



U.S. Immigration and Customs Enforcement

STATEMENT

OF

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U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
DEPARTMENT OF HOMELAND SECURITY

REGARDING A HEARING ON

“HUMAN TRAFFICKING: RECENT TRENDS”

BEFORE THE

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON HOMELAND SECURITY

SUBCOMMITTEE ON BORDER,
MARITIME AND GLOBAL COUNTERTERRORISM

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Chairwoman Sanchez, Ranking Member Souder, and distinguished members of the Subcommittee. On behalf of Secretary Napolitano and Acting Assistant Secretary Torres, I would like to thank you for the opportunity to discuss U.S. Immigration and Customs Enforcement's (ICE) efforts to combat human trafficking.

It is an honor to appear before you today to discuss ICE's comprehensive efforts against human traffickers who exploit men, women and children - a form of modern day slavery. I am proud to represent a federal law enforcement agency that has a leadership role in investigating human trafficking crimes and bringing perpetrators of these human rights abuses to justice. ICE integrates immigration and customs authorities to investigate criminal organizations on multiple fronts and, in doing so, is able to identify, disrupt and dismantle those organizations. The most critical piece of legislation supporting our efforts in fighting human trafficking is the Trafficking Victims Protection Act of 2000 (TVPA) and its subsequent reauthorizations. ICE pursues victim-centered trafficking investigations according to the tenets of Prevention, Protection and Prosecution, familiarly known as the 3 Ps.

The United Nations reports that human trafficking is a multi-billion dollar per year business worldwide, and is committed by organized criminal syndicates as well as individuals and informal networks that seek to profit by exploiting others. Men, women and children are trafficked into forced labor and commercial sexual exploitation throughout the world. Many of these victims are lured from their homes with promises of employment. Instead, they are

forced or coerced into involuntary servitude, migrant farming, sweatshops and other exploitative labor in addition to the commercial sex industry.

Indeed, the result of trafficking takes on countless and many hidden forms of exploitation in today's society. Since the enactment of the TVPA, law enforcement has learned that trafficking is not limited to urban high crime areas. It is now acknowledged that human trafficking is found in rural agricultural sectors and in private homes in affluent neighborhoods. We know that adult men and women are victimized along with children, and that our own citizens are not immune to the actions of traffickers. ICE makes every effort to not only find and rescue victims, but to target and cripple the financial motivations and infrastructure that permit human trafficking organizations to thrive.

According to the Department of State 2008 Trafficking in Persons Report released in June 2008 and the Trafficking in Persons Interim Assessment covering the months since its release, the United States is a destination country for thousands of trafficking victims. These victims are largely nationals of Asian and Central American countries, but traffickers do not restrict their efforts based on citizenship. United States citizens and lawful permanent residents are also trafficked within the United States, primarily for the purpose of sexual exploitation.

Let me highlight ICE investigative efforts and successes in combating human trafficking. In Fiscal Year 2008, ICE initiated 432 human trafficking investigations, an increase of over 24 percent from the previous year. These investigations included 262 cases of alleged sexual exploitation and 170 cases of suspected labor exploitation. During the same period, ICE

investigative efforts resulted in 189 arrests, 126 indictments and 126 convictions related to human trafficking. Examples of our successes include:

- In May 2007, the Special Agent in Charge (SAC) office in Newark, New Jersey received information that a man and his wife were forcing young African women to work in hair braiding salons in the Newark area. The investigation revealed that the couple smuggled young women from Togo into the United States on fraudulently gained diversity immigrant visas. Some of the victims were held more than five years. SAC Newark ultimately arrested the couple and their son for alien smuggling and harboring, which led to the rescue of 20 trafficking victims. In January 2009, a superseding indictment charged the defendants with visa fraud, forced labor, trafficking with respect to forced labor, transportation of a minor across state lines with the intent to engage in criminal sexual activity, and smuggling and harboring aliens for commercial advantage and financial gain. One defendant in this case has already pleaded guilty and was recently sentenced.
- Also in May 2007, the Resident Agent in Charge (RAC) office in Long Island, New York received information from the Nassau County Police Department concerning a victim who indicated that she had escaped from a residence in Muttontown, New York where she was forced to stay and work under horrific conditions. Doctors diagnosed the victim with extensive bruising, burns and lacerations, allegedly inflicted by her employer. That same night, ICE agents executed a federal search warrant at the residence in Muttontown and found another female domestic worker hiding in the basement. The second victim denied physical abuse, but witnessed the physical abuse inflicted upon the other victim by the wife of her employer. Both victims claimed that the wife and her husband verbally abused them

and restricted their movements at all times. The next day, RAC Long Island agents arrested the couple who were subsequently indicted and found guilty of forced labor, peonage, document servitude, harboring aliens and conspiracy. In June 2008, the wife was sentenced to 11 years imprisonment and her husband was sentenced to three years. The jury ordered that their residence, which was valued at \$1.5 million, be criminally forfeited and all proceeds be used to pay restitution to the victims.

- In January 2008, the SAC office in Miami, Florida interviewed a woman who claimed to be a kidnapping and trafficking victim from Mexico. The woman claimed that a man and his two brothers operated a prostitution ring in areas of south Florida. The investigation led to the execution of 20 federal search warrants, the arrest of 91 subjects including four targets of the investigation, and the identification of nine sex trafficking victims, including three juveniles. The main targets of the investigation were indicted on charges of sex trafficking, human smuggling and harboring aliens.

Given the international scope of human trafficking, ICE has an established global reach that has allowed us to foster strong international relationships through over 50 offices overseas located in 39 countries to fully identify and pursue criminal organizations. In order to fully address the harm inflicted by these organizations, our investigations begin in the source countries where trafficking begins, continue into transit countries, and conclude at the destination countries.

As the law enforcement agency at the forefront of the U.S. Government's response to international human trafficking, ICE conducts global investigations identifying and rescuing

victims, has a prominent role on several cabinet-level working groups and leads the intelligence gathering and sharing effort through the Directorship of the Human Smuggling and Trafficking Center (HSTC). The HSTC serves as a fusion center for intelligence, law enforcement and other information to enhance coordination and communication within the Department of Homeland Security (DHS), including U.S. Customs and Border Protection (CBP) and U.S. Citizenship and Immigration Services (USCIS), along with other U.S. Government agencies in combating human traffickers, smugglers and criminals facilitating terrorist travel. Our victim witness coordinators also work closely with the Department of Health and Human Services' grantees, contractors and coalitions in the provision of services for rescued victims.

Human trafficking cases require law enforcement agencies to be victim-oriented. ICE has trained and deployed 350 victim-witness coordinators. The testimony of victims is critical to successful prosecutions. Victims are our best evidence of the crime. Yet a victim should not and cannot be treated as simply a piece of evidence. While we know that the long-term care of victims is and should be in the hands of non-governmental organizations (NGOs), we in law enforcement also have a responsibility to treat victims fairly, with compassion, and with attention to their needs.

ICE and USCIS are the principal agencies charged with providing immigration relief to victims of trafficking. ICE provides a short-term immigration relief known as "Continued Presence," and assists certified victims of trafficking to remain in the United States through certain types of non-immigrant visas, including the T and U visas. In each of the cases cited, we granted the victims Continued Presence, which is part of our "victim-centered approach." USCIS

adjudicates applications for non-immigrant status related to an individual's certification as a victim of a severe form of trafficking. This non-immigrant status provides longer-term forms of relief for trafficking victims. Continued Presence or the award of a T-visa allows the Department of Health and Human Services to "certify" victims so that they can access federal benefits and services to the same extent as refugees. Individuals granted T non-immigrant status can also adjust their status to that of lawful permanent resident pursuant to recently promulgated regulation.

This year, under an initiative called ICE Trafficking in Persons Strategy (ICE TIPS), ICE offices were required to conduct outreach to law enforcement agencies and NGOs to expand awareness of trafficking cases. ICE domestic field offices and ICE Attaché offices overseas provided training to over 27,900 staff from 1,200 NGOs and over 12,100 law enforcement personnel from 1,433 agencies worldwide. ICE previously established a toll-free tip number line for reporting human trafficking leads, as well as developed outreach materials for law enforcement and NGOs. These materials include brochures, a training video and laminated wallet-size cards with human trafficking indicators, which are available in seven different languages.

The problems presented by human trafficking are so widespread that no one entity can adequately address them. Accordingly, ICE proudly partners with other law enforcement agencies and NGOs through the Department of Justice-sponsored Human Trafficking Task Forces (HTTFs). These task forces are located across the United States, and play a vital role in combating human trafficking organizations. The HTTFs unite the investigative abilities of law enforcement with the victim services agencies in order to provide a coordinated response

during trafficking investigations. The HTTFs ensure that the requirements of law enforcement are balanced against the needs of the victims discovered during the course of investigations. Without partners such as local law enforcement and the NGOs, the federal government would be limited in its efforts to dismantle trafficking organizations and assist in the recovery of the victims hurt by traffickers.

In May 2008, ICE launched a Billboard Campaign in the New York City area entitled *In Plain Sight*. The trafficking awareness postings were displayed on highway billboards, subway platforms, the exterior and interior of buses, bus shelters, urban panels and dioramas. In June 2008, the billboard campaign was expanded to Baltimore, Chicago, Houston, Los Angeles, Miami, Phoenix, San Diego, San Francisco and Washington, D.C. To ensure effectiveness, the postings in the Los Angeles and Miami areas were printed in both English and Spanish. The campaign encourages viewers to report human trafficking via the ICE tip line at 1-866-DHS-2-ICE. Reporting this crime gives the public an opportunity to be a part of the solution to this social concern. In 2009, ICE will expand the *In Plain Sight* Billboard Campaign to additional U.S. cities.

ICE is committed to combating those engaged in the exploitation of trafficking victims, and will continue allocating the resources necessary to end the threat human trafficking poses to our society. In addition, we will continue to expand our outreach and training efforts by sharing our expertise in employing a victim-centered approach to combating human trafficking.

Thank you once again for the opportunity to appear before you today. I would be pleased to answer any questions that you may have at this time.