

Anti-Trafficking News Bulletin

AAG ACOSTA ANNOUNCES 2004 PRIORITIES PROACTIVE PROSECUTION STRATEGY TOPS LIST OF INITIATIVES



Assistant Attorney General R. Alexander Acosta recently announced that the Civil Rights Division would launch a new initiative aggressively pursuing proactive prosecutions of people and organizations that traffic people into modern slavery. Acosta made the announcement at a meeting with representatives of the nation's leading non-governmental organizations (NGOs) that focused on the problem of trafficking in persons.

cealing their victims, and because too often people do not recognize trafficking when they see it," said Acosta. "Although the problem is global," Acosta explained, "it is the local police officer, health care provider, a neighbor or a priest who is likely to observe the victimization. Because of the nature of this crime, victims rarely can or will come to us for help. It is imperative that individuals at the local level have the tools they need to recognize trafficking when they confront it."

Since 2001, the Civil Rights Division has dramatically increased its number of prosecutions. Nevertheless, Acosta told those in the meeting that he believed much more progress can be made. "Trafficking presents an unusually difficult crime to detect and to prosecute because traffickers have become adept at con-

The new initiative will rely on proactive investigations that take the battle into the dark places where victims are exploited. It will utilize comprehensive multidisciplinary teams that include local, state, and federal law enforcement, service providers, NGOs, faith-based organizations, and health care providers. It will also place

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REPORT FROM AAG ACOSTA ON RECENT VISIT TO INDIA

In late January, Civil Rights attorney Bharathi Venkatraman and I visited India to give a presentation at the War Against Trafficking Alliance sponsored Trafficking in Persons (TIP) conference, and to meet with local, state, and federal officials of the government of India.

The trafficking problem in India is a real one. Shortly after arriving, I had the opportunity to walk the streets of Mumbai accompanied by the head of Non-Governmental Organization (NGO), Teen Challenge. We witnessed first hand the abhorrent conditions of poverty and despair that envelop certain regions of one of the largest nations in the world. In one area of Mumbai, over 60,000 women, mostly girls, can be found engaging in com-

mercial sexual activity in just a 10 square block area.

These girls, typically, are victims of trafficking. Whether from Nepal, or from distant Indian states, these victims have been ripped from their families. They are unfamiliar with the local language. They are mistrustful of local law enforcement. In their eyes, they have no one to run to and no place to seek help. Traffickers exploit these vulnerabilities and convince these girls to work "willingly." What they have really done is coerce and intimidate these girls into debt bondage, telling them that they have no future, no hope.

This is where the work of NGOs is particularly important. These victims need to know that hope exists, even before they are rescued.

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This was the mission of the head of Teen Challenge as we walked the streets of Mumbai. In a red-light district with thousands of potential victims, his mission was to spread the word that girls who are out there have, with Teen Challenge, a home and a potential education. NGOs such as Teen Challenge, Shared Hope International, International Justice Mission, St. Catherine's, Save the Children, and Prerana are indispensable allies in our effort to protect trafficking victims.

Businesses, likewise, can help to combat trafficking. Too many girls who are rescued run away from government-run Remand Homes only to return to the sex-trade. They know no other way. Businesses can give these girls as they come of age, an opportunity to work and to improve their self-

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- Alex Acosta

worth. Businesses like the Oberoi Hotel in Mumbai, that offer job opportunities to these young ladies deserve much credit.

Government cooperation, of course, is crucial to the overall prosecutorial effort. At the TIP Conference in Mumbai, I was pleased to hear Maharashtra

Police Commissioner Pasricha's offer to cooperate with the United States on this issue. With the proper consent of the Indian government, we look forward to the possibility of working directly with the local Indian police to develop their expertise on the trafficking front.

Part of the challenge in combating the trafficking of humans in India evolves from dueling state and federal systems. In India, state sovereignty plays a very strong role. The central government of India is limited in the fight against trafficking by the lack of federal enforcement authority. Although India's Central Bureau of Investigation is designated as the nodal law enforcement agency for anti-trafficking efforts, its lack of independent federal jurisdiction makes its missions more difficult. In the United States, by contrast, our efforts work best when we address trafficking at both the state and the federal level. Enforcement efforts that disseminate and share information regarding interstate and cross-border trafficking would contribute significantly to combating trafficking in India.

Training of prosecutors, police, and investigatorial agents likewise is essential to successful prosecutions. TIP conferences like the one in Mumbai are a good first step.

More detailed training, focusing on law enforcement methods and techniques, is necessary. The State of Maharashtra apparently is already undertaking efforts to put trafficking training into place, for which Police Commissioner Pasricha should be commended.

Following the conference in Mumbai, we flew to New Delhi to meet with the Home Minister, and other Indian government officials. During our meetings, I learned first hand of the steps that India has taken to address the trafficking problem. The Government of the State of Maharashtra has initiated important prosecutorial and protection efforts, including a financial commitment to improving and expanding their Remand Home. Similarly, the federal government of India supports shelters and NGOs that provide protection for trafficking victims, prevention programs, and training for law enforcement and judicial officials. India's National Human Rights Commission is establishing anti-trafficking centers in each state for better coordination in the anti-trafficking efforts of the central and provincial governments.

Further, government-conducted raids, undertaken in conjunction with non-governmental organizations, are resulting in an increase in arrests of traffickers. These arrests are important if followed through with prosecutions. Even if small in proportion to the scope of the sex-trade, these prosecutions are critical to what all hope will be an increasingly formidable effort. And while many cases are back-logged, important new solutions, such as three special trafficking courts in New Delhi, are addressing the need to prosecute vigorously and timely.

Recent arrests are also significant because they took place under Section 7 of India's Immoral Trafficking Protection Act, which arrests traffickers, rather than Section 8, which arrests victims. This is a position shift. Prosecutors must prosecute traffickers while protecting, rather than punishing, the victim.

Trafficking in persons clearly transcends national boundaries. An estimated 600,000 to 800,000 people are trafficked across international borders every year. It is a multi-faceted and global issue, involving organized crime and corruption, human rights, economics, migration, labor, public and individual health, and social services. It is a twenty-first century criminal enterprise that requires a twenty-first century coordinated response. We as an international community have a duty to respond, to eradicate this all too prevalent trade. As our countries grow closer, our cooperation on the transnational crime of trafficking in persons should improve. As President Bush declared before the United Nations, the trade in human beings for any purpose must not be allowed to thrive in our time.

CIVIL RIGHTS TRAINING TEAM VISITS ESTONIA

The U.S. Embassy in Estonia recently organized two days of training for police investigators, prosecutors, and judges on trafficking in persons. The Civil Rights Division deployed Deputy Assistant Attorney General Brad Schlozman and Senior Special Counsel for Trafficking March Bell to Tallinn to present a comprehensive and proactive law enforcement model to address Estonia's human trafficking problems. The presentation focused on a discussion concerning individuals forced to participate in commercial sexual activities. During their visit Schlozman and Bell also met with key government officials, including Prosecutor General Jüri Pihl, the chief prosecutor for the Baltic nation.

"Our research in preparation for the training indicated that Estonia has had several trafficking cases, but the country has been primarily reactive," said Schlozman. "This assessment was borne out in our discussions with conference participants. Nevertheless, the law enforcement officials seemed very interested in learning how to more effectively identify, and ultimately prosecute, these crimes," Schlozman added.

The action plan proposed to Estonian officials focused on the multi-disciplinary Task Force approach being employed in the United States, which combines investigations, prosecutions, and care givers into a team effort. "We prepared materials to show police how to identify the businesses where victims of

EASTERN DISTRICT OF NEW YORK ANTI-TRAFFICKING ACTIVITIES WITH CIVIL RIGHTS DIVISION INTENSIFY

This year has seen an uptick in anti-trafficking activities in the Eastern District of New York. Assistant United States Attorney Pamela Chen, the Chief of Civil Rights for the Eastern District of New York, is working closely with Civil Rights Division prosecutor Anne Milgram to dismantle a Mexican forced prostitution ring that was operating from Flushing, Queens. Ms. Chen, formerly of the Division's Special Litigation Section, is working closely with her counterparts in the Southern District of New York on several anti-trafficking working groups that are bringing together federal and state law enforcement agencies (including ICE, FBI, NYPD and the City's several District Attorneys' Offices) and non-governmental organizations to work collaboratively on combating human trafficking, arresting and prosecuting traffickers, and providing support services and immigration relief to victims of trafficking. Both the Eastern and Southern Districts' attorneys have also met with representatives of the State Department, international organizations, and foreign governments to discuss strategies and establish bilateral contacts for addressing human trafficking. Notable prosecutions underway in the Eastern District include: [U.S. v Caretto](#), and [U.S. v Kang](#).

sex trafficking can be found, how to infiltrate those businesses, and how to build a comprehensive case against a trafficking operation," Bell explained.

Trafficking victims, who rarely self report, face serious challenges in Estonia due to language difficulties, lack of understanding about options, and the pernicious debt bondage arrangements that exploit unsophisticated victims. The pervasiveness of sexually oriented businesses in Tallinn, a tourist center for persons from Sweden and Finland, also presents its own challenges. "There is a market magnet for trafficking persons into sexual servitude in Tallinn because procurers of labor want to make as much profit from sex tourism as possible," Bell told the prosecutors and investigators. "This means that victims will continue to be exploited until law enforcement holds perpetrators accountable," he noted.

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a strong emphasis on outreach and raising awareness of the problem.

Specifically, the integrated multidisciplinary teams will begin by targeting three major U.S. cities: Atlanta, Philadelphia, and Phoenix. Other critical cities will benefit from a new national training program that will equip local first responders with the tools needed to recognize and combat trafficking. The Division also plans to establish an expanded complaint line by partnering with the Department of Health and Human Services. The line will be staffed 24 hours a day, seven days a week, and will be launched in connection with a public awareness campaign.

The initiative is designed not only to increase the number of prosecutions, but to also gather information. By moving aggressively on the information acquired, the government can enhance its ability to "connect the dots" so that each successful investigation and prosecution delivers increasingly crippling blows to human traffickers across the country. "We are discovering cases where people are trafficked several times within the US. The traffickers know each other, they have each other's phone numbers, they know of the underground locations where other traffickers victimize their captive," Acosta said.

The twin goals of the Division are saving the victims and winning the case. "To succeed on both these fronts, law enforcement must move aggressively to set the terms of engagement and proactively pursue traffickers. That is precisely what we plan to do in 2004."



RECENT DEVELOPMENTS IN NOTABLE PROSECUTIONS

United States v. Kang

On February 2, 2004, in Brooklyn, New York, a Korean couple and a Department of Homeland Security agent were charged with peonage (18 USC §1581(a)), obstruction in furtherance of peonage (18 USC §1581(b)), and trafficking forfeiture (18 USC §1594). The Korean couple allegedly lured Korean women to New York City with promises of good jobs as hostesses in the their nightclub, but subjected them to rapes and physical abuse, held them for repayment of a \$10,000 debt, and attempted to force them into performing commercial sexual acts. The Department of Homeland Security agent allegedly attempted to force one of the victims to get on a flight to South Korea to keep her from testifying against the Kangs.

United States v. Valle-Maldonado, et al.

On April 8, 2004, a federal grand jury returned a 28 count indictment charging defendants Jenny Valle-Maldonado, Javier Sandoval-Garcia, Jose Velasquez-Garcia, and Juan Gregorio Martinez-Vasquez with conspiracy (18 USC §371), smuggling for prostitution (8 USC §1328), and transportation of illegal aliens (8 USC §1324). The indictment alleges that, between August 2003 and March 2004, the defendants arranged for women, including two minors, to be smuggled into the United States from Mexico to engage in commercial sexual activity for the defendants in the Los Angeles area. Valle-Maldonado is alleged to have threatened some of the women that, if they stopped working for her, Valle-Maldonado's sister in Mexico would harm the women's relatives.

United States v. Mubang

On March 10, 2004, Theresa Mubang was arrested in Greenbelt, Maryland for involuntary servitude (18 USC §1581) and alien harboring (8 USC §1324). Ms. Mubang is charged with bringing an eleven year-old girl from Cameroon to the United States and forcing her to work against her will as a domestic servant, caring for Mubang's two children and performing all the household chores without pay. Mubang is alleged to have forced the child to comply by beating her with a broken metal broom stick and a cable cord. She also allegedly forbid the young girl from speaking of her horrible conditions to anyone, and from leaving the house or even opening the door.



United States v. Carreto

On February 18, 2004, in Brooklyn, New York, a federal grand jury returned a four count indictment charging defendants Josue Flores Carreto, Gerardo Flores Carreto, Daniel Perez Alonzo, and Eliu Carreto Fernandez with alien smuggling (8 USC §1324) and violations of the Travel and Mann Acts (18 USC §§1952 and 2421, respectively). This case involves allegations that, for over five years, members of the Carreto family, including the five defendants, and their associates, operated a sex trafficking ring that has smuggled a steady stream of Mexican women into the United States illegally and forced them into commercial sexual activity in Queens and Brooklyn, New York.

United States v. Trisanti

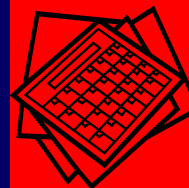
On March 25, 2004, Mariska Trisanti entered a plea of guilty to involuntary servitude (18 USC §1581). Between March 1996 and March 2003, two victims were trafficked by Trisanti into the United States from Indonesia and forced to work as domestic servants against their will by threats and physical violence. After arriving in the United States, Trisanti told the victims they were not free to leave and seized their passports. Sentencing is set for July 12, 2004.

United States v. Marie and Willie Pompee

On March 24, 2004, in Miami, Florida, a Haitian couple was charged with harboring an alien under 8 USC §1324. Defendants Marie and Willie Pompee, are charged with bringing a young Haitian girl to the United States and harboring her in their Pembroke Pines home where they forced her to clean the house and to submit to sexual assaults by the defendants' son. These events predated the TVPA.

FEATURED NEXT MONTH:

April



ANTI-TRAFFICKING TASK FORCES LAUNCHED IN ATLANTA, PHILADELPHIA, AND PHOENIX