacts on Victims and the State.....	10
Evaluation of State Efforts.....	12
References	13

Executive Summary

Introduction

On March 28, 2019, Governor Phil Bryant signed House Bill No. 571 into law. This bill addressed human trafficking and the Mississippi Bureau of Investigation (MBI) including:

The bill funded and moved the Human Trafficking Coordinator Position to MBI and funded and created the Human Trafficking Analyst position under MBI;

Human Trafficking Coordinator duties include, but are not limited to:

1. Coordinate implementation of this act
2. Evaluate state efforts to combat human trafficking
3. Collect data on human trafficking
4. Exclude public reports about a victim and victim's family
5. Examine existing research, and/or to commission new research on the topic of human trafficking
6. Promote human trafficking public awareness, including services for victims and national hotline information
7. Create and maintain a website to promote the Coordinator's work
8. Submit to the legislature an annual report including:
 - a. Types of activities reported
 - b. Efforts to combat human trafficking
 - c. Impacts on victims and the state
 - d. Evaluation of state efforts
9. Develop and implement rules and regulations pertaining to the use of the Relief for Victims of Human Trafficking Fund to support services¹
10. Assist in the creation and operations of local human trafficking task forces or working groups around the state, including serving on a task force or a multidisciplinary child protection team

¹ House Bill No. 1559 mandated the creation of the Victims of Human Trafficking and Commercial Exploitation Fund. The interplay between the Relief for Victims of Human Trafficking Fund referenced in House Bill No. 571 and the Victims of Human Trafficking and Commercial Exploitation Fund is unclear.

11. Apply for grants to enhance investigation and prosecution of trafficking offenses or to improve victim's services to combat human trafficking in this state which are appropriate
12. Perform any other duties specifically required by law

Summary of the Issue

Human trafficking, as defined by the U.S. Department of State, is the act of recruiting, harboring, transporting, providing or obtaining a person for labor, services, or commercial sex acts by means of force, fraud or coercion for the purpose of exploitation, involuntary servitude, peonage, debt bondage or slavery, or any commercial sex act involving a minor. Trafficking is modern-day slavery that victimizes vulnerable populations including women, children, and impoverished individuals.

Human trafficking is the fastest growing criminal industry in the world.ⁱ Internationally, human trafficking is the second largest criminal enterprise, second only to drug trafficking.ⁱⁱ While drugs can be sold only once, a human being can be sold multiple times each day for many years. Some organizations expect human trafficking to surpass drug trafficking and become the number one criminal enterprise within a decade.ⁱⁱⁱ

In 2000, the U.S. Congress passed the Trafficking Victims Protection Act designating human trafficking a federal crime with severe penalties. The law is three-pronged, with approaches for protection, prosecution, and prevention. All three of these areas have been strengthened with the Trafficking Victims Protection Reauthorization Acts with the last reauthorization January 9, 2019.

The State of Mississippi (MS) criminalized trafficking of persons in 2006 with the enactment of House Bill No. 381. The law was amended in 2013 with House Bill No. 673. MS House Bill No. 571, which went into effect July 1, 2019, addressed many issues pertaining to human trafficking. The new law clarified a minor under the age of 18 cannot be charged with the crime of prostitution. It required law enforcement agencies to add the state Human Trafficking Coordinator as a contact. The law clarified an abused child includes a victim of commercial sexual exploitation or human trafficking and provided the statewide Human Trafficking Coordinator shall be under MBI, MS Department of Public Safety (MDPS).^{iv}

Statement of the Problem

The primary concerns with human trafficking in MS are: 1) identifying the scope of the problem; 2) if identified, whether the case is appropriately investigated, charged and prosecuted; 3) availability of quality services and shelters for victims. Reports of human trafficking cases in MS from state agencies, victim's services, and the National Human Trafficking Hotline (NHTH) are substantially greater than the number of prosecutions. In March 2015, facts and data pertaining to domestic minor sex trafficking were compiled, but the same data is not available for sex trafficking of adults or labor trafficking.^v

Several factors make MS opportunistic for traffickers. The NHTH sees recurring vulnerabilities in the agriculture industry including immigration status, H-2A visas, seasonal, temporary work, and isolation. Agriculture is MS's number one industry, employing approximately 29% of the state's workforce either directly or indirectly. Agriculture in MS is a billion-dollar industry.^{vi}

MS has a growing international port, an international airport, casino industry, and major Interstates 10, 20, 22, 55, and 59, making it a hub for both sex and labor trafficking. A sex trafficking ring spanning nine states including MS was prosecuted in Georgia in 2016.^{vii} In another case, the defendants, all of whom resided illegally in the United States, were sentenced to prison ranging from 8 1/2 months to 60 months in an interstate human trafficking case per Christopher P. Canova, United States Attorney for the Northern District of Florida. Two of the defendants were from MS. Charges included engaging in a conspiracy to transport, harbor, and market undocumented female immigrants for prostitution in Florida, Alabama, MS, and Louisiana. The defendants wired the prostitution proceeds outside the United States.^{viii}

In 2018, a Hattiesburg man was sentenced to 30 years for human trafficking of a minor.^{ix}

In 2019, a Jackson man, who prostituted runaway children, was sentenced to serve 32 years in prison on two counts of sex trafficking minors and two counts of promoting a prostitution business. The defendant bought a runaway child for \$500 and recruited other minors who had run away from home to be prostitutes.^x

In 2020, three Jackson residents plead guilty to human trafficking of a minor.^{xi}

Sex Trafficking: A recent report sponsored by the Office of Juvenile Justice and Delinquency Prevention, the Institute of Medicine and the National Research Council (2013) identified a range of risk factors for minor sex trafficking victims. These included individual factors such as a history of maltreatment, homelessness, system involvement (e.g., juvenile justice, child welfare), and victims of discrimination; community factors such as social isolation, gang involvement, and under-resourced schools and communities; and societal factors such as lack of awareness about sex trafficking of minors, sexualization of children, and lack of resources. Each of these risk factors are reflected in demographic descriptors of MS. Regarding Child Well-Being, *Kids Count*, the report conducted and published by the Annie E. Casey Foundation ranked MS 48th among the 50 states for overall child well-being.^{xii}

The 2013 Annual Homeless Assessment Report to Congress, compiled by the US Department of Housing and Urban Development, listed MS as the second worst state for child homelessness in the country. From MS in 2017, a State Gang Threat Assessment, identified the 46 most prevalent gangs operating within MS and linked members of some of these gangs to illegal activities such as human trafficking.^{xiii}

Labor Trafficking: According to a research report, *Understanding the Organization, Operation, and Victimization Process of Labor Trafficking in the United States*, conducted by the Urban Institute and Northeastern University, labor trafficking investigations were not prioritized by local or federal law enforcement agencies.^{xiv} This lack of prioritization was consistent across all study

sites and all industries in which labor trafficking occurred. The US Department of Labor was rarely involved. Survivors mostly escaped on their own and lived for several months or years before being connected to a specialized service provider. A lack of awareness and outreach, coupled with the victims' fear of being unauthorized, inhibited the identification of survivors. All victims in this study sample were immigrants working in the United States. Most of the sample (71%) entered the United States on a temporary visa. The most common temporary visas were H-2A visas for work in agriculture and H-2B visas for jobs in hospitality, construction, and restaurants. In June 2019, MS had 3,580 certified positions for H-2A visas and 2,520 H-2B visas. Inclusion of the Department of Labor is essential on the Task Force and awareness and training for labor trafficking is much needed due to our large agriculture, casino, and tourism industry.

Several factors increase the chances of exploitation by traffickers such as poverty, single-parent families, missing and runaway children, and lack of education. Awareness efforts have resulted in some improvement in identification of trafficking cases; however, MS did not have a mechanism for collecting and tracking data of identified cases until recently. Investigation and prosecution of trafficking crimes remains underrepresented. Collaborative Law Enforcement Task Force efforts coupled with training should increase state prosecutions of Human Trafficking.

Human Trafficking Initiatives

Application for Grants:

The FY 2019 Enhanced Collaborative Model Task Force to Combat Human Trafficking: Supporting Law Enforcement's Role

MBI applied for this grant which assists communities in developing effective and sustainable multidisciplinary task forces that will implement victim-centered and coordinated approaches to identify victims of trafficking. On September 30, 2019, MBI received notification of an award in the amount of \$800,000 over a three-year period to fund three additional MBI human trafficking agents positioned in North, Central, and South, MS. This funding included equipment and resources to support human trafficking investigations.

The FY 2019 OVC Direct Services to Support Victims of Human Trafficking Program: Focus Area 3 – Comprehensive Services and Partnership with Enhanced Collaborative Model Human Trafficking Task Forces

The MS State Department of Health (MSDH) Office Against Interpersonal Violence (OAIV) was selected as the victim service partner best positioned to apply as the co-applicant. The OAIV is responsible for developing certification and reporting standards for domestic violence and related victim service providers, including sexual assault and human trafficking. The OAIV administers various federal and state funds to support victims. On September 30, 2019, the OAIV received notification of an award of \$900,000 to support comprehensive human trafficking victim's services in MS.

Task Force:

The Mississippi Human Trafficking Council (MHTC) was created and launched September 9, 2019. The MHTC is chaired by the U.S. Attorney's Office and MBI, MDPS. Building on the foundation established by Governor Phil Bryant's Human Trafficking Task Force Report from 2015, as well as task forces from around the country, the MHTC's mission is: In a victim-centered, collaborative, and multi-disciplinary model, we will *partner to prevent* trafficking, *protect* victims, and *prosecute* criminals in all forms of domestic and international human trafficking, to include commercial sex trafficking and labor trafficking, for the protection of both adult and minor victims.

The Council is led by three Co-Chairs: (1) Susan Bradley, Assistant U.S. Attorney, Northern District of MS; (2) Kathlyn Van Buskirk, Assistant U.S. Attorney, Southern District of MS; and (3) Ashlee Lucas, MS Human Trafficking Coordinator, MBI, MDPS.

MHTC Subcommittees and Law Enforcement Task Forces:

1. Outreach and Public Awareness

Purpose: Develops language, messaging, and media to be used when coordinating public interfacing activities for the Council.

2. Strategic Planning and Trafficking Protocol

Purpose: Recommends standard operating procedures and protocols for the Council.

3. Policy and Legislation

Purpose: Identifies the gaps and impediments to addressing human trafficking and recommends policies and legislation to address those challenges.

4. Training

Purpose: Creates a common training curriculum involving experienced trainers from a variety of fields, including law enforcement, victim services, victim impact/survivor consultants, and other specialized service providers such as legal assistance or mental health providers.

5. Victim Services

Purpose: Ensures high quality trauma-informed, victim-centered appropriate services are available to all victims of human trafficking in MS. These services are delivered with respect to cultural and linguistic diversity to all individuals without regard to gender, age, race, or other demographics.

6. Law Enforcement Task Forces

Each task force is made up of local, state, federal and tribal law enforcement, and an Assistant U.S. Attorney, who solicits leads for and facilitates discussion of potential or ongoing investigations in order to de-conflict and coordinate with federal and state prosecutors. Task forces investigate leads, develop prosecutable cases, and provide support for pending cases and the grand jury.

The MHTC and the subcommittees hold monthly and bimonthly meetings depending on need. The Council and subcommittees are tasked with establishing goals and objectives which produce measurable outcomes and drive future decisions in addressing human trafficking in MS.

Data Collection:

Mississippi has different mechanisms for reporting possible trafficking and sharing of information related to trafficking and data collection. First, since 2013, Mississippi law has required every law enforcement agency investigating a suspected human trafficking offense to report such investigation to the human trafficking coordinator (HB 673, Laws 2013, lines 660-663). This requirement will prove to be an invaluable tool in assisting in multi-jurisdictional cases and tracking potential victims or perpetrators. This report is required regardless of the type of trafficking (sex or labor) or the age of the victim. This provision operates with the various state law mandates regarding reporting of minors suspected of being involved in trafficking activity and reporting of child abuse.

MS state law requires anyone who suspects a victim under the age of 18 who is involved with human trafficking activity, to contact the MS Department of Child Protection Services (MDCPS) Child Abuse Hotline and report to the Human Trafficking Coordinator at MBI. The MDCPS Child Abuse Hotline reports potential trafficking cases to MBI and to the NHTH.

The NHTH also generates reports of tips of potential human trafficking cases received from community members, law enforcement, victim services etc., to agencies throughout the state, including MBI, and to authorities in other states involved if the tip includes multiple states. The MBI Human Trafficking Analyst reviews the reports from the NHTH, local law enforcement, and MBI investigators. The analyst enters the information into a secure network portal associated with Federal Office of Homeland Security accessible by authorized law enforcement personnel and assists assigned MBI investigators with intelligence for these reports. Additionally, the Bureau of Justice Assistance provided a sample worksheet to utilize in collecting non-identifying statistical and demographic information gleaned from reported cases.

The different reporting and data sharing mechanisms should lead to an increase in the detection of human trafficking offenses, in offender apprehension and in identification of victims and referrals to appropriate services.

Types of Activity Reported: July 1, 2019 – June 1, 2020

Data Collection Report Sources include the NHTH, MDCPS, Law Enforcement Officers, and MBI Agents. The total number of human trafficking reports for this time period was 175 including 205 potential victims. Of these potential victims, 193 were reported as potential minors. Of the 92 potential victims reported with race indicated, 41 were White, 35 were Black and 14 were Hispanic. One hundred sixty-seven (167) reports contained sex trafficking and ten (10) reports included labor trafficking.

The most common type of trafficking reported was familial trafficking with 99 reports. Familial Trafficking involves victims trafficked by their own family members.²

Efforts to Combat Human Trafficking

MBI hired and trained three new MBI investigators in the North, Central, and Southern Regions of MS to work with the two existing HT Investigators and Analyst with MBI's Special Victim's Unit. These investigators will coordinate and collaborate with local task forces and law enforcement agencies to review tips and support investigations, prosecutions, and victims. They will assist with training and data collection as well.

The MBI Human Trafficking Coordinator and the MHTC conduct research in order to adopt the best practices for addressing human trafficking nationwide. They assist agencies in locating grants and resources for human trafficking to prevent, identify and provide services to victims. The MHTC meets regularly to discuss work of the subcommittees and Council agenda items. They also coordinate and collaborate on issues individually and brainstorm ideas and solutions when challenges arise.

The coordinator is on the Southeast Regional Human Trafficking Advisory Group, an Initiative of the Administration for Children and Families, U.S. Health and Human Services. This advisory group meets quarterly, and MS will host the next meeting in January 2021. The coordinator also sits on a National Compendium of State-Run Anti-Trafficking Initiatives, which has representation from 26 states, who run statewide anti-trafficking collaborations. The Compendium hosts quarterly calls on a range of topics established by its members as well as an email listserv and an online Resource Library. On January 31, 2020, the coordinator attended the White House Summit on Human Trafficking as a guest of Ivanka Trump.

The MHTC hosted the first annual Statewide Human Trafficking Summit and had over 400 law enforcement officers, victim service representatives, government and non-government officials and community members present. The purpose of the Summit was to create a listserv of agencies, organizations, and private citizens desiring to address human trafficking in their communities and inform them of the ongoing work of the MHTC and future opportunities. The White House selected a presenter from the U.S. Attorney General's Office and federal and state representatives presented training and MS initiatives. The A21 Foundation presented their international human trafficking awareness campaign. In partnership with A21 Foundation and Lamar Advertising, a billboard and poster campaign were launched promoting human trafficking public awareness, remedies and services for victims and national hotline information.

The MHTC established clearly defined measurable objectives and goals for the Overall Council as well as each subcommittee.

The **Outreach and Awareness Subcommittee** created the MHTC logo, a Facebook page, and is in the process of developing a website to promote initiatives and work of the MHTC and MBI.

² Most reports are received from the MDCPS and could impact the most common type of trafficking and the age of the victims reported.

The **Strategic Planning and Trafficking Protocol Subcommittee** organized and reviewed subcommittee and MHTC logic models for clarity, gaps, and overlaps. They reviewed existing statewide protocols and selected South Carolina's protocol to use as a guide for MS. Dr. Tamara Hurst, Chair, is leading a research team to identify non-pimp involved trafficked youth who interact with the juvenile justice system for the purpose of providing targeted interventions.

The **Policy and Legislation Subcommittee** created a list of legislative objectives focusing on impediments and gaps in existing law to aid in the successful investigation and prosecution of these crimes. The subcommittee conducted a comparative analysis of states with existing human trafficking laws. They determined which investigative tools have been permitted legislatively in those states and reviewed and provided input on proposed legislation impacting human trafficking.

The **Training Subcommittee's** primary goals include development of uniform curricula on human trafficking for a variety of disciplines and increasing appropriate, trauma-informed training opportunities for professionals and community members who may encounter victims of trafficking. More specifically, the Training Subcommittee is working on the following:

1. Develop/identify a training curriculum on human trafficking for each of the following disciplines: law enforcement, fire fighters, educators, medical personnel, social workers/advocates and middle/high school/college students.
2. Develop a plan for identifying and recruiting potential trainers for each discipline.
3. Establish minimum competencies required for trainers and create an appropriate train-the-trainer course for the various disciplines.

The **Victim Service Committee** has been charged with the task of developing recommendations to the MHTC in regard to its purpose, consistent with the MHTC goals of developing statewide standard models for delivery of services to all victims of human trafficking and of minimum standards for service providers consistent with evidence-based best practices. Guiding Principles for Agencies Serving Survivors of Human Trafficking were developed by the Southeast Regional Human Trafficking Advisory Group an Initiative of the Administration for Children and Families, U.S. Health and Human Services, Region 4 Office.

Impact on Victims and the State

In 2015, the Governor's Task Force on human trafficking requested the MS Department of Human Services to provide two examples of trafficked minors and their impact on the state. This is the information they provided on August 08, 2015:

1. "D. A." - entered custody in 2012 at age 12, pregnant with sexually transmitted diseases.
 - Trafficked prior to custody AND after entering custody when she ran away from a shelter
 - 39 placements overall in various types of placements, including:
 - Five different psychiatric acute hospitals

- Three different long-term psychiatric treatment centers for 18 months, eight months and four months
- Three different therapeutic group homes
- Two different juvenile detention centers with multiple detentions in both
- Four different children's emergency shelters
- Multiple foster homes
- History of running away from all placement types; violent and aggressive
- Overall cost of treatment so far, including education = \$500,000.00+

2. "E.H." - entered custody 18 months ago.

- Trafficked after she ran away from a treatment center while in MDHS custody
- 41 placements overall in all types of placements:
 - Eleven psychiatric acute care hospital admissions
 - Long term psychiatric treatment center admissions
 - Two group homes
 - Nine detention center episodes
 - One emergency shelter
 - Multiple Foster homes
- History of running away from all placement types; violent and aggressive
- Currently in her 5th long term treatment facility
- Overall cost of treatment so far, including education = \$400,000+

In these two cases we have spent nearly \$1 Million and they are no better off than the day they started. They are possibly worse. I have several more with treatment costs that are similar and others who are well on their way to costing that much. Other victims of trafficking who are in our custody have similar stories - some came into MDHS custody after they were trafficked, some were trafficked after they came into custody and ran away.

In the cases where they are in MDHS custody and were trafficked when they ran away, they already had a history of bouncing from treatment center to treatment center. Many of them are up for adoption and have been rejected by numerous adoption and foster homes. No one wants them and they get kicked out of placements a lot because of their behaviors. They develop these behaviors and mental illnesses due to the abandonment, rejection, trauma from abuse, the losses they have suffered from bouncing so much and the grief that comes with it. These girls are looking for someone who believes they are worth something. In this case, a pimp who thinks they are worth something is better than a foster home who does not want them. Therefore, they are so easily coerced by the pimps and why pimps target foster children. (MDHS employee assigned to Governor's Task Force on Human Trafficking)

It is not surprising that these troubled youth become troubled adults as a Children's Law Center reports. Within the first two years after young people emancipate from foster care, commonly at the ill prepared age of 18:

- Over one-third of foster youth earn neither a high school diploma nor a GED.

- Fewer than one-half of young adults were employed 12 to 18 months after aging out of the foster care system.
- One-third of youth who age out of the foster care system show evidence of mental health problems, the most prevalent diagnoses being Post Traumatic Stress Disorder, alcohol or substance abuse, and major depression.
- Approximately one-third of foster children will receive some form of public assistance shortly after aging out of the system.
- Over one-fourth of foster youth will be incarcerated within the first two years after they leave the system.
- Almost one-fourth of those who have exited foster care have reported to be homeless at least once since leaving the system.
- Over 63% of women and 22% of men who have been released from foster care have reported to have needed food stamps.^{xv}

A 2013 report by the Health and Human Services Administration on Children, Youth and Families cited several alarming statistics, including several studies showing that 50% to more than 90% of children who were victims of child sex trafficking had been involved with child welfare services.^{xvi}

Evaluation of State Efforts

As MS moves forward in its anti-human trafficking efforts, the MHTC recognizes the need to encourage the development of more direct services and direct service providers to work with the human trafficking victim population to ensure victims receive the best and most appropriate services to meet their individualized needs for positive outcomes. The goal of the Victim Services Subcommittee of the MHTC is to enhance the quality and quantity of services available to assist all victims of human trafficking in achieving their goals, either in-house or through referrals. Guiding principles and standards form the foundation for giving service providers a clear path to ensuring these results. The establishment of guiding principles and standards will provide for continuity of care and consistency across multiple systems and service providers working with this victim population.

The MSDH OAIIV supports an adult Human Trafficking shelter and concurrent services as well as a new assessment center for minors through Victims of Crime Act federal funding.

One solution several agencies have been brainstorming and researching the past several years is a Permanency Assessment Center (PAC), which is coming to fruition at Methodist Children's Home. For example, Law Enforcement finds a youth who reports she is being trafficked by a pimp who is threatening her, she is pregnant with two STDs, and she has a multiple placement history. Instead of having to make a placement decision on this difficult case in the middle of the night, she would be able to go to the PAC at Methodist Children's Home (MCH).

The PAC at MCH will open in the Fall of 2020. The August 2020 opening date has been pushed back due to renovation delays because of COVID-19. The MHTC assisted MCH with development of the program and funding acquisition to fill an immediate need for minor victims of human

trafficking. The PAC will offer trauma-specific assessment and therapy; life skills training; crisis intervention; and case management to facilitate medical, legal, educational and other services as needed. Youth will work with a team on a plan for permanency. This will be a secure building with full time security and medical staff.

The Texas Department of Public Safety certified eight MS instructors for the Interdiction for the Protection of Children (IPC). Launched in 2009, IPC is a multi-disciplinary team training that coordinates the Fusion Center, Attorney General's Office, Child Advocacy Centers (CAC) and Child Protection Service (CPS) employees, and state and local patrol to provide instruction on how to look for children who may be abducted, endangered or exploited through a two-day, 16-hour training program. In MS, 152 Law Enforcement and 102 CAC and CPS staff have been trained. One MS trooper received a commendation from the Texas Governor's Office for rescuing a 14-year-old girl from Georgia immediately following IPC Training. The goal is to train in every troop district in the state and introduce Law Enforcement to CPS and CAC in their area of responsibility. The first three trainings for 2020 were cancelled due to COVID-19.

House Bill No. 571 included as a duty of the coordinator to develop and implement rules and regulations pertaining to the use of the Relief for Victims of Human Trafficking Fund to support services. Based on information from DFA and our DPS Comptroller, Mark Valentine, the Relief for Victims of Human Trafficking Fund was a Special Fund initially assigned to the Attorney General's office. Pursuant to SB 2362, DFA swept any existing funds. House Bill No. 1559 created another victim's fund, Victims of Human Trafficking and Commercial Exploitation Fund. MDPS is requesting the interplay between these two funds be addressed by the Legislature to clarify the relevant agencies' roles in administering these funds and, most importantly, to streamline the funding channels for support services for victims of human trafficking.

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