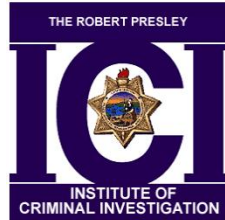


P.O.S.T. Institute of Criminal Investigations
HUMAN TRAFFICKING INVESTIGATIONS
EXPANDED COURSE OUTLINE (40 Hours)
CCN: 1850-21515

Revised 2/27/2019



I. **COURSE INTRODUCTION** 0700-0830 (90 min)

- A. Welcoming Remarks
 - 1. The Course Coordinator will explain the lesson instructional goals and performance objectives
 - 2. Student expectations form the course
 - 3. ICI Certificate Program Overview
 - a. History
 - b. ICI Certificate Requirements
 - c. How to Apply
 - d. POST ICI Program Manager
- B. Icebreaker (Bingo game)
 - 1. The class will be provided with a Bingo game sheet.
 - 2. Each student will inquire about the investigative, field and leadership experience and obtain an initial in the applicable category of the Bingo.
 - 3. Debrief of the Bingo game by the coordinator will reveal experience of the students.
- C. Class-generated Rules
 - 1. Rules
 - a. Participation required
 - 1) Group activities
 - 2) Testing methods
 - a) Victim interview
 - b) Command and control scenario
 - c) Final presentation
 - b. Respect for others
 - 1) Be on time
 - a) Start of watch
 - b) After breaks
 - 2) Cellphones
 - a) Vibrate or off

- b) Check on breaks
 - c) Not texting during class
 - 3) Professional atmosphere
 - a) Profanity in course context
 - b) Comments of racial overtones
- 2. Consequences
 - a. Police yourselves
 - b. Class Ownership
 - c. Re-take the course
 - 1) Entire course
 - 2) Partial

II. HUMAN TRAFFICKING OVERVIEW

0830-1100 (150 min)

- A. Learning Outcomes
 - 1. Distinguish HT criminal elements in sex and labor trafficking
 - 2. Types of traffickers and subculture of pimping
 - 3. Terminology and culture
 - 4. Risk factors and common factors of HT victims
 - 5. Victim-centered, empathic approach of a non-traditional victim
- B. Definition of Human Trafficking: Sex and Labor Trafficking
 - 1. TVPA
 - 2. 236.1 CAL PC
 - 3. LEARNING ACTIVITY: 6 scenarios and determine if qualifies as HT.
Elements: Human Trafficking occurs when a person is induced by force, fraud or coercion to participate in
 - a. Commercial Sex Acts - Perform a sex act for money or anything of value
 - b. Involuntary Servitude - Work under the total or near-total control of another person or organization
 - c. Debt Bondage/Peonage - Forced to pay off a loan by working instead of paying money, for an agreed-upon or unclear period of time (debt bondage) or even without an agreement as to the timeframe (peonage)
 - 4. Core Elements of HT
 - a. **Act** (What is done)
 - 1) Recruitment
 - 2) Transport
 - 3) Transfer
 - 4) Harboring
 - 5) Receipt of a persons
 - b. **Means** (How it is done)
 - 1) The threat or use of force
 - 2) Coercion
 - 3) Abduction
 - 4) Fraud
 - 5) Deception

6) Abuse of power or vulnerability

7) Giving payments or benefits

c. **Purpose** (Why is it done)

1) Exploitation including

2) Prostitution of others

3) Sexual Exploitation

4) Forced labor

5) Slavery or similar practices

6) Removal of organs

7) Other types of exploitation

8) **Note:** The consent of a person becomes irrelevant if any of the “means” are used. A minor cannot consent even if the “means” are not involved

C. Why is it the epidemic that it is?

1. Lack of resources

2. Technology provides access and builds trust relationships

3. Build separate module for technology

a. Facial recognition

4. How technology is manipulated to avoid detection

5. Investigators need training on technology

a. Half day to full day of training with mentor on active cases

b. Live training

c. HT Investigator

d. Get victims perspective

e. Documentation

f. Cyber Safety courses in junior high schools to stay up to date on current sites

g. Report with victims

6. Social Media Apps and websites

a. Backpage

b. Facebook

c. Instagram

7. Child pornography sites

8. Sexual objectification

9. Current immigration crimes

10. Has not been focused on

11. Financial impact of gangs

12. Glamorization of pop culture

LEARNING ACTIVITY: List examples of movies, TV Shows, Songs and other media that glamorize pimp culture and prostitution.

13. Change in our own culture

14. Too easy to take children out of the country

15. Foster homes and group homes

16. Teen homelessness

17. Victim blaming

18. Society does not acknowledge the problem

19. Border kid crisis

20. Corrupt recruiters

21. Normalize sex industry
 22. Reluctance to hold sex buyers accountable
 23. Legalizing industry
 24. Not aware that it is occurring in their own community
 25. Suggest research on each topic
 26. Why people buy sex
 27. Lack of information for victims
 28. Easy for Johns to stay anonymous
 29. Homegrown buyers
 30. Need physical evidence
 31. Labor trafficking cases are more low-tech
 32. Victims are coming in to country under false identification information
 33. Investigator needs to know what questions to ask victim/survivor
- D. Paradigm shift we need to be aware of: Identification comes as a result of a victim centered approach
- LEARNING ACTIVITY: Word association between Human Trafficking Victim and Prostitute. What connotations and factors apply to each term.
1. Defining the victim centered approach
 2. Look at the victims protection act
 3. Separate legal and philosophical victim centered approach
 4. Short term and long term needs
 5. Environment where interview is taking place
 - a. Soft room allows victim to relax and be comfortable
 6. Investigator mind-set shift
 7. Help investigators understand where the kids/victims have been
 - a. Complex trauma
 - b. Severe cognitive and intellect problems of victims
 - c. Physically damaged brain from trauma
 - d. Blocking memories out as a coping mechanism
 - e. PTSD
 8. Build a relationship with the victim
 - a. Allow victim to lead what is happening in investigation
 9. Victim centered approach but also suspect focused (LE)
 10. Victim sensitive approach
 11. Victims have spent a lot of time with people always wanting things from them, LEs need to understand that and give them time
 12. Relationship among NGOs and LE

LEARNING ACTIVITY: Stakeholders of HT, define roles and objectives, rank willingness to work with.

 - a. Human Trafficking (HT) victim
 - b. HT Victim's parents and/or family
 - c. Law Enforcement investigator
 - d. Victim service providers
 - e. (Optional): Media, Community, Church.
 13. Need to look at HT as a long-term investment
 14. Need to convince LEOs to do this work (VICE-Narcotic)
 15. What is most important for investigators to know
 - a. Need a balance

E. Understanding “The Game”

1. The Actors:

- a. Facilitators (hotel owners)
- b. Pimps
 - 1) Methods of Control (Violence, Romance/Love, Business)
 - a) Violent Pimps
 - b) “Romeo Pimps”
 - c) Gangs
 - d) Drugs/Alcohol
 - e) Branding
 - f) CEO – promise of high paying jobs / mentors other pimps / franchising
 - g) Familial
 - h) Migrant
 - 2) Role of the Bottom Girl
- c. Victims
 - 1) Need service providers to meet her needs
 - 2) Age
 - 3) Role; disciplinarian, recruiter, trafficker, collects money
 - 4) Victims will be treated differently in each case
 - a) Adults
 - b) Children
 - c) Demographics
 - d) Gender: Male victims processing versus female victims processing
 - e) Vulnerability Factors
LEARNING ACTIVITY: Chart and discuss risk factors and HT statistics to best understand causes for HT victimization
 - f) Age of Entry
 - g) Recruitment Methods
 - 1) Violence, Romance/Love, Business
 - 2) Parents Selling Children (for money or drugs)
 - 3) Culture; differs by location
 - h) Recruitment Locations
 - i) The Myths
 - 1) Victimless crime
 - 2) Victims are involved willingly
- d. Buyers (Johns) – Rapists (prostitution)
 - 1) Cross-section of society
 - 2) Professionals; rich or middle class
 - 3) Need to understand the different types of Johns and develop different operations for each of the types
 - 4) Johns that are providers of information; US sex guide (i.e. yelp for providers)
 - 5) Demand of providers

- 6) To charge rape requires knowledge of age
 - 7) Should rape be charged no matter the age
 - 8) Elements of the crime
2. The Rules: Understand the rules to build case from minimal cooperation from victim
- a. Protect the Pimp
 - 1) Give False Identification
 - 2) Lie About Age
 - b. Pimp Gets all of the Money
3. The Venues
- a. Street Trafficking
 - b. Online Trafficking
 - c. Hotels/Motels
 - d. Brothels
 - e. Massage Parlors
 - f. Residential Areas
 - g. Escort Agencies
 - h. Truck Stops / Travel Plazas
 - i. Events
 - j. Card Rooms / Casinos
 - k. Parks / Public Bathrooms
 - l. Strip Clubs / Dance Halls
 - m. Bath House
 - n. Member Only Venues
 - o. Backrooms of Places
 - p. Adult Bookstores / Arcades
4. The Terminology (Potential Dictionary Handout)
- a. Most crucial terms
 - 1) Out of Pocket
 - 2) Breaking/Broke
 - 3) Blade/Track/Stroll
 - 4) Bottom Bitch
 - 5) Hocializing
 - 6) Doughboy
 - 7) Wifey
 - 8) Turn out
 - 9) Outlaw/Renegade
 - 10) Family/Stable
 - 11) Lot Lizard
 - 12) Carpet Ho
 - 13) Daddy/Boyfriend
 - 14) Trick/John
 - 15) Tennis Shoe Pimp
 - 16) Squaring up
 - 17) Choosing up
 - 18) Quota/Trap
 - b. Pimpology (book; pimp bible; new purchase of book gives pimp the proceeds)

- c. Need knowledge of information that is out there (books, movies, articles)
- d. Expert witnesses need to be comfortable with knowledge on terms
 - 1) Pimp Terms
 - 2) Street Terms
 - 3) Preferred Terms - Paradigm Shift
 - 4) Hotel Terms
 - 5) Electronic Terms on Ads
 - 6) Sexual Terms
 - 7) Resources to define slang

III. **VICTIMOLOGY**

1200-1600 (240 min)

A. Victimology

- 1. Law Enforcement Challenges: Oftentimes, the initial story from victims of human trafficking may not be the truth. Instead, the officer may receive a trained or canned response from the victim or no response at all or seem uncooperative.
 - a. The officer should be cognizant of the fact the victim may have endured physical and/or psychological imprisonment and/or threats.
 - b. Minors may lie about their age because they have been “coached” or protecting someone
- 2. Cultural and language barriers.
 - a. Assure translators used are impartial third parties. Do not use on site translators because they may be tied to the traffickers
 - b. Sympathetic toward the suspects, i.e. traumatic bonding
 - c. They may have a false sense of loyalty or commitment to the trafficker due to “brainwashing.”
- 3. Distrust of law enforcement

- a. Fear of prior criminal activities that victim was forced to engage in
 - b. They fear of deportation and/or jail
 - c. They are unaware of their rights and may not consider themselves victims.
 - d. Believe that life may be better now than it was previously despite the trafficking experience
 - e. They are afraid and intimidated by the traffickers.
 - f. They fear the unknown and unfamiliar and confused, overwhelmed
 - g. They are not in possession of their immigration documents whether falsified or legal
 - h. They fear the threats made against their families.
 - i. They fear being ostracized by their families and/or community.
 - j. They are financially indebted to the traffickers and feel extreme sense of obligation to repay debt (debt bondage)
 - k. They are physically and psychologically isolated and dependent on their trafficker for basic needs
4. Possible Victim Responses
- a. Fear
 - b. Evasiveness
 - c. May attempt flight
 - d. Silence
 - e. Refusal to cooperate
 - f. Embracing their traffickers and/or the traffickers' legal representatives
 - g. Cooperative
 - h. Ambivalent
 - i. Relieved
 - j. Unemotional, no affect
5. Understanding victim dynamics and responding effectively.
- a. Victims often need to feel safe before they will speak with officers/investigators.
 - b. Establish a non-judgmental approach toward victim
 - c. Show understanding, patience, and respect for the victim's dignity and attempt to establish trust and rapport.
 - d. A supported victim may result in a more effective witness.
 - e. Express sympathy to the victim and an interest in the victim's well-being.
 - f. Be familiar with the concept of "a victim-centered" approach.
 - g. The victim is at the center, and often times the cornerstone of the investigation.
 - h. When applicable, explain confidentiality rights.
 - i. An effective way to make a victim feel supported is to involve an NGO/government service provider at the earliest stages of your investigation
 - j. Don't make promises you can't keep
 - k. Follow-up on medical/forensic results
 - l. Follow-up on appropriate requests/needs, i.e. possible protections

available to victims and their families in response to perceived or real threats

6. Familiarity with available community resources and referrals, including civil and immigration remedies.
 - a. Trafficking victims often initially may not cooperate. To gain the trust and cooperation of victims, involve government victim assistance organizations (GVAO), such as county victim assistance centers and non-governmental organization (NGO) at the earliest stage of investigation. These agencies work collaboratively to provide support and ensure the short and long term needs of the victims.
 - b. Social service agencies (often referred to as "NGOs" or non-governmental agencies) and government victim assistance organizations (GVAO) are resources for law enforcement. They provide emergency, short and long term services to stabilize and support victims so they can participate in the investigation, as well as their rights as a victim.
 - c. These agencies can provide interpreter assistance, emergency/short and long term housing, access to medical/dental services, counseling and coordination with other services such as Public Health, the local Sexual Assault Response Team (SART), Child Advocacy Centers and Family Justice Centers.
 - d. One call to victim services and/or NGO can access all of the services a victim will need both short and long term.
 - e. These agencies inform victims of their legal rights, federal/state criminal and civil remedies, possible federal/state restitution and potential immigration relief.
 - f. These agencies have access to emergency funds and compensation programs.
 - g. These services are particularly important in cases involving large numbers of victims or victims with special needs, such as children, elderly, or disabled individuals.
 - h. Child Protective Services and the Office of Refugee Services (United States Department of Health and Human Services) may become involved and take custody and care of foreign victims under 18.
 - i. Adult Protective Services should be contacted for elder and disabled trafficking victims.
 - j. Contacting a task force for victim services or technical assistance will help prevent further victimization, and gives law enforcement immediate help in safely placing a victim. Even if a task force is not in the area, access can be made to victim services through other task forces.

IV. VICTIM CARE COORDINATION

0700-1600 (480)

1. Learning Outcomes
 1. Collaboration with Non-Governmental Agencies (NGOs)

2. Utilize resources, construct a plan, aware of potential resources available to them through the investigative process
 3. Realistic expectations in HT cases.
 4. Understanding the complexity of the victim's mindset, and implementing the victim-centered approach through entire process
 5. Create rapport and trust to stabilize victims, be able to build a service protocol for victims including identification of local resources
 6. Addressing conflict between criminalization and trauma sensitivity
 7. Providing the available resources to assist the short and long term recovery of the victim
- B. Victim Contact (Pre-Interview)
1. Pre-plan; prior to pre-interview
 2. Know who you are working with
 3. Location of interview
 4. What is the knowledge of the victim
 5. First Responders Protocol
 - a. Beginning of rapport building (even if it's not you)
 - b. May be patrol or first responder
 - c. Caring
 - d. Not forceful
 - e. Make the victim feel comfortable
 - f. Treat them as a victim, even if they have done something illegal
 - g. Take care of basic needs (food, water, clothing, medical)
 - h. Locate resources for basic needs
 - i. Housing / Shelter
 - j. Consider a soft room
 - k. Use of handcuffs: considerations
 - 1) Impact on victim rapport
 - 2) Dept. policy
 - 3) Safety concerns
 - l. Give them choices (radio station, food, seating)
 - m. LGBTQ awareness
- C. Victim Contact (Interview)
1. The victim's usually won't self-identify
 2. You have to read the situation and the victim: will be different for different victims
 - a. Investigators should develop a long term working relationship with the advocates
 - b. Investigators should calm themselves down prior to entering the room.
 - c. Be patient with victim
 3. You can talk about things other than the case: may be the best way to start
 - a. Show real videos of bad interviews
 - b. Ask victim what they are interested in, what they want to do when they grow up
 - c. Preference of male or female advocate that will make them the most comfortable

- d. Be honest with the victim
- 4. Hooks and Landmines
 - a. Personal history (shows empathy, can bring up bad memories)
 - b. LANDMINE – pimp (usually a boyfriend): Investigator needs to know they cannot convince the victim that their ‘boyfriend’ is not their boyfriend.
 - c. PROSTITUTE – Derogatory
- 5. Keep treating them like a victim, and eventually it will have an effect
- 6. Initial interview may not yield much
- 7. May have to challenge victim’s story, but in the right way
- 8. Show empathy
- 9. Treat with respect (HUGE): they are used to a lack of respect from everyone, including cops
 - a. Treat victim as an individual; dignity
 - b. Model healthy boundaries
 - c. Positive outreach from investigator
 - d. DA concerns regarding multiple interviews
- 10. Advocate present (offered) / Is DA victim advocate available: Professional advocate v. family/friend (Marsy’s Law; pitfalls)
 - a. Statewide Advocate hotline 24/7
 - b. Utilize resources available
 - c. Train investigators how to find resources
- 11. Think ahead to this case going to jury trial
 - a. Take mental note of all charges involved, not just 236.1 (206, 203, 207/209)
 - b. Know both the Penal Code and the jury instructions
 - 1) When writing report, look ahead to jury instructions
 - 2) Note the victims demeanor if using an audio recorder; non-verbal behavior
 - c. Be prepared to defend your actions in court
 - d. Document basic needs that have been given
- 12. Consider identifying regulars (do we contact/interview?)
 - a. Ask who else they told; use that to corroborate
 - b. Does anyone know you’re out here, Who’s taking care of you
 - c. Investigators need to be cognitive about interview
 - d. Tone and phrasing is important
 - e. Avoid re-victimization
 - f. Techniques employed to find facts
 - g. Give investigators a refined skill set to maintain good rapport but also get the facts
- D. Victim Stabilization
 - 1. Resources
 - a. For juveniles, you must call CPS/DCFS (check on your agency’s protocol): Provide students with thumb drive of example protocol (Yolo County)
 - b. Know your Non-Government Organizations (NGOs): what they can provide, after hours contact

- 1) Know which resources to contact; hotlines, associations, known resources, develop relationship with NGOs, know your task force
- 2) Network with surrounding counties
- 3) The Grace Network; thegracenetWORK.org; APP for phone
- 4) Make connections early as they will be referring cases to LE
- c. Case management
 - 1) Advocates follow victims through entirety of case
 - 2) Victim advocate, mental health providers
 - 3) Wrap around approach
 - 4) Recognize / identify victims with developmental delays
- d. DA victim advocate can help with arranging for all resources
- e. In rural counties, may have to use DV or Rape Crisis Center contacts
2. Short and long-term concerns
 - a. Can differ if the victim is an adult or juvenile
 - b. Will they run from CPS placement?
 - 1) Provide resources and information on what changes are happening in legislation in regards to CPS
 - 2) Often times the victim is from a different county and must be sent back to county of origination
 - 3) Presiding Judge is able to put a hold on juveniles to keep them in the county to give investigators time to figure out what to do with the victim
 - 4) Dependency hold or Delinquent hold
 - 5) What are the alternative holds? (safe house, runaway shelter)
 - 6) Scram bracelet rather than juvenile hall
 - c. Foster care? Group homes?
 - 1) Emergency Foster homes
 - 2) Foster Homes with family
 - 3) Safe Families – host families
 - 4) Out of county services can be used if the facility will take them
 - d. Drug & alcohol issues
 - 1) Find out usage
 - 2) Reason for usage
 - 3) Forced usage
 - 4) Placement, treatment, services
 - e. Temporary and long-term housing for adults
 - 1) DV Shelter
 - 2) Know which shelter will take them before calling
 - 3) Human Trafficking houses; house rules
 - f. Appearance in court
 - 1) How to prep the victim to testify in court

- 2) No victim needed (work every case like you don't have a victim)

E. Relapses / new pimp

V. **LEGAL APPLICATION**

0700-1100 (240 min)

A. Learning Outcomes

1. Legal definition of human trafficking
2. Distinguish HT criminal elements in State vs. Federal law

B. Definition of Human Trafficking (HT)

1. Forced prostitution
2. Forced labor
3. Focus on minors
 - a. Anyone under the age of 18
 - b. Difference between a child and minor

C. Victim Legal Issues

1. EC 1161
2. Arrest/Non-arrest
3. 300/602
4. Bottoms?
5. Marsy's Law
6. Confidentiality Issues (EC 910/917)

D. Prostitution versus Human Trafficking

1. Prostitution arrests alone don't address the issue
2. Similar to arresting dope users and not sellers
3. Misdemeanors versus Felonies
4. County time versus Prison time
5. Cases are easier to prove than you think
 - a. Electronic evidence
 - b. Video evidence
 - c. Victims will talk if you show you care and you're willing to listen
 - d. DA's office on board, no more case shopping

E. Trafficking vs. Smuggling

1. Smuggling: Movement of persons across borders unlawfully, irrespective of victim's participation
2. Trafficking: Depriving a person's liberty for the gain of the trafficker; or the victim is a minor

F. Proposition 35

1. Effective November 7, 2012
2. Drastically increased penalties for human trafficking
3. Expands definition for minors

G. Pimping / Human Trafficking Penal Codes

1. 266h(a) PC – Pimping (3-4-6yrs)
 - a. Elements
 - b. Definitions of elements
2. 266h(b)(2) PC – Pimping of a Minor under 16 (3-6-8yrs) & 290 PC

required

- a. Elements
- b. Definitions of elements
3. 266i(a) PC – Pandering (3-4-6yrs)
 - a. Elements
 - b. Definitions of elements
 - c. Other theories of pandering
 - 1) Defendant arranged/procured a position for person to be a prostitute in a house of prostitution or any other place where prostitution is encouraged/allowed
 - 2) Defendant used promises/threats/violence to cause/induce person to remain as prostitute in house of prostitution or any place where prostitution is encouraged/allowed
 - 3) Defendant used fraud, trickery, duress, to persuade/procure person to be a prostitute/enter a place where prostitution is encouraged/allowed
 - 4) Defendant received/gave/agreed to receive/agree to give something of value in exchange for person to be a prostitute
 - d. Principles
 - 1) Duress
 - 2) Does not matter if victim is innocent, a “hardened prostitute” or an undercover police officer with no intent of prostituting
 - e. 266(j)PC – Procurement of Minor under 16
 - 1) 3-6-8 and 290 registration
 - 2) Special Note on Lewd/Lascivious definition
 - a) Willful touching either skin/skin or through clothing
 - b) With intent to arouse, gratify or appeal to lust, passion or sexual desires of the subject or child
 - c) There is NO requirement of “commercial” sexual activity or monetary motive
4. Procure
 - a. *People v. Cimar* (1932) 127 Cal. App. 9
 - b. *People v. Montgomery* (1941) 47 Cal. App. 2d 1
5. *People v. Zambia* (2011) 51 Cal. 4th 965
6. Pandering a Minor
 - a. *People v. Branch* (2010) 184 Cal. App. 4th 516
 - b. 236.1PC a. 236.1(a) PC 236.1(b) PC – Human Trafficking with sexual exploitation (8-14-20yrs)
 - c. 236.1(c)(1) PC – Human Trafficking of a Minor under 18yrs old (5-8-12yrs) & PC 290 reg. With force (15-Life).
 - d. 236(c)(2) PC
 - e. 236.4 PC – Great bodily injury in human trafficking
7. Pimping/Human Trafficking Legal Definitions
 - a. Deprivation of Liberty

- b. Duress
 - c. Coercion
 - d. Serious Harm
- H. Factors to consider in all Human Trafficking cases
 - 1. Totality of the circumstances
 - a. Age of alleged victim
 - b. Relationship between victim and alleged trafficker or agents of trafficker
 - c. Any handicap or disability of the victim
 - 2. Consent by a minor victim is not a defense
 - 3. Mistake of fact as to the age of the victim of human trafficking at the time of the commission of the offense is not a defense
 - 4. Advantage of adding codes - No other units getting similar sentences
- I. Related California State Laws
 - 1. PC 647(b) PC - Prostitution
 - a. Sex buyers
 - b. Sex provider
 - 2. PC 266h – Pimping
 - 3. PC 266i – Pandering
 - 4. PC 266a – Abduction for purposes of prostitution
 - 5. PC 266c – Consent to a sexual act induced by fear
 - 6. PC 267 – Abduction of minor for purposes of prostitution
 - 7. PC 181 – Slavery
 - 8. PC 236 – False imprisonment
 - 9. PC 261.5 – Unlawful sexual intercourse
 - 10. PC 269 – Aggravated sexual assault of a child
 - 11. PC 266j – Furnishing child for lewd purposes
 - 12. PC 288 – Sexual offense or lewd act against child or dependent adult
 - 13. PC 422 – Terrorist Threats
 - 14. Money Laundering
 - 15. Asset Forfeiture
- J. Federal Laws
 - 1. Trafficking Victims Protection act of 2000 (TVPA)
 - 2. Created to combat trafficking in persons, to ensure just and effective punishment of traffickers, and to protect their victims
 - 3. Defines severe forms of human trafficking in persons as sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age
 - 4. Strengthens sentencing guidelines previously in place
 - 5. TVPA is a victim-centered law that grants victims certain rights
 - 6. TVPA of 2000 was created for:
 - a. Grants to state coalitions
 - b. Programs to increase public awareness
 - c. Provides victim benefits /assistance
 - d. Increases penalties, 20-30 years for slavery, Life with death, kidnapping, or sexual abuse to victim

7. What Does the TVPA of 2000 Provide for Victims?
 - a. Access to Health & Human Service benefits
 - b. Possible Immigration relief
 - c. Legal assistance
 - d. Victim-Witness protection
 8. Protection Act of 2003
 - a. Illegal to solicit sex with a minor abroad
 - b. Illegal to engage in illicit sex abroad
 - c. Illegal to travel with the intent
 - d. Coercion can be mental or physical
 - e. Entitlement to seek civil remedies
 - f. Seeks to curb demand
 9. Mandatory minimums – 10 years for sex, 5 years for labor
 - a. Different proof requirement for juveniles
 - b. Can take longer to prosecute
 - c. CA ECPA rules do not apply
 - d. LEARNING ACTIVITY: Review 5 scenarios and determine if best to file State vs. Federal based on criteria, details of the case and sentencing.
- K. Theories of Liability
1. Aider/Abettor
 2. Co-conspirator liability
 3. Natural & Probable Consequence Doctrine
- L. Brady Considerations
1. Preservation of Evidence – RECORD everything
 2. ANY benefits to victim (even Del Taco!)
 3. Do not make promises of leniency
 4. T or U Visa issue
- M. Search Warrants
1. County-specific procedures
 2. Backpage – 90 day retention
 3. Facebook / Instagram
 4. ECPA: SB 178
 - a. Admin Subpoena
 - b. Particularity in what you are asking for and time period
 - c. Evidence of new crimes
 5. Evidence Code 1040-1042 and Hobbs
 6. iPhone SWs
 7. Thumb Prints
 8. Preservation Letters
- N. Courtroom testimony for HT
1. Demeanor
 2. Learning the questions
 3. Defense strategies
 4. LEARNING ACTIVITY: Role play with investigator and defense attorney. Discussion on best practices for HT investigations.
- O. Miscellaneous Legal Issues:
1. Jurisdiction

- a. State vs. Federal
- b. County vs. County
2. 1275/1275.1
3. Statute of Limitations
4. Material Witness Holds/Warrants

VI. **VICTIM INTERVIEW**

1200-1600 (240 min)

- A. Interview Best Practices
 1. Audio & Video are recommended
 - a. There's no reason to conduct an interview if you don't record it
 - b. Preserves statement(s)
 - c. Excellent in court
 2. Establish a connection with the victim. Learn their history, invest 5-10 minutes to get results
 3. Have a plan
 4. Know the facts
 5. Be a subject matter expert – or it will show
 6. Use the interview to prove the elements of the crime
 7. Avoid questions with “Yes” or “No” answers
 8. Summarize their story to prove the jury instructions
 9. B.A.T.I. (Behavior Analysis Training Institute) techniques are proven
- B. Working specifically with Victims
 1. Encourage the victim to tell their story
 2. Close the distance on your victim
 3. The power of touch
 4. Be quiet and listen
 5. Victim-centered interview room
 6. Case examples
- C. HT Victim Interview: Evaluated Learning Activity
 1. Purpose of Activity: To apply a victim-centered approach to a human trafficking victim.
 2. Description: The victim (role-playing actor) will be given a script that reflects the facts from the their assigned scenario. The victim from each scenario will be interviewed by one member of each team. Specific facilitator and actor directions are expounded in module document (*Actor and Facilitator Script*). Each team must score at least a three on the Victim Interview Grading Rubric. The teams are instructed to read their assigned scenario and then prepare their strategy for their interview with the HT victim.
 3. This exercise will require at least 5 actors. Interview rooms are needed for each scenario. An instructor/facilitator is required for each scenario interview. In addition to running the exercise for their assigned team, they will provide feedback and complete the grading rubric. The facilitators will utilize “teachable moments” throughout the activity, which may include “whole team debriefs” and facilitated discussion. The four students not participating in the exercise will complete the “Victim Interview Grading Rubric,” for the student conducting the interview.

4. Each group of investigators are responsible to present the overall case, including the victim interview to the Deputy District Attorney for filing consideration. They will also use the information gleaned from this exercise to complete their presentation on the final module of the course.
5. Learning Objectives:
 - a. Practice interview strategies
 - b. Practice identifying behavioral cues
 - c. Practice effective communication for interviews
 - d. Practice the victim centered approach with HT victims

VII. **EVIDENCE IDENTIFICATION & COLLECTION**

0700-1100 (240 min)

- A. Physical Locations & Vehicles
 1. Hotel / Motel Rooms
 2. Suspects residence
 3. Suspect/Victim vehicle
 4. Truck Stops / transit depot
 5. Any place named by the victim
- B. Physical Evidence
 1. Motel/Hotel registration, keys
 2. Surveillance video
 3. Credit/debit cards
 4. Phones
 5. PHOTOS
 - a. Tattoos, bruises, feet
 - b. Injuries, burns, scars
 - c. Locations, evidence
 6. Clothes / Jewelry/Nails/Charms
 7. Notebooks
 8. NCIC offline
 9. LPRs
 10. Hospital records (medical release)
 11. Prior citations
 12. Trash bins
 13. Sex industry devices
 14. Drugs (legal also, for sedation)
 15. Pretext calls / Pretext Texts
 16. SRT Exams/when to and not to ask for them
 17. Condoms, lubricants
 18. Apartment/Business leasing documents
 19. Gang indicia
 20. Youtube
- C. Documentary Evidence
 1. Contractual
 2. Property ownership/lease agreement
 3. Business/Financial

4. Directories, client lists, ledger
 5. Utility bills/phone records
 6. Tax returns
 7. Bank records
 8. Receipts
 9. Business licenses
 10. Employment records
 11. Legal
 12. Vehicle registration
 13. Vehicle violations/tickets
 14. Temporary Restraining Order (TRO applications)
 15. Marriage/divorce records
 16. Arrest/crime record
- D. Identification Documents (real and forged)
1. Passports
 2. Visas
 3. Other immigration docs (green cards, work permits)
 4. Birth certificates
 5. Identification cards
 6. Licenses
 7. Evidence of forgery
 8. Stolen ID
- E. Personal
1. Mail order advertisements
 2. Letters, journals written by victim
- F. Travel
1. Bus, airline, train tickets
 2. GPS tracking
 3. Border crossing records
- G. Electronic Evidence
1. Cell phones / Laptops / Tablets
 2. Cellebrite / Lantern
 3. Internet (classified websites)
 4. Backpage (financial records in addition to invoice data)
 5. Social Media (Facebook, KiK, Tagged, IG, SnapChat)
 6. Dark Web
 7. GPS / Vehicle GPS history
 8. Emails
 9. Websites, Internet accounts
 10. Web bulletin boards, chat rooms, personal ads, matchmaking services
 11. Security system videos
 12. Flash drives, including those on key chains
- H. Percipient Witnesses
1. Motel / Hotel clerks
 2. Cleaning personnel
 3. Tattoo artist
 4. Family / Friends
 5. "Johns"

6. Medical providers / SRT nurse
7. Border crossing (LPRs, Border agents for entry/exit)
- I. Suspect Interrogation
 1. Miranda
 2. KNOW the Facts
 3. KNOW the elements
 4. Be a SME – know and use the correct language
 5. Have a plan
 6. BATI techniques
 7. Suspect lies are almost as good a confession – keep him talking
 8. Use his language
 9. DO NOT say PIMP
 10. Be Broad about understanding relationship
- J. Post-Arrest
 1. Jails Calls
 2. Jail Letters/Mails
 3. Visitor logs
 4. Money on the books
- K. Financial Records
 1. FinCen Reports (how to get them, use and limitations)
 2. Bank Account records
 3. Debit Card records (open source methods)
 4. Green Dot
 5. Asset Forfeiture (236.6, 186.10)
 6. Money Laundering
- L. Search Warrants

VIII. **PROACTIVE CASE DEVELOPMENT**

1200-1600 (240 min)

- A. How to Initiate Cases
 1. Internet Based Investigation
 - a. In-Call
 - b. Out-Call
 - c. Car dates
 - d. Advertisements
 2. Social Media
 - a. Undercover accounts
 - 1) Passive
 - 2) Targeted
 - 3) Information gathering for prior victims and current pimps
 - b. Build current cases
 3. Street Operations
 - a. Loitering
 - b. Car Dates
 4. Brothels (residential)
 5. Massage Parlors
 6. Events (i.e. Super Bowl)
 7. John Operation (demand)

8. Wiretapping (SB 178)
 9. Cell Phones (evidence may lead to additional victims)
 10. Technology Tools (examples)
 - a. Spotlight
 - b. Traffic Jam
 - c. LEAP
 - d. Memex
- B. Reactive Case Management – Tips from:
1. Juvenile Hall
 2. Polaris
 3. NCMEC & Other Child Find Agencies
 4. Missing Child Cases
 5. Cooperating Hotel Personnel
 6. Schools
 7. Parents
 8. CPS
 9. Self-Reporting
- C. Case Management Issues
1. Reluctant victim – flight issues
 2. Arrest / Victim / 849(b)(1)PC
 3. Shelter / Subpoena
 4. Victim Advocate
 5. Victim assistance funding? DA?
 6. Knowledgeable District Attorney
 7. Continued investigative involvement
- D. What Have We Learned?
1. Technology is key (cell phones, social media)
 2. It takes a village
 3. Partnerships with non-government organizations are MANDATORY!
No longer an option, we can't do it alone.
 4. Refusal to turn a blind eye
 5. Victims enter "the game" as early as 12yrs old
- E. How can you help the District Attorney (DA)?
1. Be an active participant
 2. Be involved from the start
 3. Sit in as the investigating officer (I/O) a) Benefits to see how it all plays out.
 4. Huge assistance to DA
 5. Helps victim to see you are there
 6. Go to sentencing
 - a. Closure
 - b. Helps support victim
- F. Record Everything
1. There is no excuse for not recording investigations
 2. Provides excellent evidence and insight to the investigation
 3. Jury Appeal
- G. Long Term Partnerships
1. Internal- Within Department

- a. Patrol
- b. Domestic Violence
- c. Gangs
- d. Missing Persons
- e. Violent Crimes
- f. Dispatchers
- g. School Resource Officers
- 2. External
 - a. DA's
 - b. Task Forces
 - c. Victim Advocates
 - d. NGO's
 - e. Neighboring Agencies
 - f. City Schools (Teachers)
 - g. Federal LEA
 - h. FBI – Innocence Lost Initiative
 - i. Homeland Security
 - j. DCFS
 - k. Juvenile Probation
- H. De-confliction
 - 1. Combining Cases
 - 2. Proactive Investigations: Blue on Blue
 - 3. LA Clear
- I. Tactics in Undercover Operations – Overview
 - 1. Philosophy
 - 2. The limitations of Undercover/Plainclothes Operations
 - 3. Pre-Operation Planning
 - a. Knowing your environment
 - b. Proper notifications
 - c. Everyone knows their role and responsibility
 - 4. Proper equipment and dress
 - 5. Every member is a safety officer. If it feels wrong, take action to fix it, you have an obligation to everyone on the team
 - a. Supervisor responsibility to listen to operators
 - b. Everyone has the right to call to abort the operation
 - 6. Communications
 - 7. Type and quality of investigation
 - 8. Resources
 - 9. Quality of Intelligence
- J. Tactical Considerations
 - 1. Equipment
 - a. Undercover/plainclothes officers required and optional equipment for plainclothes duty
 - b. Operating in an undercover or plainclothes capacity often presents unique challenges for field officers
 - c. These situations may require creative, aggressive enforcement actions to resolve community problems

- d. Creativity and proactive enforcement during undercover and plainclothes operations are encouraged; however, officer safety and sound tactics should remain of paramount importance and should never be compromised during field operations
 - e. The possession of the proper equipment contributes greatly to the safety of undercover and plainclothes officer
2. Tactics/Officer Safety
- a. Officer safety, sound tactics and appropriate preparation should remain of paramount importance and should never be compromised in conducting plainclothes operations
 - b. Always have an written operations plan, including teams of support personnel
 - c. Security (plainclothes), Arrest (uniformed or raid jackets), Chase (uniformed)
 - d. Change your body language - take the “cop” out of yourself
 - e. Familiarize yourself with the area you are working
 - f. Have the right attitude – think officer safety but remember they do not
 - g. Remember you are the eyes and ears for the team – an intelligence gatherer
 - h. Keep your supervisor and team advised of your location, observations and activities. Keep your status updated
3. Roles and Responsibilities general
- a. Importance of knowing roles and responsibilities
 - b. Objectives of the mission
 - c. Be flexible and ask questions if you do not understand
 - d. Choose the right undercover operator(s) for the job
 - 1) Consider officers who can think on their feet
 - 2) Consider officers who are naturals and can role-play
 - 3) Consider officers who are mature and calm and are always under control
 - 4) Consider an officer’s overall appearance for specific areas
 - c. Control the scenario: Do not be afraid to call off the operation
 - d. Notify outside agencies if required, i.e. Housing Authority, LASD, etc.
4. Planning/Briefing
- a. All assigned personnel shall attend the briefing
 - b. Conduct a general overview of the Operation, including
 - c. Purpose of the operation
 - d. Tactical Plan
 - e. Any other pertinent information relating to the operation
 - f. Radio operational frequencies and procedures
 - g. Review Undercover Officer Survival Guidelines (Officer Safety)
 - h. Review Foot Pursuit/Vehicle Pursuit/Use of Force
 - i. Ensure all personnel understand their specific assignment responsibilities – review Undercover Operations Responsibilities
 - j. Identification of all undercover officers and vehicles
 - k. Review all prearranged signals
 - 1) Operation terminated
 - 2) Transaction completed

- l. Response procedures to Undercover emergency
- m. Ensure that all appropriate notifications have been made prior to initiation of Operation –Deconfliction Center IDS,LA CLEAR
- n. Report writing, review and approval procedures
- o. REMEMBER: Plan for the worst on every operation. Cover all aspects of the game
- p. Equipment
 - 1) Wear body armor
 - 2) Wear a raid jacket when identification is necessary
- q. Have a uniformed officer present as back-up and for identification purposes whenever possible
- r. Always be properly equipped for the operation
- s. Pre-Planning and Preparation
- t. Mentally prepare yourself for undercover work – expect to be challenged
- u. Adjust your attitude – understand your role and limitations
- v. Develop a contingency plan protocol: “when things go sideways”
- w. Establish a set of pre-determined “signals” both hand and verbal
- x. Practice and always have a cover story and/or a reason for being in the area
- y. Practice scenarios you may encounter
- z. Practice being challenged – practice being shocked by your observations
 - 1) Gun
 - 2) Narcotics, a wanted suspect(s), a crime

IX. **ETHICS AND INVESTIGATOR WELLNESS**

0700-1100 (240 min)

- A. Role of the Investigator
- B. Personal Impacts
- C. The Challenge
- D. Defense Mechanisms
 - 1. Isolation
 - 2. Displacement
 - 3. Repression
 - 4. Rationalization
 - 5. Projection
- E. Learning Activity: Boundary setting with HT victims and maintaining a professional relationship.
 - 1. Why are HT victims are unique?
 - 2. What is unique about the role of the HT investigator?
 - 3. What boundaries are set by your agency?
 - 4. What boundaries are important for you to set?
 - 5. How do supervisors and managers fit into this?
- F. Stress and Burnout
- G. Definitions
 - 1. Stress

- 2. Stress Continuum
 - 3. Burnout
 - 4. Burnout Process
 - 5. Burnout Syndrome
 - H. Managing Stress
 - 1. Components
 - 2. Sabotage
 - I. Learning Activity 2 (20 min)
 - J. Disruption of Family Activities
 - 1. Shift Work
 - 2. Schedule Changes
 - 3. On Call Status
 - 4. Emergency Hours
 - K. Overprotection
 - 1. Hypervigilance
 - 2. Restrictiveness
 - 3. Suspiciousness
 - L. Family Safety Issues
 - M. Learning Activity for Investigator Wellness
 - 1. Job safety: Being alone with the HT victim
 - 2. Setting Boundaries in building rapport and maintaining professional relationship: Transitioning to long-term care and referral to advocates/resources.
 - 3. Exploited for information: Investigators being used for information
 - 4. Fatigue, Burnout and Investigative Recovery
 - 5. Secondary trauma, PTSD and Recover
 - N. Strategies for Healthy Coping
 - O. Current techniques used to manage stress
 - 1. Physical self-care
 - 2. Psychological self-care
 - 3. Emotional self-care
 - 4. Spiritual self-care
 - 5. Workplace or Professional self-care
 - 6. Balance
 - P. New stress management techniques
 - Q. Other Resources
- X. **FINAL PRESENTATIONS AND COURSE CLOSING** 1200-1600 (240min)
- A. Final Evaluation: In Groups, present assigned case for filing consideration scoring at least 18 out of 24 on the Human Trafficking Final Grading Rubric.
 - 1. Five Human Trafficking Cases as assigned
 - 2. Grading categories
 - a. Victimology
 - b. Victim care and cooperation
 - c. Evidence collection
 - d. Suspect Statements

- e. Legal Application
 - f. Proactive case management
- B. Course Evaluations
- C. Final Questions and Comments
- D. Certificates of Completion Awarded